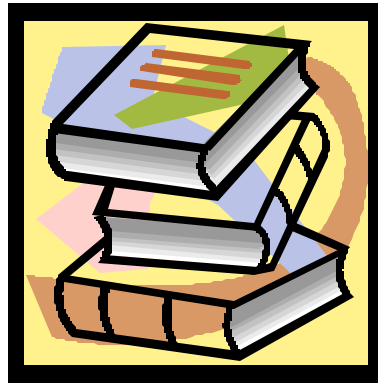


For Use With  
Form G-315 and G-320

# RAILROAD RETIREMENT BENEFITS FOR STUDENTS

Age 18-19 and in Elementary  
or Secondary School



United States of America  
Railroad Retirement Board

Visit our Web site at <http://www.rrb.gov>

Form G-316 (05-02)

## Overview

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**Background** This booklet contains important information regarding student benefits under the Railroad Retirement Act (RRA). Recommendation: that you read this booklet before you start filling out your statements. It contains information that you will need to know to complete your statements properly.

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**Why This Is Important** This booklet contains information concerning student benefits that is important to you not only before you file your statements, but also after you file your statements. The student benefits are monitored in September, December, and March and at the end of the student entitlement. Therefore, we suggest that you keep it handy for future reference.

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**Requirements** Part I explains the general requirements for student benefits.

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### Student Annuities

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### Reports

Part V explains events that must be reported to the RRB and provides instructions for reporting those events.

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### References

The RRB has other booklets that can provide additional information:

<b>Special Guaranty Computation</b>	<b>Survivor Annuity</b>
Booklet G-179 <i>Special Guaranty In Employee And Spouse Annuities</i>	Booklet RB-17 <i>Survivor Annuities</i>
Form G-77a <i>How Work Affects Payment of Retirement Annuities</i>	Form G-77 <i>How Earnings Affect Payment of Survivor Annuities</i>

## Part I - Requirements for Student Benefits

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### **Definition Of Employee's Student Child**

The term "child" means the employee's unmarried natural child, adopted child, dependent stepchild or, under certain conditions, grandchild whose parents are deceased or disabled. Children age 18-19 qualify as students if they are in full-time attendance at elementary or secondary schools.

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### **Definition Of Unmarried Student**

Students must be "unmarried." They are unmarried if:

1. They have never been married; or,
  2. They were married before the student benefits became payable and that marriage has ended by death, divorce or annulment.
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### **Definition Of Full-Time Student**

For Railroad Retirement Act (RRA) purposes, students are generally considered to be in full-time attendance in elementary or secondary school courses of at least 13 weeks duration with minimum attendance of 20 hours per week. The program must be in accordance with the law of the State or other jurisdiction in which the students reside. This includes enrollment in:

1. A public, private or religious educational institution;
  2. An independent study program administered by the school district in which the student resides; or,
  3. Home school elementary or secondary education.
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### **Required By RRB For Home Schooling**

The RRB follows the laws of the state or other jurisdiction in which the student resides. Form G-315H *Checklist for Documentation Needed for Student Age 18-19 in Home Schooling* lists the items that most states require for home schooling. These include:

1. A written notice to the superintendent of the school district, including the name, age, and grade level of the student, the address at which the instruction is done, the source of instruction materials, the basic core curriculum, the proposed schedule, and the credentials of the teacher;
  2. Approval of the home schooling by the superintendent of the school district in which the student resides;
  3. A teacher with at least a high school diploma;
  4. Maintenance of home school attendance records for the school year; and,
  5. Use of nationally recognized standardized achievement tests (including reading, mathematics, language arts, science and social studies) by the end of the school year.
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**Vacation  
Period**

Students are considered to be in ‘deemed’ full-time attendance during vacation, or certain other periods of non-attendance, if:

1. The period does not exceed four months;
  2. The period was preceded by full-time attendance at a qualified school; and,
  3. The students intend to return to school on a full-time basis at the end of the period.
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**Month of  
Graduation**

If students cease FTA in a month and return to school in the following month to attend graduation ceremonies, they will be considered in FTA for the month of graduation.

However, if there is an interval of one or more calendar months between the cessation of FTA and graduation, students are not entitled after the month of FTA cessation.

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**Age 19  
Attainment**

If students complete graduation requirements and attain age 19 in the same month, they are in FTA that month. If students then participate in their graduation ceremonies in the following month, the students would also be in FTA in the month of graduation.

