

# NSEA-RETIRED ADVOCATE

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## LB 415: A Case Study For “How Not to Do It”



**Roger Rea,**  
NSEA-Retired  
President

I've been helping to craft retirement bills since the 1970s, when Sen. Steve Fowler was chair of the Retirement Committee. Sen. Fowler knew that retirement legislation was complicated and that changes in the retirement plan provisions would impact thousands of lives and cost millions of dollars. To create a framework for passing laws on retirement plans, he wrote, and the legislature adopted, a list of *General Principles of Sound Retirement Planning*. The *Principles* have been revised and modified over the years, but they stand as the legislative guidelines for how retirement legislation should be developed. According to one of the *Principles*, “No change should be made in any retirement system without measuring it against these *General Principles*.” Had Steve Fowler been present, he would have been aghast at how LB 415 was developed and debated on the floor this session.

Most retirement bills are limited to just one or two subjects. Several NSEA members and staff met with Sen. Mark Kolterman, Chair of the Legislative Retirement Committee, in December 2016 to discuss his ideas for changes in the teacher retirement plans. We had concerns about some of the ideas and made suggestions on better ways to accomplish what were stated as the goals of the ideas. After that discussion, I thought that each of the ideas would be placed into a separate bill, and be subject to public input and accompanied by an actuarial study (as provided in the *Principles*). That did not occur.

LB 415 contained all of the things that Sen. Kolterman was considering, and included: raising the minimum age for retirement to 60 (an increase from the current minimum age of 55); creating a Rule of 90 for retirement with unreduced benefits (instead of the current Rule of 85); redefining what constitutes “leave time” and how that “leave time” can be credited for retirement purposes; eliminating the ability of an employer to purchase retirement credits for an employee; eliminating any exceptions to the current 180-day separation time before a retiree can return to work; creating a cumbersome and almost unworkable bookkeeping system to assure that retirees actually do not return to work; and changing disability benefits for all retirement systems.

As if this list was not comprehensive enough, several other bills were amended into LB 415 to create one, huge omnibus retirement bill. When it came out of Committee, LB 415 also included the contents of seven additional bills (LB 31, LB 32, LB 110, LB 219, LB 278, LB 413, LB 532), as well as, all of the attendant amendments to each of those additional bills.

LB 415 is the first bill in my memory to come out of the retirement committee without an actuarial study on the potential cost impact of the changes that were being proposed. In fact, every bill that I can remember has had the actuarial cost analysis available before the public hearing for the bill, and all parties that may be impacted by the changes have a copy of the study prior to the hearing. That is one of the key points in the *General Principles of Sound Retirement Planning*. A hurried actuarial analysis was done after NSEA made an issue of this omission, but that analysis was not made available to anyone in the public until the morning that debate for LB 415

was scheduled. Again, it was an unprecedented way to release an actuarial study.

NSEA took the opposition to LB 415 to the floor of the legislature. Because the bill now contained many technical corrections to retirement legislation that were non-controversial (the additional bills that were amended into LB 415), many assumed that the bill would pass without much debate. The key objections that NSEA raised centered on the return-to-work changes, changing to the Rule of 90, and raising the minimum retirement age to 60. The most contentious parts of the bill were eliminating the ability of newly retired teachers to substitute or volunteer on an occasional, part time basis during the first 180 days of their retirement, and prohibiting any retiree who accepted an incentive to retire early from working or volunteering in any district in the state for a period of three years.

General file debate was scheduled for May 3, 2017, and NSEA issued a Legislative Alert email asking members to contact their senators regarding those key issues. Floor debate was heated and lengthy, and a compromise was worked out that would ease the restriction on substituting and/or volunteering in schools. That compromise was debated on Friday, May 5, 2017. The actual language for the compromise was created during the debate so there was no print copy of the actual language for review. Since the time available to debate and vote on bills was getting short, the bill was advanced to Select File on verbal assurances that the language that had been agreed to would be in the bill. The verbal assurances that this compromise language would be part of the bill are part of the recorded floor debate on LB 415.

On Monday, May 8, 2017, the compromise that had been reached and agreed to on the floor the previous Friday was pitched into the waste basket. Sen. Kolterman filed a new amendment that usurped the compromise language, and the bill was scheduled for Select File debate on Wednesday, May 10. After more heated debate and compromise, the bill (with the new amendment) was advanced from Select File on Monday, May 15. The new amendment essentially reinstated the current return-to-work rules, meaning that teachers may substitute or volunteer on an occasional, part-time basis during the first 180 days of their retirement, and they can accept full-time work after that.

