Retirement Education Workshop Teachers' Fund for Retirement Davies High School Fargo, ND • July 8, 2025



Teachers' Fund For Retirement RETIREMENT & INVESTMENT



Breakfast Sponsored by the Fargo Public Schools Development Foundation & Alumni Network



Engaging the Community. Fostering Opportunity.



WHAT IS TFFR?

- The Teachers' Fund for Retirement (TFFR) is a defined benefit plan for North Dakota public school educators.
- Lifetime monthly benefit based on a formula, not your account value.
- The TFFR Board of Trustees has statutory responsibility, and the North Dakota Retirement and Investment Office administers the program.



HOW IS TFFR FUNDED?

TFFR is funded on an actuarial reserve basis meaning money is invested to provide future retirement benefits while the members are working.

Benefit funding comes from three sources:

- Member contributions
- Employer contributions
- Investment income



Member contributions – 11.75% of salary







Investment earnings



Retirement & Investment

TFFR REVENUE SOURCES (FY 2024)

Member Contributions, Benefit funding comes 23% from member and employer contributions and investment earnings. Investment Income, 54%. Employer Contributions, 23% NORTH

Retirement & Investment

Be Legendary.

WHO CAN BE MEMBERS?

Membership

- Must be licensed to teach in North Dakota and under contract with a TFFR employer.
- Tier 1 Grandfathered members who had TFFR credit on July 1, 2008, and were within 10 years of normal retirement as of June 30, 2013.
- Tier 1 Non-grandfathered members who had TFFR credit on July 1, 2008, and were more than 10 years from normal retirement as of June 30, 2013.
- Tier 2 new and returning refunded members on or after July 1, 2008.

Exemption

20-year military retiree, optional.



WHAT IS SALARY?



Be Legendary.

ACCOUNT VALUE

Think of your account value as a record of what you've put into the plan, **not** what you'll receive as a benefit.

What does it include?

- Employee contributions, 11.75% of salary
- Interest earned, 6% guaranteed

Why does it matter?

- If you leave employment rollover or refund
- If you pass away beneficiaries may receive



WHO CAN BE BENEFICIARIES?

You may name the following:

- Spouse as only primary beneficiary, unless consent is provided
- If not married or, if you have written spousal consent, any person, organization, church, charity or estate.
- If you name more than one primary beneficiary, they are not eligible for a lifetime monthly annuity.
- Contingent beneficiaries are **not** required.



TFFR BENEFIT AND DIVORCE

TFFR benefit are generally considered to be a **marital asset** subject to valuation and division in a divorce.

Division requires a **Qualified Domestic Relations Order (QDRO)** approved by the TFFR Board **before** being signed by the judge.

Former spouse (i.e., alternate payee) may:

- Receive a lump sum only if you take a refund at termination.
- Elect a monthly lifetime benefit based on your accrued benefit at divorce.
- Receive a benefit even if you continue working.

Your benefit would be reduced based on the actuarial value of the alternate payee's benefit.



WHAT IS SERVICE CREDIT?

TFFR Membership

- 700 compensated hours = 1 year of Service Credit
- If less than 700 hours, granted in proportion (e.g., 650/700 = .929 hours)

Purchased

- Must be active, licensed and under contact
- Cost determined by an actuarial equivalent calculation
- Can be purchased in lump-sum or installment
- TFFR may accept a retirement account rollover

Dual Membership

Included for vesting and eligibility



PURCHASE OF SERVICE CREDIT

Active members may purchase service credit for:

- Refunds previously taken from TFFR
- Airtime
- Out-of-state teaching
- Non-public school teaching
- Leave of absence
- Legislative service
- Military service
- Government agency teaching



BENEFIT FORMULA



Five years of Service Credit is the minimum requirement. More years of Service Credit = greater retirement benefit.



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BENEFIT OPTIONS



10 Year Certain and Life20 Year Certain and Life

Partial Lump Sum



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SERVICE RETIREMENT OPTIONS (FY 2024)



Retirement & Investment

Be Legendary.