If students have not completed their requirements for high school diplomas or equivalent certificates, their student benefits normally end the first day of the month in which they attain age 19.

An exception is made for students who are in **actual** full-time attendance in the month of attainment of age 19. If the students are in actual full-time attendance, they will be "deemed not to have attained age 19" until the earlier of the first day of the first month following completion of the course or the first day of the third month following the month in which the students attained age 19.

Note: The exception does not apply to students who attain age 19 during the months of summer vacation. If the students attain age 19 during the summer vacation months, their student benefits end the first day of the month in which they attain age 19.

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## Part II - Student Benefits in Special Guaranty Cases

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### **Employee's Special Guaranty Increase**

The *Special Guaranty* provision of the RRA states that the total monthly benefits payable (excluding a supplemental annuity) to the employee's family will not be less than the monthly amount which would have been payable under the Social Security Act (SS Act) if the railroad employment had been covered under SS Act.

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### **When Students Can Be Included**

Students can be included in the family group if the *Special Guaranty* rate exceeds the regular railroad retirement rate in the month children become entitled as students. Otherwise, student benefits are not payable in retirement cases.

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### **Forms Needed To Include Student In The Family Group**

The following forms are available at the RRB field office nearest you to develop the information needed to include the student in the family group:

1. Form G-319 *Statement Regarding Family and Earnings for the Special Guaranty Computation* is required from both the employee and the spouse to provide information about the child's relationship to the employee.
  2. Form G-320 *Statement By Employee Regarding Student Age 18-19* is required from the employee to obtain current information about the school attendance.
  3. Form G-315 *Student Questionnaire* is required to obtain verification of the school attendance from the school official.
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### **Independent Study Or Home Schooling**

If students are enrolled at an educational institution for less than 20 hours per week, but participate in the school's independent study program, you need to provide documentation from the school recognizing and providing credits for the independent study.

The RRB requires the documentation listed in Part I for home schooling cases.

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**One  
Application  
Concept For  
Special  
Guaranty**

A Form G-319 *Statement Regarding Family and Earnings for the Special Guaranty Computation* including minor children protects their rights to student child benefits when they attain age 18, provided there is no break in entitlement between the month they attain age 18 and the month they become entitled as full-time students.

Employees who have children in elementary or high school at educational institutions, or in home schooling, in the month their children attain age 18, need only submit Form G-320 *Statement By Employee Regarding Student Age 18-19* and Form G-315 *Student Questionnaire* to furnish the RRB with verification of the full-time school attendance in order to include the students in the *Special Guaranty* at age 18. The RRB also requires the documentation listed in Part I for home schooling cases.

A new Form G-319 is not needed.

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**How Student  
Benefits Are  
Paid**

The benefits are not paid directly to the students. If both the employee and the spouse are entitled to railroad retirement annuities, the amount of the total family benefit is divided between the employee and spouse annuities. The employee receives  $\frac{2}{3}$  of the family total (excluding any divorce spouse) as the employee monthly annuity rate. The spouse receives  $\frac{1}{3}$  of the family total (excluding any divorced spouse) as the spouse monthly annuity rate.

If there is no spouse annuitant, the total family *Special Guaranty* rate (excluding any divorced spouse) is paid to the employee as the employee monthly annuity rate.

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**When The  
Special  
Guaranty Is  
No Longer  
Payable**

The *Special Guaranty* is not payable when the employee annuity is not payable.

Also, the *Special Guaranty* may no longer be payable when an event, which terminates the entitlement of a family member, causes the regular railroad formula rate to exceed the *Special Guaranty* rate. The student events are listed in Part IV of this booklet.

When the *Special Guaranty* ends, student benefits are no longer payable in retirement cases.

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## Part III - Student Survivor Annuities

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### **Student Annuities**

Student annuities are payable when the students, or their representatives, file survivor annuity applications and the students meet the requirements in Part I.

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### **Forms Needed To Qualify For Student Survivor Annuities**

The following are available at the RRB field office nearest you to develop the information needed for the student annuity:

1. An *Application for Child's Annuity* obtains information concerning student relationships to the employees. This can be filed through the RRB field office on *Application Express* (APPLE).
  2. Form G-315 *Student Questionnaire* is required to obtain the dates of school attendance and verification of the school attendance from the school official.
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### **Independent Study And Home Schooling**

If students are enrolled at an educational institution for less than 20 hours per week, but participate in the school's independent study program, you need to provide documentation from the school recognizing and providing credits for the independent study. The RRB requires the documentation listed in Part I for home schooling cases.