That said, Sen. Kolterman will hold an Interim Study (LR 202) to more completely examine regulations relating to what constitutes a bona fide separation of service (i.e. how long does a retiree need to wait before returning to work in any capacity). We can expect the debate to continue, about whether or not teachers can return to work after retirement.

LB 415 has been a total departure from the traditional way that retirement legislation has been handled in the past. I cannot remember anything like it – ever. And it has not been pretty. The unprecedented way that actuarial studies were both commissioned and released, the way the bill was debated and voted on without a written copy to reference, and the fact that compromises that had been agreed to on Friday were breached the following Monday should never be repeated.

There is great truth in the phrase carved above the North Entry Portal to the Capitol building: *“The salvation of the state is the watchfulness of the citizens.”* Thank goodness for the watchful eye of NSEA regarding LB 415.

## Passing the Torch

By: Roger Rea, NSEA-Retired President

This will be the last issue of the *Advocate* that I will help with as your President. It has been both a privilege and a pleasure to serve this organization in that capacity, and I look forward to continuing my involvement as your Vice President. Out-going presidents have a tradition of reflecting on the work of the organization as they leave office, and I am no exception to that rule.

I never contemplated being your president when I retired in 2000. In fact, I was a reluctant candidate for Metro District Director on the NSEA-Retired Board the first time that I ran. I had served as President of the Omaha Education Association, the largest local in the state, and did not have a great desire to further complicate my life in retirement. During my tenure as a teacher, I had the honor to serve in a number of capacities. Each time I gained both personally and professionally from my involvement. While I served as OEA President, I was selected as one of two Nebraska candidates for the NASA Teacher in Space Project (the explosion of the Challenger Shuttle is perhaps one of the most memorable, albeit unfortunate, events in my lifetime). I was also recognized as a state winner for the Presidential Award for Excellence

in Science Teaching, and shortly thereafter was named the Nebraska Teacher of the Year. None of that would have been possible without the leadership training I received from both NSEA and NEA when I became OEA President. I ran for NSEA-Retired President as a way of giving back to an organization that had given so much to me.

As I close this chapter in my life, I look back with satisfaction on the many accomplishments of our organization. When I began my term, our financial stability was good, but low interest rates meant that our life membership dues (which we invest for future use) did not return enough to sustain the organization for the longer term. We adopted a new investment policy and found investments with returns that should sustain our organization for many years.

We have implemented regular seminars on health insurance options for retirees, and each year we conduct seminars across the state on Medicare and how to select an appropriate Medicare Part D provider. We have conducted more than 270 retirement workshops in the past fourteen

years in more than 80 locals to a total audience of more than 10,000 NSEA members and spouses.

Our conference schedules and programs have been strengthened and made better every year. Our Lobby Day participation is strong, and this year we did special alerts to retired members on LB 415 in an effort to change that bill – and we were successful. We formed a coalition of organizations representing retirees and worked to change the state taxation of Social Security incomes – and we were successful in starting on that path. We created a video on what NSEA-Retired does that is posted on our web page and used at the fall membership meetings for NSEA. Our newsletters have received national recognition for their content and form. And last year, we celebrated the thirty-year anniversary of the founding of NSEA-Retired.

I am proud of what NSEA-Retired has accomplished during my term, and I look forward to reaching even greater heights under the leadership of De Tonack, your new NSEA-Retired President.

When Salt Lake City hosted the 2002 Winter Olympics, the Olympic torch was relayed across the country to advertise the event. The route through Omaha came right down the street in front of our house. My neighbor took a picture of the Olympic Torch being run past our home and gave me a copy of the photo. The Olympic Torch Relay for the Salt Lake City Olympics involved more than 12,000 torchbearers. NSEA-Retired, like the Olympic torch relay, is not run by any single individual. With this issue of the *Advocate*, I officially “pass the torch” to our next president. I know that you will support De as firmly as you have supported me. And thank you for your continued support.

## NEA-Retired Annual Dues Increase on September 1, 2017

By: Roger Rea, NSEA-Retired President

Annual members of NSEA-Retired and NEA-Retired will see a \$5.00 increase in dues in September. The renewal dues amounts will be: NEA-Retired = \$35; NSEA-Retired = \$25; total for both organizations = \$60. Local retired association dues are not included in these amounts, and are generally billed separately.

In March 2017, NEA-Retired gave an 18-month advance notice that lifetime dues for NEA-Retired will increase effective September 1, 2018. The exact amount of that increase will be determined this summer.

