



NYSTRS Membership Information For Teaching Assistants

As a result of the federal No Child Left Behind Act of 2001, many **teacher aides** were reclassified to **teaching assistants**. By law, teaching assistants must join the New York State Teachers' Retirement System (NYSTRS). Aides are, and will remain, members of the New York State and Local Employees' Retirement System (ERS).

Teaching Assistants and NYSTRS

- Membership in NYSTRS is mandatory if you are employed on a full-time, per annum contractual basis. (*Membership is optional if you are employed on a part-time basis. However, to receive credit for teaching assistant service, you must join NYSTRS.*) To join NYSTRS, you must complete, notarize and file a NYSTRS [Membership Application](#) (form NET-2).
- If you have no other employment reportable to ERS, you should transfer your ERS membership to NYSTRS immediately. There are **no disadvantages** to doing so. You will be assigned your ERS date of membership and tier status.
- During the transfer process, your district may deduct 3% member contributions. If so, you will be refunded these contributions when the transfer is complete. To be eligible for a refund of all contributions, you must apply for your transfer in the same school year of your NYSTRS membership. (*In the case of Tier 3 and 4 members, this assumes that you had 10 years of membership or service credit prior to initiating the transfer.*)
- When you transfer, you will be credited with any ERS service that was not concurrent with your NYSTRS service, up to a maximum of one year of credit in any school year (July 1 to June 30).
- If you do not transfer, you will be a Tier 4 member in NYSTRS and will be required to make 3% member contributions until you have been a member for 10 years or have 10 years of service credit, whichever occurs first. Your eligibility for, and the calculation of, your NYSTRS benefits will be based only on your NYSTRS service. For these reasons, it is almost always more beneficial to combine memberships.
- If you continue to work in a position reportable to ERS after becoming a NYSTRS member, you can have memberships in both systems simultaneously. You can apply for benefits from both systems when you meet the eligibility requirements. However, you cannot earn service credit from one New York State public retirement system while you are retired from another.

For More Information

Basic information regarding NYSTRS and its benefit structure can be found in the [Active Members' Handbook](#) available in the Library at www.nystrs.org or by calling our Hotline at (800) 782-0298. You can also speak with a NYSTRS representative by calling (800) 348-7298, Ext. 6250.