



**ELECTION TO PARTICIPATE IN OPTIONAL RETIREMENT PROGRAM AND/OR REFUND**

Name \_\_\_\_\_ Social Security No. \_\_\_\_\_

Address: \_\_\_\_\_  
Street Address or Box Number City State Zip Code

Telephone No. \_\_\_\_\_ Date of Birth \_\_\_\_\_

Have you ever elected the Optional Retirement Program in lieu of TRS?  Yes  No

If yes, institution name \_\_\_\_\_ dates of employment \_\_\_\_\_

If yes, you are not eligible to elect ORP a second time.

**MEMBER ELECTION**

I elect to participate in the Optional Retirement Program (ORP) established under Chapter 830, Texas Government Code, in lieu of membership in the Teacher Retirement System of Texas (TRS). I understand that by this election I will not be eligible for membership in TRS unless I cease to be employed by an institution of higher education and become employed by the Texas public school system other than in an institution of higher education. I further understand that by electing ORP, I forfeit all accrued rights to benefits from TRS, if any, including benefits based on TRS service credit accrued prior to this election. I am entitled only to a refund of my TRS accumulated contributions, if any.

**I understand this election is irrevocable.**

**REFUND ELECTION**

**(do not complete this section if you do not have any TRS contributions)**

Choose only one option: a refund, direct rollover or no refund.

<input type="checkbox"/> <b>Refund</b>	I elect to have my TRS accumulated contributions paid directly to me. I understand that 20% of the taxable amount of my refund will be withheld for federal income taxes.
<input type="checkbox"/> <b>Direct Rollover</b>	I elect to have all or a portion of my TRS accumulated contributions rolled over into an eligible retirement plan. I understand that TRS will provide me with an additional form if this option is selected.
<input type="checkbox"/> <b>No Refund</b>	I elect to leave my accumulated contributions with TRS. I understand that I forfeit all accrued rights to benefits based on my TRS service credit accrued prior to my election to participate in ORP, if any, by electing ORP in lieu of TRS. I understand that I can apply for a refund at a later date.

I acknowledge that I have received a copy of the "Special Tax Notice Regarding Your Rollover Options Under the Teacher Retirement System of Texas" and that I have 30 days from receipt of the notice to consider my decision of whether to elect a direct rollover of my distribution of accumulated contributions. I understand that once I have made an election to rollover and TRS has issued the distribution, my rollover is irrevocable and cannot be changed.

\_\_\_\_\_  
 Signature of Employee Date

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, \_\_\_\_\_  
(date) (printed name of person whose signature appears above) acknowledged this document before me  
 a notary public.

(SEAL)

\_\_\_\_\_  
 Signature of Notary Public

**EMPLOYER CERTIFICATION**

**This is to certify that the above named individual is eligible and has elected to participate in the Optional Retirement Program in lieu of membership in the Teacher Retirement System of Texas. The election is effective \_\_\_\_\_.**

Name of Institution of Higher Education: \_\_\_\_\_

TRS District No. \_\_\_\_\_

Date First Eligible to Elect ORP: \_\_\_\_\_ Date of ORP Election: \_\_\_\_\_

Report Month/Year for Final Deposit: \_\_\_\_\_

Printed Name of Reporting Official: \_\_\_\_\_ Title: \_\_\_\_\_

Signature of Reporting Official: \_\_\_\_\_ Date: \_\_\_\_\_

## PURPOSE

Use this form to elect to participate in the Optional Retirement Program (ORP) in lieu of membership in the Teacher Retirement System of Texas (TRS) as allowed under Chapter 830, Texas Government Code, and to request a refund of any accumulated contributions maintained by TRS prior to your ORP election. Accumulated contributions include only member contributions and applicable interest.

## IMPORTANT INFORMATION

### ORP Election

- The election of ORP in lieu of membership in TRS is irrevocable.
- All accrued rights to benefits from TRS, if any, are forfeited upon the election of ORP. This includes any benefits associated with TRS service credit you accrued prior to your election to participate in ORP.
- Only one TRS 28 should be filed with TRS for ORP election purposes, as you may elect ORP only once in lieu of participation in TRS. However, if you elect not to withdraw your TRS accumulated contributions at the time you elect to participate in ORP, you may submit a second TRS 28 only for purposes of requesting a refund.

### Refund Election

A person who is a participant in ORP may withdraw his or her accumulated contributions from TRS; however, you are not required to withdraw your accumulated contributions at this time. To apply for a refund at a later date, you must submit a second TRS 28. Please review the instructions below.

Please review the "Special Tax Notice Regarding Your Rollover Options Under The Teacher Retirement System of Texas" before requesting a refund or direct rollover of your TRS account balance. This notice also includes information regarding the applicability of the 10% early withdrawal penalty on early distributions.

Your refund will be reported to the IRS and will be taxed in the year in which you receive it. An IRS Form 1099R will be mailed to your mailing address by January 31 of the year following your refund. Please notify TRS if your mailing address changes.

I understand that 30% will be withheld for federal income taxes if I am not a U.S. citizen or a resident alien of the U.S. and I request that my refund be mailed to a foreign address, unless I qualify for a reduced tax withholding rate or exemption from tax withholding under a U.S. tax treaty. If so, I must notify TRS of my eligibility for reduced withholding or exemption from withholding and provide any required documentation.

### TRS Will Not Accept

- Alterations without initials
- An incomplete form or any attempt to change its printed provisions
- Faxed documents

**Additional information regarding ORP may be obtained from your employer's benefits office.**

## INSTRUCTIONS

If you are electing ORP participation and requesting a refund of your TRS accumulated contributions:

1. Read the "Special Tax Notice Regarding Your Rollover Options Under The Teacher Retirement System of Texas".
2. Complete the form in its entirety, including your name, Social Security number, mailing address, telephone number, date of birth, and ORP election information.
3. Complete the "Member Election" section.
4. Complete the "Refund Election" section.
5. Sign the form in the presence of a notary public.
6. Have your employer complete the "Employer Certification" section.
7. Mail the form to TRS.

If you previously elected ORP participation but you did not withdraw your TRS accumulated contributions at the time you elected ORP and you are now applying for a refund of your TRS accumulated contributions:

1. Read the "Special Tax Notice Regarding Your Rollover Options Under The Teacher Retirement System of Texas".
2. Provide your name, Social Security number, mailing address, telephone number, date of birth, and check the "Yes" box for the following question: "Have you ever elected the Optional Retirement Program in lieu of TRS?"
3. Do not complete the "Member Election" section.
4. Complete the "Refund Election" section.
5. Sign the form in the presence of a notary public.
6. Do not have your employer complete the "Employer Certification" section.
7. Mail the form to TRS.