If you are currently a life member of NSEA-Retired/NEA-Retired you will not be impacted by any changes in dues. If you want to beat future dues increases, become a life member now! You can join by going to the NSEA-Retired web page, [www.nsea.org/retired](http://www.nsea.org/retired), and clicking on the “Join Now” link on the side of the page. You can also get a paper application by calling Rebecca Smith at NSEA, 1-800-742-0047.

## Does the Age You Start Taking Social Security Benefits Really Matter?

By: Roger Rea, NSEA-Retired President

Objective advice on when you should begin to start collecting Social Security benefits is hard to come by. If you retire and start taking Social Security when you are first eligible, at age 62, the benefit is reduced to reflect the longer payment period. The amount of the reduction depends upon the age at which you would qualify for unreduced benefits. For individuals born prior to 1937 (for whom the “normal, full retirement age” is 65), there is a 20% reduction in benefits if they are taken at age 62. People born between 1943 and 1954 have a normal, full retirement age of 66. For those individuals, benefits are reduced by 25% if they are taken at age 62. As the normal, full retirement age increases to 67, the reduction increases to 30%.

The penalty for taking Social Security benefits early is about 7% per year. If you delay taking benefits beyond your normal, full retirement age, the benefit will increase by about 7% per year, up to

age 70. While waiting to collect benefits will produce higher monthly checks, it may not be the best idea.

While the monthly check that results from delaying Social Security to age 70 is bigger, you’ll be collecting far fewer checks in your lifetime. Consider this: there are 36 months between age 67 and age 70, and 96 months between age 62 and 70. If you delay taking Social Security payments, you will never see between 36 and 96 monthly Social Security checks!

The Social Security web page, [www.ssa.gov](http://www.ssa.gov), has an on-line “quick calculator” that allows you to estimate your Social Security benefit. You can use the calculator along with your own work record to see the impact of taking benefits at various ages. The illustration below shows the approximate monthly benefit, along with the cumulative

benefits you will have received at three different ages, for an individual who just turned 50 and who

Retirement Age	Monthly benefit	Total payments by age 75	Total payments by age 80	Total payments by age 90
62	\$1,277	\$199,212	\$275,832	\$429,071
67	\$1,904	\$182,784	\$297,024	\$525,504
70	\$2,419	\$145,140	\$290,280	\$580,560

earns \$60,000 per year and who intends to start payments at various ages.

You can see that the total benefits do not vary widely by age 80. The best age to start collecting your Social Security depends upon how long you live, which you cannot know when you retire. The Social Security Administration says, “As a general rule, early or late

retirement will give you about the same total Social Security benefits over your lifetime.”

If you anticipate living to your life expectancy, it's rational to front-load your Social Security (by taking benefits prior to age 70) so long as you're comfortable with the future consequences.

## EHA Rates for Early-Retiree Coverage Increase in September

By: Roger Rea, NSEA-Retired President

EHA insures more than 80,000 education employees, early retirees and their dependents in more than 400 different school groups across Nebraska. EHA provides insurance underwritten by Blue Cross Blue Shield of Nebraska. NSEA formed this statewide health care network more than 45 years ago to provide the same health insurance benefits to every teacher in Nebraska – at the same premium, regardless of location or size of the local group. The plan also allowed teachers to continue their coverage when they changed jobs within the state. The plan is now governed by a 12-member board representing NSEA, the Nebraska Council of School Administrators, and the Nebraska Association of School Boards.

Blue Cross reviews the utilization of the plan every year and recommends premium rates that will pay for all of the anticipated claims for the members of the plan for the next year. Premium renewal rates for all EHA plans for the 2017-18 school year will increase by 7.99% effective September 1, 2017. This marks the 15<sup>th</sup> consecutive year that EHA rates have increased by less than 10%. There will be no change in deductibles, drug copays or out-of-pocket limits for 2017-18.

One large component in health insurance costs is the cost of prescription drugs. A comprehensive review of the pricing at various pharmacies was done last year. As a result, both CVS Pharmacy and Target Pharmacy were dropped as preferred-provider pharmacies. EHA was able to save more than \$2 million per year as a result of this change in in-network pharmacies. Prescriptions filled at either CVS or Target Pharmacies are paid at the out-of-network rate.

Monthly premiums for the EHA plans beginning September 1, 2017 are displayed in the table below. The premiums include PPO dental for the coverage levels. If you do not have full dental coverage for all of your dependents, your rates will be lower than those displayed in the table. For more details, and to view a 21-minute webinar on the new plan options, visit the EHA web page, [www.ehaplan.org](http://www.ehaplan.org). Click on the *RETIREES* tab at the top of the page to view the video.

