

TRANSMITTAL OF RULES ADOPTED

FROM: STATE BOARD FOR COMMUNITY COLLEGE EDUCATION
(Name of Agency)

TO: CODE REVISER
LEGISLATIVE BLDG (Southwest Corner, Ground Floor)
Olympia 98501

The enclosed Permanent rules , being order No. 4
Emergency rules

relating to (Name of rules or description of subject matter)

The implementation of a retirement and annuity plan for designated community college faculty members and employees, including rules designating eligible individuals; the definition of retirement age; contribution rates; and conditions and options regarding participation in the plan.

(ALTERNATIVE A. Use only for adoption of permanent rules)

pursuant to Notice No. 2411 ① filed with the code reviser on 9/17/1969 ② were regularly adopted as permanent rules of this agency at Walla Walla, Wash. on 10/9/1969 and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW. The effective date of such rules shall be _____ ③

(ALTERNATIVE B. Use only for adoption of emergency rules)

pursuant to its finding that the immediate adoption of these rules is necessary for the preservation of the public health, safety, or general welfare and that observance of the requirements of notice and opportunity to present views on the proposed action would be contrary to the public interest, were regularly adopted as emergency rules of this agency at _____ on _____ and are herewith filed in the office of the code reviser pursuant to chapter 34.04 RCW.

Dated this 20TH day of October 1969.

STATE OF WASHINGTON
FILED
OCT 22 1969
CODE REVISER'S OFFICE
KET #X45 FILE # 1

STATE BOARD FOR COMMUNITY COLLEGE
EDUCATION (AGENCY)
Albert G. Casper
By Director and Secretary of the Board
Director
Title

① NOTICE NUMBER AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE NO. OF LAST NOTICE)
② STAMPED DATE AS APPEARS ON THE COPY OF NOTICE RETURNED TO YOU BY REVISER'S OFFICE (IF PROCEEDINGS WERE CONTINUED, USE DATE OF LAST NOTICE)
③ UNLESS A LATER DATE IS SPECIFIED IN THIS ORDER OR IS PRESCRIBED IN ANOTHER STATUTE, RULES ARE EFFECTIVE 30 DAYS AFTER FILING: RCW 34.04.040. LEAVE THIS SPACE BLANK EXCEPT IN SUCH SPECIAL CASES.
Form Adopted 12/11/67. Effective 1/17/68 (Form CR-2)

ADMINISTRATIVE ORDER NO. 4

CERTIFICATE OF ADOPTION

I certify that

THE ATTACHED RULES DESIGNATED

as WAC 131-16-010 through WAC 131-16-060 concerning:

The implementation of a retirement and annuity plan for designated community college faculty members and employees, including rules designating eligible individuals; the definition of retirement age; contribution rates; and conditions and options regarding participation in the plan;

were officially adopted by the State Board for Community College Education pursuant to Resolution Number 69-9 as permanent rules of said board.

Dated this 20TH day of October, 1969.


Director and Secretary to the Board

NEW

WAC 131-16-010 DESIGNATION OF COMMUNITY COLLEGE SYSTEM RETIREMENT PLAN. There is hereby established for the eligible employees of the community colleges of the state of Washington, a retirement plan which shall entitle such employees to purchase retirement annuities from the Teachers' Insurance Annuity Association (TIAA) and the College Retirement Equities Fund (CREF), hereafter called the TIAA/CREF Plan, in conjunction with the employing community college district as provided in regulations approved pursuant to this policy.

NEW

WAC 131-16-020 EMPLOYEES ELIGIBLE TO PARTICIPATE IN RETIREMENT ANNUITY PURCHASE PLAN. Classes of employees eligible to participate in the TIAA/CREF plan are:

(1) All employees of community college districts holding probationary or tenured faculty appointments as defined by chapter 283, Laws of 1969.

(2) All employees of community college districts holding administrative appointments as defined by chapter 283, Laws of 1969.

(3) The president of any community college or community college district.

(4) The State Director for Community College Education and any members of his staff that he may designate.

(5) Other such full-time employees as may be designated by the district boards of trustees so long as they are in positions exempt under the provisions of chapter 36, Laws of 1969 (Higher Education Personnel Merit System).

