

## **Chapter 03 Coverage of Teachers formerly covered under the Teachers' Retirement System (TRS)**

### **100 Purpose**

The purpose of this regulation is to define the term “teacher” for purposes of Social Security and Retirement Annuity coverage, including the effective date of such coverage.

### **101 Definition of Teacher for coverage in Social Security and State Retirement Annuity**

Section 1, subsection 3, of Senate Bill 280, Laws of 1952 provides that “teacher” shall mean any licensed teacher, librarian, registrar, supervisor, principal, or superintendent, who is principally engaged in any one or any combination of, the above mentioned educational and/or administrative capacities in the public elementary and high schools of this state, instructors, whether licensed, or not, in the state schools for the blind and deaf; also “teacher” in all cases where a teacher’s license is held, shall mean county superintendent of education, county school supervisor, state superintendent of education, head of division of the state department of education, Mississippi School for the Blind, Mississippi School for the Deaf, chancellor, registrar, president, dean, or teacher in any senior or junior college in this state, or secretary to the board of trustees of the institutions of higher learning; and also the word “teacher” shall include the head of any administrative department in any senior or junior college in this state whose appointment is made by the chancellor or president and approved by the board of trustees of such institution and who shall be the active head of such administrative department and have under his direct supervision and authority at least three subordinate employees; the word “teacher” shall also include any licensed teacher engaged in an educational capacity in any day or night school conducted under the supervision of the State Department of Education as a part of the adult education program provided for under the laws of the United States of America; provided that such county superintendent or state superintendent was an active teacher or school administrator prior to being elected; and provided further that such county superintendent or state superintendent resumes within two (2) years the work of an active teacher or administrator after he leaves the office to which he was duly elected, unless within the said two (2) years he be eligible for retirement. The word “teacher” does not include extension workers or employees, or experiment station workers or work other than public school teaching or public school administration. The word “teacher” shall include any person who has been engaged in teaching as a life’s work and who has continued in work connected with the public schools as an employee of the public school system, even though such person may not have spent his entire active career in actual classroom teaching.

### **102 Coverage for Social Security**

Teachers, as defined by Section 1, subsection 3, of Senate Bill 280, Laws of 1952, who were in active service on the last month of the school year preceding the date

of signing the agreement, who have not resigned or retired, or whose services have not been otherwise terminated prior to the date of signing the agreement between the State and the Federal Security Administration, and teachers on leave of absence who qualify for "education leave", and exchange teachers are presumed to be in service on the date of signing the agreement, and shall be included in coverage under Article I of Senate Bill 273, Laws of 1952, and may receive retroactive Social Security benefits to the effective date of the agreement.

**103 Coverage for State Retirement Annuity**

Teachers, as defined by Section 1, subsection 3, of Senate Bill 280, Laws of 1952, are automatically covered under the state retirement annuity program, [now Article III beginning at Miss. Code Ann. §25-11-101 (1972, as amended)], and shall be reported for retirement annuity coverage effective February 1, 1953.

**(History: Adopted May 29, 1952, page 11; amended June 21, 2005, to be effective August 1, 2005; reformatted August 1, 2007)**