

## Summary of February 5th Briefing with the Missouri Education Associations

The Federal Section 218 Task Force for Missouri School Districts held a briefing and discussion session, on February 5, 2009, at the Public School Retirement System's (PSRS') Board Room in Jefferson City, for the various directors of the Missouri Educational Associations. The Regional Commissioner (RC) and the Regional Chief Counsel (RCC) for SSA and the IRS Midwest Regional Manager gave the directors a briefing that included: the breadth of research required for this initiative, information compiled thus far, statutory context for the application of federal and state law to the Missouri 218 agreement, detailed explanation of how Social Security coverage is determined, major items of interest to the Associations that are being addressed, future compliance measures to be undertaken, and next steps. The General Counsel and some staff from the PSRS and the Public Education Employees Retirement System (PEERS) and the Missouri Social Security Administrator and Assistant Director from the Missouri Office of Administration (OA) also attended the presentation and participated in the question and answer session. The task force used this opportunity to solicit concerns and interests of the respective organizations, which will be addressed in our final report. The State and local attendees expressed their appreciation to the task force members for the due diligence of their research, involvement of stakeholders, and their analysis.

The RC and the RCC also provided a summary of the fact-finding sessions that took place since December 2008 and the issues that must be resolved. The RC announced that the effective date for implementation will be **July 1, 2010** and that **full-time educators with a teaching certificate who are in a teaching position will not** be covered by social security. These two announcements were very well received as these had been issues of major concern for the Associations, for PSRS/PEERS officials/members and for educators. July 1, 2010 coincides with the school districts' fiscal year and will allow sufficient time for the identification of positions to be covered for social security; for educating the school districts on the changes; and for modifying payroll systems. The task force should identify all the positions that will require social security coverage by January 2010, the point in time when teachers will begin negotiating their contracts for the fiscal year 2010. Finally, the RC clarified that SSA has not changed its policy or its interpretation of the policy that governs 218 agreements for Missouri or any other state. He explained how a series of misunderstandings/ misinterpretations apparently occurred in the 1980s and 90s that led state administrators and retirement system officials to unknowingly misapply the 218 agreement to some positions. The IRS Regional Manager discussed maintaining future compliance through fair and equitable cooperation with State officials.

The task force has a much better grasp of the complexity of the issues after hearing from the various stakeholders; is completing its research and analysis; and plans to have a final report to the Missouri Congressional delegation by the end of March. Prior to finalizing the task force's report, the RC will vet drafts with the Office of Administration and the General Counsel of the PSRS/PEERS, who joined the workgroup in the January session and whose knowledge and insights have been invaluable to the task force.