

**BOARD OF TRUSTEES OF THE
EMPLOYEES' RETIREMENT SYSTEM OF THE
CITY OF BALTIMORE**

**POLICY GOVERNING THE RECEIPT OF PENSION BENEFITS
BY SURVIVING CHILDREN OVER 18**

Adopted December 16, 1999.

Amended July 26, 2007 and March 19, 2015.

In order to be eligible for pension benefits under Sections 6 9, or 22 of Article 22 of the Baltimore City Code, a surviving child of a deceased member of the Employees' Retirement System of the City of Baltimore or the Elected Officials' Retirement System of the City of Baltimore ("Retirement Systems"), who has attained the age of 18, and whose surviving parent has died or remarried, must meet the following requirements:

1. A child must enroll in a 4 year college/university, a 2 year community college, a technical school, vocational school or a trade school ("post-secondary school") any of which must be validly accredited. A child may also be enrolled in a public or private secondary school or high school, or their equivalent ("secondary school"), recognized by the relevant school board.
2. The post-secondary school in which the child is enrolled must furnish a letter to the Retirement Systems, stating that the child is a full-time student of that school. The post-secondary school must also furnish the Retirement Systems with a copy of the school's calendar. If the child is enrolled in a secondary school, his or her benefits will not be paid until the Retirement Systems receives a certification from the school indicating the expected date of the child's graduation.
3. A child enrolled in post-secondary school must carry in each and every semester, quarter, or trimester, as applicable, the required number of school hours to maintain full-time student status as defined by the school's official transcript.
4. If a child is attending a post-secondary school where attendance is required and monitored, the child must attend school for at least 2/3 of the semester, quarter or trimester, as applicable.
5. Within 30 days after the end of each academic term, a child enrolled in post-secondary school must submit an official school transcript as proof of enrollment and successful completion of the school's defined full-time student course load. "Successful completion" means that the child has actually earned the number of credits required by the school for full time status. If the child does not receive a grade sufficient for the school to award the applicable credit(s) toward the child's degree, the credit(s) will not count toward establishing the child's full-time status enrollment in the applicable term. In the event of enrollment in a technical, vocational or trade school which does not produce transcripts or performance records, a child must submit a letter from the school stating that he or she continues to be enrolled as a full-time student.

6. If the child is enrolled in post-secondary school and has full-time status for the spring semester, and during this semester submits pre-registration forms for the ensuing fall, then he or she shall receive his or her benefits through the summer months, provided he or she has fulfilled the requirements of paragraphs 3 and 4 above, for the spring semester.

7. A child entering post-secondary school for the fall semester must provide the Retirement Systems with documentation of his or her status as a full-time student as required in paragraph 2 by October 1. Should the Retirement Systems not be in receipt of such documentation by October 1, the child's benefits may be suspended until such documentation has been received. If, by November 1, the Retirement Systems still has not received documentation, notice may be sent to the child, setting a date for a hearing before the Board of Trustees of the Employees' Retirement System ("Board"), in which the Board will determine whether the child's benefits should be terminated permanently.

8. A child entering post-secondary school for the spring semester must provide the Retirement Systems with documentation of his or her status as a full-time student as required in paragraph 2 by February 1. Should the Retirement Systems not be in receipt of such documentation by February 1, the child's benefits may be suspended until such documentation has been received. If, by March 1, the Retirement Systems still has not received documentation, notice may be sent to the child, setting a date for a hearing before the Board, in which the Board will determine whether the child's benefits should be terminated permanently.

9. In the event that a child's benefit has been suspended because he or she has failed to meet the requirements of this policy or the pertinent provisions of Article 22, his or her benefits will be restored immediately upon receipt of proof that he or she was a full-time student during that semester. If the child verifies to the Board that he or she was a full-time student during the period the Retirement Systems suspended his or her benefits, the child will receive retroactive payment of all benefits withheld during this period.

10. In the event that a child's benefit has been suspended because he or she has failed to meet the requirements of this policy or of the pertinent provisions of Article 22 for a particular semester, his or her benefits may resume for the following semester upon receipt of proof that he or she is enrolled as a full-time student for the following semester.

11. A child enrolled in secondary school will not be required to submit transcripts or proof of continued full-time status. Such child's benefits shall be terminated upon the first day of the month following the date of graduation provided by the secondary school in its certification, unless such child provides proof that he or she is enrolled subsequent to the expected graduation date as a full-time student in the same or a different school.

12. All material furnished by the child's school must have the official seal of such school affixed thereto or appear on official school letterhead. It is the responsibility of the child to provide the school with any necessary releases which are required in order for the school to furnish the Retirement Systems with information. Any delay in providing the school with the necessary releases may result in a suspension of benefits for the child.

13. When a child who is an eligible full-time student attains the age of 22, the Retirement Systems will cease all benefit payments to the child effective the first of the month following the month of the date of his or her 22nd birthday.

14. If a child, his or her parents or his or her guardian submits improper documentation regarding the child's student status, and as a result the child receives benefits from the Retirement Systems when he or she does not meet the requirements of this policy or the pertinent provisions of Article 22, the child, parents and/or guardian will be responsible to repay to the Retirement Systems any monies received improperly. In addition, if it appears that a child's parents or guardian had reasonable knowledge that the child did not meet the requirements of this policy or the pertinent provisions of Article 22, and that the parent or guardian improperly continued to accept benefits from the Retirement Systems on behalf of the child, that parent or guardian will be responsible to repay to the Retirement Systems any monies received improperly. The Retirement Systems may use any legal method to recoup these monies.

15. In cases where there is a question as to interpretation regarding the full-time student status of a child, or any other matters relating to this policy, the matter shall be submitted to the Board for final determination.

16. The Board confers to the Executive Director/CIO the discretion to waive any the provisions of this policy if, in the Executive Director/CIO's sole discretion, there is reasonable cause to do so.