BENEFIT SUMMARY	Tier 1 Grandfathered Within 10 yrs of normal retirement by 06/30/2013	Tier 1 Non- Grandfathered Did not qualify for grandfathering	Tier 2 All Members Enrolled after July 1, 2008
Vesting Period	3 years	3 years	5 years
Unreduced Retirement Eligibility			
Minimum Age	No	60	60
AND Rule	Rule of 85	Rule of 90	Rule of 90
OR Normal Retirement Age	65	65	65
Reduced Retirement Eligibility			
Minimum Age	55	55	55
Reduction Factor	6%	8%	8%
Retirement Formula Multiplier	2%	2%	2%
x FAS x Service Credit	3 year FAS Total Years	3 year FAS Total Years	5 year FAS Total Years



DISABILITY BENEFIT

Eligibility

- 5 years of service credit
- Active member when disability occurs
- Application w/in 36 months of employment
- Unable to perform the duties of a teacher
- Certified eligible by TFFR Board of Trustees
- Must be total, can be temporary

Disability Formula

- FAS x Service Credit x 2.0% = Disability Single Life Annuity
- No age reduction
- Beneficiary options are available

SURVIVOR BENEFITS

Death prior to retirement

- Nonvested member
 - Refund of account value
- Vested member
 - Refund of account value
 - If only one beneficiary designated, monthly benefit for life

Death after retirement

 Benefit is paid based on the retirement option selected



WORKING AFTER RETIREMENT



- Must have a one-month break from all TFFR employment or relationships.
- Returning before the one-month break may require **repaying** all benefits.
- Notify RIO each year you return to TFFR-covered employment to avoid losing one month of benefits.

WORKING AFTER RETIREMENT

Employment Limitations

- 1. General Rule Annual Hour Limit, maximum number of hours in a fiscal year (July 1-June 30) based on length of contract.
 - a. 9-month contract = 700 hours
 - b. 10-month contract = 800 hours
 - c. 11-month contract = 900 hours
 - d. 12-month contract = 1,000 hours
- 2. Exception A Critical Shortage Area
- 3. Exception B Benefit Suspension and Recalculation





2025: Estate Planning Review

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IMPORTANT NOTICE

These materials and the related presentation are intended to provide the participants with guidance in estate planning and administration. The materials and the comments of the speaker do not constitute, and should not be treated as, legal advice regarding the use of any particular estate planning technique or the tax consequences associated with any such technique. Although every effort has been made to assure the accuracy of these materials and comments, the speaker and JD Legal Planning do not assume responsibility for the reliance of any individual on the written or oral information disseminated. You should independently verify all statements made in the materials and in the seminar before applying them to a particular fact situation, and should independently determine both the tax and non-tax consequences of using any particular estate planning technique before using it or recommending it either on your own behalf or on behalf of another.

OVERVIEW



DURABLE GENERAL POWER OF ATTORNEY (POA)

- Name in advance who you want to take care of your affairs: financial; real estate; income tax; banking; etc. when you can no longer do it.
- Every person over 18 should have a POA signed.
- Names alternates.
- Best to sign when you do your Will.
- Be wary of internet forms.
- If no POA is in place before your incapacity, your family must have you declared incompetent in a Court guardianship proceeding.

POA EXAMPLE

Don Johnson: Single, age 55

- Wrecks his car; has head injury
- Mortgage and car loan are due
- Need someone to file for disability
- Who can sign for him?

POWER OF ATTORNEY VS. CONSERVATORSHIP

Power of Attorney	Conservatorship	
Private	Intrusive	
Approximately \$450	\$8,000 +	
Sign it once	Annual court filings	
Grant permission as you wish	Ask Judge for permission	
Can list alternates	Return to court for changes	

POA POINTERS

- Sign before incapacity
- Sign when you do your Will
- Name alternates
- Sign an extra original for each person named
- Best if drafted by a lawyer
- Be very wary of internet forms
- POA power ends at death

HEALTH CARE DIRECTIVE

- Like a POA over medical decisions
- 2 stage document
 - HIPAA release/name people to make decisions to get you better
 - End-of-life wishes
- Forms are free at clinic/hospital

HEALTH CARE DIRECTIVE

- Name your decision-makers in advance.
- Make sure your wishes on end-of-life issues are upheld:
 - Tube-feeding
 - IV hydration
 - Ventilator
 - Organ/tissue donation
 - Etc.

