

Employer Information Circular

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EXCHANGE AND SOJOURN TEACHERS

This circular is being reissued to provide information and guidance concerning “exchange” and “sojourn” teachers. CalSTRS is required to apply and enforce the provisions of Education Code section 22601 and does not have any authority to grant CalSTRS membership to any individual who is working as either an “exchange” or “sojourn” teacher based on the definitions set forth in Education Code sections 44853 and 44856.

Education Code section 22601 states, “Persons serving as exchange teachers or sojourn teachers from outside of this state are excluded from membership in the plan.” CalSTRS has determined that this exclusion from CalSTRS membership applies only to teachers who are employed in an exchange or sojourn program as part of an agreement with the employer. It is the employer’s responsibility to determine the basis of employment when considering what retirement plan or benefits to offer their employees.

For purposes of defining an exchange or sojourn teacher, employers are directed to determine if a teacher is being employed based on the provisions of Education Code section 44853 or 44856. Any teacher employed with an employer through the process established in Education Code section 44853 or 44856 is considered an exchange or sojourn teacher and is excluded from CalSTRS membership according to Education Code section 22601 regardless of their visa status.

If a teacher continues working beyond the period of the exchange or sojourn agreement with the employer, the exclusion from CalSTRS membership may not apply. Employers are reminded that service performed while a teacher is considered an exchange or sojourn teacher should not be reported to CalSTRS and is not available for purchase as permissive service credit according to Education Code section 22803.