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### **One Application Concept In Survivor Annuities**

Benefits for minor children or students in the retirement *Special Guaranty* computation do not convert to survivor annuities upon the death of the employee. A survivor application for a child's annuity is required.

Otherwise, applications for children's annuities filed by, or on behalf of, minor children protects their rights to student annuities when they attain age 18, provided there is no break in entitlement between the month they attain age 18 and the month they become entitled as full-time students.

Children who are elementary or high school students at educational institutions, or in home schooling, in the month they attain age 18, need only submit Form G-315 *Student Questionnaire* to furnish the RRB with verification of their full-time attendance in order to receive student benefits at age 18. The RRB also requires the documentation listed in Part I for home schooling cases. A new application for child's annuity is not needed.

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**How Student  
Survivor  
Annuities Are  
Paid**

When possible, the student annuity payments are deposited directly into the annuitant's checking or savings account at financial institutions. Therefore, bring one of the student's checks with you when you file for benefits. This will allow the field office representative to enter the information in our payment system and tell the student when the direct deposit will take effect.

After the student applications are processed, the first student payment will include all back payments that are due. This payment may be received at any time during the month. Payments issued after the first payment will be paid on the first business day of each month. The payment made at the beginning of the month actually represents the annuity due for the previous month.

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## **Part IV - Things That Affect Student Entitlement**

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**Social Security  
Benefits Or  
Other Railroad  
Retirement  
Annuities**

Social security benefits or other railroad retirement annuities will reduce the student benefits.

1. In *Special Guaranty* cases, any social security benefits or other railroad retirement benefits that any student receives, on the employee's earnings record or on someone else's earnings record, are deducted from the increase to the employee's annuity based on the student benefit; or,
  2. In survivor cases, the receipt of social security benefits on a different claim number reduces the student Tier 1 benefits. If the students are entitled to more than one RRB survivor annuity, only the higher of the two annuities is payable.
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**Payments From  
Employers**

Children cannot be entitled as students if their employer asks or requires them to attend school and pays the children for doing so.

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**Annual  
Earnings  
Exempt  
Amount**

Earnings in non-railroad employment can affect student benefits. The term *Annual Earnings Exempt Amount* means the yearly amount of money students can earn in non-railroad employment without losing railroad retirement benefits. (Note: This is the same as the *Annual Earnings Exempt Amount* for employees and survivor annuitants who have not attained their full retirement age and will not attain their full retirement age in that year.)

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**Non-Railroad  
Earnings In  
Special  
Guaranty Cases**

When the employee's annuity is based on age and the employee has earnings over the *Annual Earnings Exempt Amount* for the employee's age group, the excess is charged against the employee benefit and the benefits of all others included in the family group. Refer to Form G-77a *How Work Affects Retirement Annuities* for current *Annual Earnings Exempt Amounts*.

If students have earnings over their *Annual Earnings Exempt Amount*, the excess is charged against the amount that the student benefits increase the *Special Guaranty* rate only. Students will lose up to \$1 in benefits for every \$2 of earnings over their *Annual Earnings Exempt Amount*. In some cases, the reduction for earnings for one family member is offset by an increase to the *Special Guaranty* benefit computed for other family members.

If students work outside the United States for 45 or more hours in a month and do not pay *Federal Insurance Contribution Act (FICA)* or *Self-Employment Contributions Act (SECA)* taxes for this work, the *Special Guaranty* will be reduced, regardless of the amount of money earned.

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**Non-Railroad  
Earnings In  
Survivor  
Annuities**

If students have earnings over their *Annual Earnings Exempt Amount*, the excess is charged against their student annuities. Students will lose up to \$1 in benefits for every \$2 of earnings over their *Annual Earnings Exempt Amount*. The reduction for earnings for students does not create an increase to railroad retirement annuities computed for other family members. Refer to Form G-77 *How Earnings Affect Survivor Annuities* for current *Annual Earnings Exempt Amounts*.

If students work outside the United States for 45 or more hours in a month and do not pay FICA or SECA taxes for this work, their annuities will be reduced, regardless of the amount of money earned.

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**Railroad  
Earnings In  
Special  
Guaranty Cases**

A student who is working for a railroad may be included in the family group for the *Special Guaranty* rate, provided all other entitlement requirements are met. When determining student earnings over the *Annual Earnings Exempt Amount* from employment, also include the student's railroad compensation.