HEALTH CARE DIRECTIVE EXAMPLE

- Vicky suffers a stroke. Vicky is age 75 and single. Vicky has severe mental deficits now.
 Vicky never signed the free Health Care
 Directive form.
- Who can sign medical consent now?
- Who can talk to the health insurance office?
- Who can transfer Vicky to a different hospital for special rehabilitation?

HEALTH CARE DIRECTIVE

- Every person listed on the Health Care Directive should have an original or photocopy
- Your primary doctor should have a photocopy
- You should keep two extra photocopies for yourself
- North Dakota offers a Health Care Directive Registry website

North Dakota Health Care Directive Registry

- NDCC § 23-06.5-19
- www.ndhin.nd.gov
 - Email: NDHIN@nd.gov/ Phone: 701-328-3190
- www.nd.gov/hdir/login (to upload docs)
- ND IT Technical Support
 - **701-328-4470**
 - 877-328-4470

North Dakota Health Care Directive Registry

A secure North Dakota Registry for North Dakota citizens to store, share and have internet access to their health care directives.



Does A Will Avoid Probate?

- A will does not avoid probate
- A will is a roadmap for the probate Judge to follow in court after you die
- If the Will is used when you die, your family is in probate court
- For Example: Your Family cannot just show your will to the bank when you die to collect your account
PROBATE IS CAUSED:

- When a person dies as the sole owner of an asset (without a "joint tenant" co-owner, without a beneficiary, and without a trust owning the asset)
- The asset triggers probate because:
 - It is any value of real estate in your name alone
 - It is not real estate and exceeds \$50,000 in value (cumulatively) in North Dakota and \$75,000 in Minnesota

DO I HAVE MY DEED TO MY REAL ESTATE?

- Your name is on the deed from when you received your real estate, but often times no one give you the deed, so you have to ask for it.
- Your deed is usually 1-3 pages long. Your deed IS NOT your abstract, which is the history book of the action on your real estate since the federal government gave a patent on it.
- Everyone should have a photocopy of the recorded deed from when they received their real estate.
- You have a copy of the title to your car, you should have a copy of the title to your real estate.

HOW DO YOU GET YOUR DEED

- 1. Bring your property tax statement to the County Recorder's Office.
- 2. Ask for a copy of the deed in which you received the real estate.
- 3. It is helpful for the recorder to know the approximate year you took title.
- 4. You want your deed, **NOT** your mortgage or promissory note.

HOW TO INHERIT REAL ESTATE WITHOUT PROBATE

- "Joint Tenants" on warranty deed
- Transfer-on-death beneficiary deed
- Life estate deed
- Revocable Living Trust owns real estate

"JOINT TENANTS" OWNERSHIP

- "Joint Tenants" ownership of real estate:
 - If you are married (or have someone you want to co-own and inherit real estate from you), the most common way is to own your real estate as "Joint Tenants" on your warranty deed
 - Check your deed at home; it has to say "Joint Tenants" in order to avoid probate
 - "as husband and wife" = won't work
 - "and" = won't work
 - "as tenants-in-common" = won't work

"JOINT TENANTS" OWNERSHIP

 If you find your deed doesn't say Joint Tenants, see your attorney to have a new deed done (usually \$450 or less, plus county recording fee)

TRANSFER-ON DEATH BENEFICIARY DEED

- Transfer-on-death beneficiary deed to avoid a probate on real estate:
 - A recent law in MN
 - Can be done by a single person or married couple
 - Can be done with a home, land or mineral rights
 - Best option when you don't want to co-own real estate with your heirs, because you retain full control to sell, mortgage or change your mind
 - Revocable, so it does not have nursing home protection

LIFE ESTATE DEED

- Life estate deed to avoid a probate on real estate:
 - Best option when you want to protect real estate from nursing home costs (has 5-year MA look back penalty waiting period before MA eligibility)
 - Can be done by a single person or married couple
 - Can be done with a home, land or mineral rights
 - You retain the right to live in home, get rental/farm/mineral income and you pay property taxes
 - You lose the right to be able to sell the real estate without the cosignature of the others
 - Irrevocable

REVOCABLE LIVING TRUST OWNERSHIP

- Revocable Living Trust ownership of real estate to avoid probate:
 - In Minnesota, it may be best for estates exceeding \$3.0 million in value because of estate taxes
 - Common choice for those who own real estate in more than one state
 - Revocable, so it does not have nursing home protection

MEDICAID (MA)

- Is it your long-term care plan?
- How is MA different from Medicare?
 - 1. You need long-term care in a facility or your home;
 - 2. You (and your spouse) are down to the asset limits legally; and,
 - 3. You (and your spouse) have not given anything away (for free or for less than fair market value) to anyone for any reason in the last 5 years.

