



New York State Teachers' Retirement System

10 Corporate Woods Drive
Albany, New York 12211-2395

(800) 356-3128 or 447-2666 (Albany-area calls)

Web Site: www.nystrs.org

George M. Philip, Executive Director

ADMINISTRATIVE BULLETIN NO.

2004-3

SUBJECT:

*NYSTRS
Membership
Information for
Teacher Assistants*

TO: Chief School Administrators
College and University Presidents
School Principals

DATE: March 2004

As a result of the federal No Child Left Behind mandate, some of your employees may recently have been reclassified from a **teacher aide** to a **teacher assistant**. By law, teacher assistants must join the **New York State Teachers' Retirement System (STRS)**. Aides are, and will remain, members of the New York State and Local Employees' Retirement System (ERS).

Important STRS Information for Teacher Assistants:

- Membership in STRS is mandatory if they are employed on a full-time, per annum contractual basis. (*Membership is optional if they are employed on a part-time basis. However, to receive credit for teacher assistant service, they must join STRS.*) To join STRS, they must complete, have notarized and file an STRS membership application.
- If they have no other employment reportable to ERS, they should transfer their ERS membership into STRS immediately. There are **no disadvantages** to doing so. They will be assigned their ERS date of membership and tier status.
- During the transfer process, if 3% member contributions are deducted, the district will be required to refund the contributions made by Tier 1 and 2 members, as well as Tier 3 and 4 members who had 10 years of service credit or membership prior to initiating the transfer, when the transfer is complete.
- When they transfer, they will be credited with any ERS service that was not concurrent with their STRS service, up to a maximum of one year of credit in any school year (July 1 to June 30).
- If they do not transfer, they will be a Tier 4 member in STRS and will be required to make 3% member contributions until they have been a member for ten years or have ten years of service credit, whichever occurs first. Their eligibility for, and the calculation of, any STRS benefits will be based only on their STRS service. For these reasons, it is almost always more beneficial to combine memberships.
- If they continue to work in a position reportable to ERS after becoming an STRS member, they can have memberships in both systems simultaneously. They can apply for benefits from both systems when they meet the eligibility requirements. However, they cannot earn service credit from one New York State public retirement system while they are retired from another.

For More Information

Basic information regarding STRS and its benefit structure can be found in [*A Member's Handbook*](#), available on the "Publications" and "Active Members" pages of the STRS Web site (www.nystrs.org). Questions regarding teacher assistants that are not addressed in this memorandum can be answered by calling (800) 348-7298, Ext. 6250.