A full-time employee shall be defined as one who is employed for at least 80 per cent of the normal work period for his class of employee; however, any such employee who is employed for less than 90 days during the fiscal year or who is designated as a temporary employee shall not be eligible for participation in this plan.

NEW

WAC 131-16-030 OPTIONAL PARTICIPATION FOR CERTAIN EMPLOYEES. After January 1, 1970, participation in the TIAA/CREF plan shall be required of all eligible new employees immediately upon employment except for such new employees who at the time of employment are members of the Washington State Teachers' Retirement System (WSTRS) or the Washington Public Employees' Retirement System (WPERS) and who elect to retain such membership. All eligible employees who were employed prior to January 1, 1970, shall indicate in writing no later than January 1, 1971, whether they wish to participate in the TIAA/CREF plan or to retain membership in the retirement plan in which they then hold membership. However, once an employee elects to participate in the TIAA/CREF plan, such choice shall be irrevocable so long as he shall remain an employee of any community college district of the state or of the State Board for Community College Education. Eligible employees who retain membership in WSTRS or WPERS may, in addition, participate in the TIAA/CREF plan on a non-contributory basis through tax-deferred annuity purchase agreements between the individual and the employing community college district under provisions of Section 403(b) of the United States Internal Revenue Code.

NEW

WAC 131-16-040 RETIREMENT AGE DEFINED. For the purpose of computing benefits for employees participating in the TIAA/CREF plan, the normal retirement age shall be defined as the end of the academic year in which the participant attains age sixty-five (65). However, when officially approved by the district board of trustees, extensions of service beyond the normal retirement age may be made for definite periods of time not to exceed one year each, but no such extensions shall postpone retirement beyond the end of the academic year in which age seventy (70) is attained. Participants who terminate employment for any other reason may begin receiving retirement annuity benefits except when such termination shall be for the purpose of transferring to any other institution having a TIAA/CREF retirement plan. There shall be no prior service benefits associated with participation in the TIAA/CREF plan, nor shall this plan entitle any participant to any benefit other than that derived from the retirement annuities purchased through the plan.

NEW

WAC 131-16-050 CONTRIBUTION RATES ESTABLISHED. Each participant in the TIAA/CREF plan shall contribute five (5) per cent of all remuneration he receives from the employing community college district and the employing district shall contribute a like sum, each on a monthly basis. The sum of the participant's and the community college district's contribution shall be forwarded to TIAA/CREF for the purchase of retirement annuities. The combined contribution may be divided between TIAA and CREF premium payments as directed by the participant, except that not less than 25 per cent of the combined premium payment shall be allocated to the purchase of TIAA annuities.

During periods when participants are on leave of absence and are receiving partial compensation from a community college district, the employing community college district shall continue to make contributions on the same basis as herein provided if the participant agrees to contribute in a like manner. Contracts issued in accordance with this plan are for the sole purpose of providing a retirement and/or death benefit and are the property of the individual participant. Participation in the TIAA/CREF plan is intended to be supplemental to coverage provided by the Federal Old Age Survivors Insurance System (social security).

NEW

WAC 131-16-060 REPURCHASE OF ANNUITY CONTRACTS UNDER CERTAIN CONDITIONS. In the event a participant in TIAA or TIAA/CREF leaves the employ of any Washington community college for reasons other than retirement or disability and requests repurchase of his annuity, the State Board for Community College Education approves such repurchases as are recommended by the appropriate district board of trustees provided that TIAA/CREF agrees to such repurchase and provided further that the portion of the repurchase attributable to contributions made by employing community college district shall be returned to that district by TIAA/CREF.

The State Board will agree to the repurchase of contracts only if all the following conditions are met:

- (a) Payments to the annuitant have not begun;
- (b) The annuity has been in force for five years or

less;

- (c) The annuitant requests repurchase of all annuities he owns;
- (d) The annuitant is neither employed at nor is transferring to an institution having a TIAA/CREF Retirement Plan;
- (e) All educational institutions that contributed any part of the premiums consent to the repurchase;
- (f) If the annuitant has more than one annuity, the total value of all TIAA/CREF annuities and the longest duration of any of them shall govern in determining whether a repurchase will be made under this rule.