ND MA ASSET LIMITS FOR 2025

- Medicaid asset limits for 2025:
 - Single person \$3,000 in "available" assets.
 - Married:
 - \$3,000 in "available" assets for institutionalized spouse
 - One-half (1/2) of combined marital "available" assets (as determined in an Asset Assessment Form based on asset values on day of admission to hospital or nursing home)
 - In North Dakota, not less than \$31,584 and not more than \$157,920
 - North Dakota community spouse income allowance is \$2,555/month

MN MA ASSET LIMITS FOR 2025

- Medical Assistance asset limits for 2025:
 - Single person \$3,000 in "available" assets.
 - Married:
 - \$3,000 in "available" assets for institutionalized spouse
 - In Minnesota, not more than \$157,920 (with no minimum)
 - Minnesota community spouse income allowance is minimum \$2,555/maximum \$3,948

- What are "available" assets?
 - Assets which are at your disposal
 - Assets which you have a legal ability to make available (with or without penalties) – Examples:
 - Bank accounts and investments (not including qualified retirement plans like IRAs in North Dakota)
 - Annuity balances (not including certain single premium immediate annuities)
 - Cash value of life insurance
 - A second vehicle
 - Real estate other than your primary home
 - 529 college plans

- If you are married, what else can you keep in addition to "available" asset limit?
 - Homestead, which may include contiguous farmland acreage
 - One motor vehicle (unlimited value usually)
 - Personal effects (household goods, furniture)
 - Certain income-producing assets (business assets and some farming assets) with very specific guidelines
 - Funeral accounts and burial plots for both spouses (must meet Medicaid guidelines)

MA GIFTING EXAMPLE

- On February 1, 2025, Dixie gives each of her 5 children \$2,000, for a total gift of \$10,000.
 - Does the IRS care? No, because she gave less than \$19,000 per child. But Dixie might need MA, and the IRS gifting rules don't apply to MA eligibility.
 - If Dixie needs MA for long-term care services between February 1, 2025 and January 31, 2030, she will <u>not</u> be eligible unless she gets the \$10,000 back from her children first. After February 1, 2030, she is no longer required to get the \$10,000 back.
 - What if Dixie's children won't or can't give it back? Dixie is required to sue the children and get a judgment.

Any and all uncompensated transfers made by an applicant or spouse to any individual or entity for gifts, presents, church or charitable donations, tuition assistance or political donations after 2/8/06 and within 5 years of a Medicaid application must be reported and will affect eligibility. No federal exception for nominal amounts or charitable intent.

PROPERTY AND ASSET PROTECTION PLANNING MUST BEGIN 5 YEARS <u>BEFORE YOU NEED MEDICAID</u> AND BEFORE THE INDIVIDUAL BECOMES INCAPACITATED.

Tim signs a deed placing his property into a life estate with his children.

Life Estate = Rights to live on property, get rent (or mineral income), responsible for property taxes and upkeep

The value of a life estate is an excluded asset for Medicaid, so a life estate deed is the best way to protect any real estate or mineral rights from having to be sold to pay long-term care expenses. However:

- Still subject to 5 year look back period from date of deed
- Income generated from property must be used toward your nursing home care

 It is very common for parents in North Dakota and Minnesota to sell their farmland to their farming children on a contract for deed, with favorable terms to the child. This is a Medicaid trap for parents, because contracts for deed are scrutinized for any disqualifying transfer (ie: price, interest rate, term, if payments are current) and if it passes scrutiny, the whole contract must be sold to a company like JGWentworth at a discount

NORTH DAKOTA MA – COMMUNITY SPOUSE INCOME

- Income rules for community spouse
 - Community spouse allowed all of their own income without limit.
 - If community spouse's income is below \$2,555, then they are allowed all of his or her own income, plus enough of the institutionalized spouse's income to reach \$2,555/month.
 - Community spouse may also purchase a SPIA (Single Premium Immediate Annuity) after the effective date of the Asset Assessment with <u>excess assets</u>.