Retiree Health Plan	Renewal rates effective September 1, 2017			
	Employee	Ee & Child(ren)	Ee & Spouse	Family
\$900 deductible	\$697.39	\$1,238.46	\$1,464.47	\$1,855.98
\$2,000 deductible	\$592.90	\$1,053.19	\$1,245.02	\$1,578.56
\$3,500 Deductible HSA-eligible	\$592.90	\$1,053.19	\$1,245.02	\$1,578.56

## Solar Eclipse Coming to Nebraska August 21

By: Daniel Glomski, Edgerton Explorit Center, Aurora, NE

What celestial event can make you shed tears, cause the hair on the back of your neck to stand up, and/or give you an insatiable desire to view another such event?

The landing of the alien mothership, you say? Amusing, but that’s not likely to happen anytime soon (despite what a few people may say).

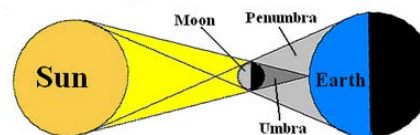
If you answered, “A total solar eclipse,” give yourself a gold star.

During a TSE (to use an occasional abbreviation), the Moon completely covers the Sun, causing day to turn into night – well, twilight – for up to a few minutes (see diagram at the right). The Sun’s outer atmosphere, the corona, emerges, creating a sight that has been described as “The eye of God.” Animals often become confused by the sudden onset of darkness; human beings can act strangely as well.

On Monday, August 21, 2017, the path of a total solar eclipse crosses the continental US from Oregon to South

Carolina, passing through the Cornhusker State as it does so. Cities such as Alliance, Grand Island and Beatrice are particularly well placed to view totality.

Not everyone in Nebraska will see the Moon block out the Sun entirely. The path of totality measures



approximately 70 miles in width. Those outside the path experience a partial solar eclipse – an interesting event, but hardly an uncommon one. (For example, in the 20th century Grand Island saw approximately 40 partial solar eclipses.) The center line in the diagram on the next page shows the path for the solar eclipse across Nebraska where the totality will be the longest duration.

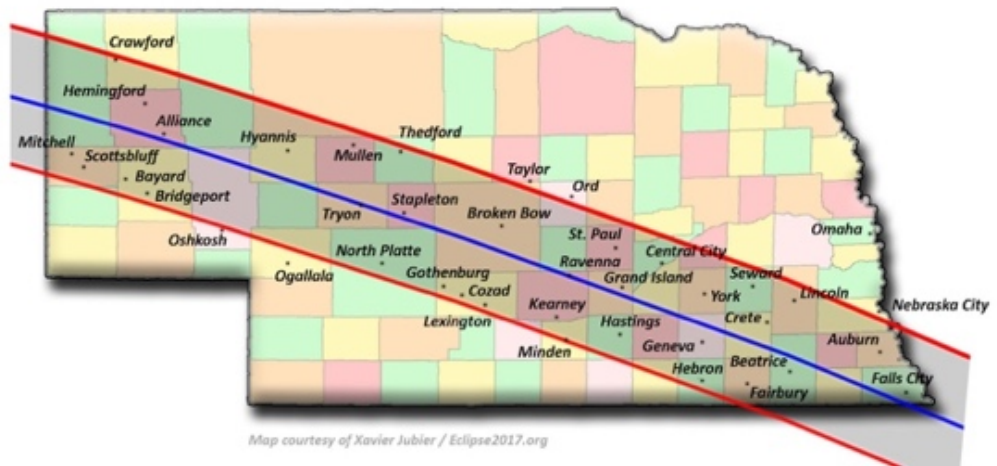


And so comes my first piece of advice: Get into the path of totality, if you're not already in it. No matter how deep the partial eclipse – even 99.9% coverage – the most dramatic events seen during a TSE simply are not visible. No corona. No 360-degree sunset. No planets or stars visible during the daytime. No weird effects on animals or people. Even a tiny fraction of uncovered Sun is bright enough to render these sights completely invisible and the viewer quite disappointed in the entire experience.

Second piece of advice: If you're located towards the edge of the path, get towards the centerline. The center of the Moon's shadow path is where the eclipse lasts the longest, up to 2 minutes and 37 seconds. This event is so spectacular – and rare – you'll want to get as long a look at it as possible.

Third: Invite family and friends outside the path to join you. With hotel rooms in many spots completely booked – or going for several times their normal rates – your loved ones will thank you. And have a party afterwards!