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**Railroad  
Earnings In  
Survivor  
Annuities**

Students cannot be paid survivor annuities for any month in which they work for a railroad or other employer in the railroad industry.

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**Step-Child  
Dependency**

Student benefits for the *Special Guaranty* rate end if a stepchild is no longer dependent on the employee.

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**Terminating  
Events**

Student benefits end when the student marries, dies or enters active military service.

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**Imprisonment  
Or  
Confinement  
For  
Conviction  
For A Felony**

The amount of student benefits may be affected if the student is imprisoned or under a sentence of confinement because of conviction for a felony.

A crime is a felony if it is considered to be a felony under applicable law. Most states define certain crimes as felonies. However, some states and foreign countries do not classify crimes as felonies. If a crime has not been classified as a felony, it is still considered to be a felony if it is a crime punishable by death or imprisonment for more than one year.

To be imprisoned or under a sentence of confinement means confinement to a jail, prison or other penal institution or correctional facility. This includes any facility, which is under the control and jurisdiction of a penal system, or any facility in which a person may be confined. This also includes hospitals, institutions and halfway houses, which are used as places of confinement. Persons under sentence of confinement to any of these facilities are considered confined even though they may go outside the facility to work, attend school or for some other reason.

Prisoners who are released on parole or because their sentence has ended, been suspended or overturned are no longer considered to be confined or imprisoned.

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**Monitoring  
Student  
Entitlement**

During the year of student entitlement, the RRB field office nearest you releases Form G-315 *Student Questionnaire* to obtain current information in student monitoring scheduled for September, December, March, and when entitlement ends. These questionnaires must be fully completed by the annuitant and the school official (or home school teacher). For home schooling, updated documentation, such as current attendance records, updated course of studies, current test scores and current evaluations should also be included. This information must be sent to the RRB within 30 days of receipt of the monitoring form. Failure to do so may create an overpayment of student benefits.

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## Part V – Events That Must Be Reported To The RRB

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### Change In School Attendance

Students must notify the nearest office of the RRB immediately when any of the following events occur:

1. Students change schools;
  2. Students complete the requirements for a secondary school diploma;
  3. Students reduce school attendance to less than full-time or less than 20 hours per week;
  4. Students stop attending school and do not intend to resume full-time attendance within the next four months; or
  5. Students start attending school that will be paid for by an employer.
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### Other Events To Be Reported

Report to the nearest office of the RRB if students:

1. Marry, die, are adopted, or enter military service;
  2. Are stepchildren in *Special Guaranty* rate who are no longer dependent upon the employee;
  3. Earn over their *Annual Earnings Exempt Amount*;
  4. File for, or receive, social security benefits or another railroad retirement annuity; or,
  5. Change their address.
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### How To Report An Event

You can call the RRB Help Line at 1-800-808-0772 to find the RRB field office nearest you, based on your ZIP code. You can also send a secure message on the Railroad Retirement Board Web Site at [www.rrb.gov](http://www.rrb.gov).

When you report an event, be sure to include all of the following:

1. The student's railroad retirement claim number;
2. The railroad employee's name and the student's name;
3. Your daytime telephone number;
4. A clear explanation of what event you are reporting;
5. The exact date (month, day, year) of the event; and,
6. If you are reporting work, the name of the employer and the estimated earnings for the year.

When reporting a change of address, also include the new address, the old address and the date the student will start receiving mail at the new address.

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### Office Hours

If you wish, you may also call or visit that office. Most RRB offices are open from 9:00 a.m. to 3:30 p.m., Monday through Friday. If you plan on visiting a RRB office, please call for an appointment so that we can better serve you.

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## **Fraud and Abuse Hotline**

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Call the toll-free **Hot Line** if you have any reason to believe that someone is receiving railroad retirement benefits to which he or she is not entitled, that persons responsible for the financial affairs of minors or incompetent beneficiaries are misappropriating benefits or that a doctor, hospital, or other provider of health care services is performing unnecessary or inappropriate services or is billing Medicare for services not received. You may also use the **Hot Line** to report any suspected misconduct by a Railroad Retirement board (RRB) employee. The **Hot Line** has been installed by the RRB's Inspector General to receive any evidence of fraud or abuse of the RRB's benefit programs.

