

earnings limitations for the member and a required break between employment and retirement. These are addressed in this section. These rules apply to any retiree being paid for any reason as described below:

Governance [O.S. 70 § 17-116.10\(A\)\(4\)](#)

A client shall be considered to be employed by a school district to perform the duties ordinarily performed by classified or non-classified personnel if the client is hired by the school district in the client's individual capacity to perform the duties or if the client performs the duties through employment with a proprietorship, partnership, corporation, limited liability company or partnership, or any other business structure that has agreed or contracted to provide the services to the school district.

Definitions:

"Public school" means all schools, colleges, universities, state agencies, boards, commissions or other state educational entities conducted within the state supported wholly or partly by public funds and operating for any function of public education. All employment by any state agency, which would cause or allow the member to be enrolled in TRS as an active employee will constitute employment by a public school for the purposes of this section. Members receiving service retirement benefits may be employed in private schools, public schools in other states, and in private business without affecting their benefits.

"Retired Member" shall be inclusive of any person, who is receiving monthly benefits from the Teachers' Retirement System of Oklahoma, whether that person is an individual, incorporated entity, corporation, proprietorship, partnership, limited liability company or partnership, or any other business structure that contracts with a public school to perform duties ordinarily performed by classified or non-classified personnel.

"Retirement" means withdrawal from active service, with a retirement benefit in lieu thereof.

Mandatory Break between Employment and Retirement

Governance [O.S. 70 § 17-116.10\(A\)\(1\)](#)

A retired member is not eligible to be employed by the public schools of Oklahoma, in any capacity, for sixty (60) calendar days between the retiree's last day of pre-retirement public-education employment and any post-retirement public-education employment. For purposes of this section, the term "last day of pre-retirement employment" shall mean the last day the employee is required to be physically present on the job to complete the terms of the employment contract or agreement. Employment under any conditions during this time, volunteer services for the purpose of obtaining a paid position at a later date, or payment at a later time for services performed during this time period shall cause the forfeiture of all retirement benefits received during the period