



These Rules shall apply to the re-employment of retirees in educational, administrative, or professional positions in the Chicago Public Schools or a charter school. The term "teacher," as used in these Rules, includes "members of the teaching force" as defined in 40 ILCS 5/17-106 and "Administrators" as defined in 40 ILCS 5/17-106.1.

The Chicago Teachers Pension Fund provides benefits to retirees who are no longer working as teachers for CPS or a charter school. Under the Illinois Pension Code, retirees cannot continue to receive a pension if they return to work as teachers, except in strictly limited circumstances, and provided the teaching position is "temporary and non-annual." A retiree cannot work in a "permanent or annual position" while receiving a pension.

CTPF retirees may return to work for any employer not covered by the CTPF pension system without restriction. If you do not know if your employer is covered by the CTPF pension system, contact CTPF Member Services before returning to work.

I. PRESUMPTIONS

These rules create presumptions regarding the re-employment of retired teachers. Whenever, under these Rules, a retired teacher is presumed to be engaged in "permanent or annual" employment as a teacher for CPS or for a charter school, the retired teacher's pension will be cancelled, and the retired teacher will be required to repay the pension benefits received while the retired teacher was working in the permanent or annual position, **unless the retired teacher produces sufficient evidence to rebut the presumption.**

II. NOTICES TO RETIRED TEACHERS

A. Upon Retirement

Applicants for pension benefits will be provided with a copy of these Rules and will be required to complete CTPF Form 717, Acknowledgement of CTPF Re-Employment Rules.

B. Upon Return to Work

A retiree who fails to provide timely notice to the Fund of his or her return to work as a teacher will be presumed to be working in a "permanent or annual position." Any retired teacher who is receiving a pension from the Fund who returns to work as a teacher in a position other than a day-to-day substitute for CPS or for a charter school must notify the Fund in writing within 30 days of his or her return to work. This notice is to be provided by completing CTPF Form 770, Notice of Return to Work, available from Member Services or at www.ctpf.org.

III. 145 WORK DAY LIMIT

Subject to the rules set forth below, a retired teacher re-employed as a teacher for more than 145 days per school year for a CTPF-covered employer will be presumed to be employed in a "permanent or annual" position, unless the retired teacher can establish otherwise.

IV. RULES REGARDING DEFINITION OF "TEMPORARY" WORK

A. Categories of "Temporary" work

In order for **any** re-employment to be considered "temporary and non-annual," such employment **must** fall into one of the following categories:

- i. Work as a substitute teacher;
- ii. Temporary assignment to a teaching position, which is normally filled by an appointed teacher, known as an "encumbered" position, when the appointed teacher filling the position is on a CPS or charter school approved leave, and is, therefore, expected to return. Temporary assignments **cannot** be made to "vacant" positions, except in cases of emergency.

B. No Return to Pre-Retirement Position

Retired teachers may not return to the attendance center or position the teacher held immediately prior to retirement, except as a day-to-day substitute teacher. Any retired teacher who returns to his or her pre-retirement position will be presumed to be working in a "permanent or annual position."

C. School Year Limit

A temporary assignment may not extend beyond the end of the school year in which the temporary assignment begins. Any retired teacher who continues to work beyond a single school year in an assignment will be presumed to be working in a "permanent or annual position."

V. PROCEDURES

Once the Fund determines that a presumption of "permanent or annual" employment exists, the following procedures will apply:

A. Notification

The Fund will notify the retired teacher of the presumption and that the retired teacher's failure to rebut the presumption will result in cancellation of the pension and the obligation to repay all benefits the retired teacher received while working in "permanent or annual" employment.

B. Administrative Hearing

Prior to the cancellation of the pension, the retired teacher will be given the opportunity to request an administrative hearing. The Fund will establish expedited administrative hearing procedures for the conduct of such hearings.