In Illinois, you may call 1-312-751-4336; outside Illinois, call (toll-free) 1-800-772-4258. Or you may send your complaints in writing to:

RRB, OIG HOT LINE OFFICER  
844 NORTH RUSH STREET  
CHICAGO, ILLINOIS 60611-2092

*Note - Please do not call the Hot Line with questions about eligibility requirements, delayed claims, or similar problems. Such matters should be directed to the nearest RRB field office.*

## **Nondiscrimination of the Basis of Disability**

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Under Section 504 of the Rehabilitation Act of 1973 and the Railroad Retirement Board (RRB) regulations, no qualified person may be discriminated against on the basis of disability.

RRB programs and activities must be accessible to all qualified applicants and beneficiaries, including those with impaired vision or hearing. Persons with disabilities needing assistance (including auxiliary aids or program information in accessible formats) should contact the nearest RRB office.

Complaints of alleged discrimination by the RRB on the basis of disability must be filed within 90 days in writing with the:

DIRECTOR OF ADMINISTRATION  
RAILROAD RETIREMENT BOARD  
844 NORTH RUSH STREET  
CHICAGO, ILLINOIS 60611-2092

Questions about individual rights under this regulation may be directed to the RRB's Director of Equal Opportunity at the same address.

## **Burden Statement**

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We estimate the student application process takes an average of 7 minutes per response to complete, including the time for reviewing the instructions, getting the needed data, and reviewing the completed application. Federal agencies may not conduct or sponsor, and respondents are not required to respond to, a collection of information unless it displays a valid OMB number. If you wish, send any comments regarding the accuracy of our estimates or any other aspects of this process, including suggestions for reducing completion time, to:

CHIEF OF INFORMATION MANAGEMENT  
RAILROAD RETIREMENT BOARD  
844 NORTH RUSH STREET  
CHICAGO, ILLINOIS 60611-2092.

## **Paperwork Reduction and Privacy Act Notice**

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This notice is given under the Paperwork Reduction Act of 1995 and the Privacy Act of 1974. The Privacy Act requires that the Railroad Retirement Board (RRB) tell you the following whenever we ask you for information:

1. The law which allows us to ask for the information;
2. whether that law requires you to give us that information and what, if anything, might happen to you if you do not give it to us;
3. the reason why the information is requested; and
4. the persons, organizations, and agencies to which we may release the information without your permission.

The RRB's authority for requesting this information is Section 7(B) of the Railroad Retirement Act of 1974. Providing us with this information is voluntary on your part. However, if you fail to provide us with the requested information, we may be unable to pay you any benefits. The RRB needs this information in determining whether you are eligible to receive such benefits, and if so, the amount you are entitled to receive. If your annuity application is approved and we begin to pay you benefits, information that we may request from you in the future will be used to determine whether you are entitled to continue to receive such benefits.

Although the information we request is almost never used for any purpose other than the payment of benefits under the Railroad Retirement Act, the RRB does have the authority to release information to the indicated individuals, organizations, and/or agencies listed below without your approval:

1. An attorney, the Office of the President, a Congressional office, a labor union or the Department of State's embassy or consular office if they allege to be representing you at your request.
2. Other people who are receiving benefits based on the same railroad retirement account as you are if the information affects their payments from the RRB.
3. A person who will receive benefits on your behalf if the RRB decided that some medical condition keeps you from receiving your own benefits; such information may also be released in determining whether such a medical condition exists and who is suitable to receive such benefits for you.
4. People or organizations who are working for the RRB; such information may include medical records.
5. The U.S. Treasury Department or U.S. Postal Service to issue payments and to investigate lost, forged, or stolen checks.
6. Your last employer to make sure that you are eligible to receive railroad retirement benefits.
7. The Social Security Administration, Centers for Medicare and Medicaid Services, Pension Benefit Guaranty Corporation, Office of Personnel Management, Department of Veterans Affairs, or Federal, state, or local welfare or public aid agencies to determine if you can receive benefits for these organizations and if any previous benefits were paid incorrectly.
8. The Internal Revenue Service or state and local taxing authorities for figuring your taxes and for use in audits.
9. Your last address and the name of your last employer may be released to the Department of Health and Human Services to be used in the Parent Locator Services.
10. The General Accounting Office for audits and for collecting overpayments owed to the RRB or the Social Security Administration.
11. The U.S. Department of Labor as required by the Federal Coal Mine and Safety Act.
12. In certain cases for law enforcement purposes and for court proceedings
13. Information about the determination and recovery of an overpayment made to you may be released to any other person from whom any portion of the overpayment is being recovered.
14. Your name and address may be released to a Member of Congress to inform you about current or proposed legislation which could affect the railroad retirement system.