MINNESOTA MA – RULE CHANGE FOR COMMUNITY SPOUSE INCOME

 Effective June 29, 2015, community spouse may now purchase an immediate annuity (SPIA) <u>after</u> the effective date of the Asset Assessment with excess assets.

NORTH DAKOTA MA – RETIREMENT PLANS

- Effective July 2014, North Dakota Medicaid now considers any retirement plan for community spouse or institutionalized spouse as an excluded asset.
 - IRA
 - 401K
 - SEP-IRA
 - ROTH IRA
 - Etc.
- Effective August 28, 2015, Excluded retirement plans must be annuitized after your spouse is in the nursing home

MINNESOTA MA – RETIREMENT PLANS

• Still count as an available asset.

ND MA EXAMPLE		
ASSET ASSESSMENT		
(husband in nursing home)		
• <u>Available</u>	<u>Excluded</u>	
Home (\$87,000 mortgage)	\$250,000	
Wife's IRA	200,000	
Checking (joint) \$ 3,000		
Husband's prepaid funeral	11,000	
Old car	500	
Household goods	15,000	
Investment account (joint) <u>217,000</u>		
\$220,000)	

ND MA EXAMPLE ASSET ASSESSMENT (husband in nursing home)

- 1. Wife is allowed to keep:
 - a. $$220,000 \div 2 = $110,000$
 - **b.** House titled in her name only
 - c. Car and household goods
 - d. Name on \$3,000 joint account
- 2. Husband is allowed to keep:
 - a. Name on \$3,000 joint account
 - b. \$11,000 prepaid funeral (could be more)

ND MEDICAID EXAMPLE ASSET ASSESSMENT (husband in nursing home)

- Need to legally spend excess \$107,000 (\$220,000 - \$110,000 wife - \$3,000 husband)
 - a. Pay off \$87,000 mortgage
 - b. Buy newer car for \$20,000
- 4. Need to annuitize wife's IRA

Age = 70

- Life expectancy = 15 years (180 months)
- \$200,000 IRA ÷ 180 months = \$1,111 more income to wife each month
- Wife also keeps her Social Security

I HAVE ENJOYED MY TIME WITH YOU TODAY.

If you have any further questions, please call me at 701-364-9595 or 855-299-9595.

Susan E. Johnson-Drenth, CELA* *Certified Elder Law Attorney by the National Elder Law Foundation

Crystal R. Pound



Financial Planning

Envision. Plan. Retire with Confidence.



WHAT DOES RETIREMENT LOOK LIKE TO YOU?



Envision what kind of lifestyle you want in retirement

- How much will that lifestyle cost?
- How much should you start saving and investing to accomplish those goals?



ALIGN EXPECTATIONS WITH REALITY

- A good rule of thumb—replace 80-percent of your pre-retirement income to maintain a similar lifestyle in retirement
- > Add up your sources of retirement income
 - Pension or Retirement Plans
 - Social Security
 - Annuities
 - Employer-sponsored Retirement Plans 401(k), 403(b), etc.
 - Traditional and Roth IRAs
 - Brokerage Accounts
 - Rental Property Income





WHAT'S YOUR SOCIAL SECURITY OUTLOOK?

Retirement Age	Estimated Monthly Benefit	% of Full Benefit
62 (Early)	\$1,615	~70%
65	\$1,920	~83%
67 (Full)	\$2,310	100%
70 (Delayed)	\$2,860	~124%

Is It Worth Working Longer?

- Early Retirement = more years of payments, but smaller checks.
- **Delaying Retirement** = fewer years of payments, but bigger checks.
- Break-even point: Around age 78–80



www.ssa.gov/OACT/anypia/index.html



IS THIS WHERE YOU WANT TO BE?

Financial Balance Now and Retirement

- Mortgage payments
- Long-term, medical, or life insurance
- Plans to work part time
- Travel expenses
- > Evaluate Your Investment Strategy
- > Add to Retirement Assets
 - Additional income from raises or elimination of debt





KNOW YOUR RETIREMENT ACCOUNT OPTIONS

403 (b)

- Contributions made pre-tax, lowering taxable income
- Investments grow taxdeferred until withdrawal

Traditional IRA

- Available to anyone with earned income
- Contributions may be tax-deductible
- Earnings grow taxdeferred

Roth IRA

- Available to those with earned income, subject to income limits
- Contributions made with after-tax dollars
- Qualified withdrawals in retirement tax-free



BE A PREPARED INVESTOR

- > Before opening an account with an investment professional, ask the tough questions:
 - Services offered
 - List of licenses, registrations, qualifications, and experience
 - Broker-dealer agent, investment adviser representative, financial planner or any combination
 - Central Registration Depository number
 - Commissions or fees charged







RED FLAGS OF INVESTMENT FRAUD

FRAUD ALERT	Promise of High Rate of Return
FRAUD ALERT	Claims of Consistent Returns Over Many Years
FRAUD ALERT	Pressure to Act Immediately
FRAUD ALERT	Insistence on Silence or Secrecy
FRAUD ALERT	Lack of Contact Information
FRAUD ALERT	Errors and Inconsistencies in Offering Documents
FRAUD ALERT	Claims of Exemptions
FRAUD ALERT	Testimonials
FRAUD ALERT	Requests for More Money



TYPES OF INVESTMENT FRAUD


RELATIONSHIP INVESTMENT SCAMS



- Scammers reach out online or via text messages
- Build TRUST over a period of weeks or months – "Long Con"
- Build trust through friendship, romance, or an offer to achieve financial goals



RELATIONSHIP WARNING SIGNS



Contact online or social media, including dating and messaging websites/apps



Reluctant to meet in-person or by video, making excuses not to meet



May use video filters or Artificial Intelligence (AI) to disguise their identities



SCAMMER SETS THE HOOK

- May flaunt their wealth using photos of expensive items
- Offer to help you make money
- Pressure you to give money and may show your investment has grown quickly to hook you





PROTECT YOURSELF



- Ignore messages from senders you don't know
- Make investment decisions independent of advice of someone who makes unsolicited contact
- Research investment opportunities thoroughly
- Protect personal information
- Never pay money to recover your investment
- Report scams immediately



CONTROL YOUR ASSETS

Monitor finances and check statements regularly

Always get details in writing

Never invest in something you don't understand

Don't be rushed to decide

Ask questions



WHAT TO DO IF YOU ARE SCAMMED

Collect relevant documentation – perpetrator's name, contact information, website address timeline of events, etc.

Know your rights – federal and some state laws give rights to victims of crime

Report fraud to regulators: North Dakota Insurance and Securities Department, U.S. Securities and Exchange Commission, or FINRA



NORTH DAKOTA INSURANCE AND SECURITIES

Contact us:

Report Fraud

Check on your broker/adviser

Request investor education materials or presentation





Health Insurance Options

HEALTH INSURANCE AFTER RETIREMENT

If you are receiving a TFFR benefit, within 31 days of becoming Medicare eligible, you may be eligible to enroll in non-NDPERS retiree insurance plans.

- Non-NDPERS Retiree Insurance Guide
- What is Medicare and who can get it?

ND State Health Insurance Assistance Program - help with Medicare

ND Navigators - help finding affordable health insurance

These resources available on RIO's website, <u>https://www.rio.nd.gov</u>. To locate, select the TFFR Member tab and scroll down to Retirement Resources



Retirement & Investment



TOOLS & RESOURCES

TFFR Member webpage

- Member Handbook
- Frequently Asked Questions
- MyTFFR Member Self-Service
 - Update your contact information
 - Designate account beneficiaries
 - Purchase service credit
 - Estimate your retirement benefit
 - Apply for retirement
- Presentations & "How To" Videos
- Newsletters





WORKSHOP WRAP UP AND EVALUATIONS

Thank you for attending our workshop. We'd like your thoughts about the event.

You will also receive the survey via email, https://www.surveymonkey.com/r/REW25fargo



RETIREMENT AND INVESTMENT OFFICE

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