Fourth and most importantly: View safely. While totality – and only totality – is perfectly safe to see with eyes alone, proper filters are absolutely necessary to view the Sun when even a tiny part is uncovered. Solar viewing



glasses using specially coated Mylar or plastic are commonly available. A number 14 glass arc-welder's filter is also safe, but note the shade: lower numbers may not provide proper protection. And since eye injuries are painless, comfortable viewing does not necessarily translate to safe viewing. If you're not sure about the filter, stick to the solar-viewing glasses. They're commonly available and may be given away free or sold cheaply at public viewing sites across Nebraska on eclipse day.

So what if skies are cloudy? Many viewers will hit the road to find clear skies. If you choose to stay at home, keep in mind TSEs are very rare; Grand Island has not seen one since 1194 A.D. and will not see another until 2744. The eclipse will begin and end at various times across the state. In general, the eclipse will begin at about 11:30 a.m., become total about 1 p.m., and end about 2:30 p.m. CDT (one hour earlier in MDT). You can find more details about the timing of the eclipse as well as activities that are being planned for various Nebraska communities on the eclipse web site, [www.eclipse2017.org/2017/states/NE.htm](http://www.eclipse2017.org/2017/states/NE.htm).

Good luck with viewing and let's hope for clear skies!

## Earthwatch: Travel and Research Upon Retirement

By: William Forsee

I taught Biology for 37 years. I have an ongoing interest in ocean health and climate change, and found an organization that allowed me to travel the world and explore new and different locations while supporting my interests in ocean health and climate change after I retired. That organization is Earthwatch.

Since my main interests were ocean health and climate change, I picked projects with these goals in mind. Earthwatch is committed to driving actions toward a more sustainable world. I believe that this mission is more critical now than it has ever been. I have four grandchildren and hope to leave a positive footprint to help create a world full of beauty for them. By doing these Earthwatch projects, I feel that I am making a difference. I also enjoyed a great tax deduction while doing what I love to do – work on ocean health and climate change.

*Earthwatch Institute is an international environmental charity. Since 1971, Earthwatch has connected volunteers with scientists undertaking vital field research around the globe.*

*Earthwatch is not a traditional "eco-tour" organization, but rather provides substantive, hands-on, long-term support to scientists doing vital conservation work in often challenging, non-touristy locations worldwide.*

*Most US volunteers are also able to take advantage of the tax-deductibility of the expedition contribution and, in many cases, associated travel costs.*

*More complete information on current Earthwatch projects can be found on their web site, [www.earthwatch.org](http://www.earthwatch.org).*

I have completed five expeditions with Earthwatch on ocean health and climate change. I have explored Jamaica, Belize, Micronesia, Australia, and last year I worked in the Seychelles Islands, just off the eastern coast of Africa. I SCUBA dive for a hobby, and have used that skill on several of the expeditions. Not everybody is interested in marine ecology and would not select a project that involved SCUBA diving. Fortunately for them, almost all of the Earthwatch expeditions are land based.

One great benefit of the Earthwatch expeditions is the opportunity to work with volunteers from countries around the world. On my last project in the Seychelles, I worked with two volunteers from England, one from Australia, one from Spain, one from South Africa, and a young Ukrainian who lived in Germany. The Ukrainian had a unique perspective on Russia and what they are doing to Ukraine that you don't hear about in the U.S. media.

The Earthwatch projects range from Saving Joshua Trees in California to Excavating the Roman Empire in Britain. There are projects in Africa, Asia and Australia. This year volunteers can choose from more than 60 projects around the world.

Earthwatch has been around for more than 45 years. We Earthwatch volunteers have joined scientists around the world on research expeditions designed to solve key environmental challenges. I invite you to join an Earthwatch expedition, and "follow your passion!"



Seychelles, Curieuse Island harbor.

## 2017 NSEA-Retired Intergenerational Mentoring

By: Rebecca Smith, NSEA-Retired Staff Associate



The 14<sup>th</sup> annual NSEA-Retired Intergenerational Mentoring training was held Feb 24-25, 2017. This year, weather and scheduling conflicts contributed to a "cozy" group of 16 – with eight mentees and eight mentors participating. The 2017 Mentees were: Nicole Babutzke, Tanisha Fahrenheit, Laura Moxness and Bailey Schlueter, all from Wayne State; Stephanie Scales and Rose Villeda from Peru State; and Kira Hess and T.J. Wynn both from UNL-Lincoln. The mentors this year included: Carolyn Escamilla, Scottsbluff; Cindy Hanquist, Marquette; Bill Hayes, Lincoln; Vauri Henre, Norfolk; Karen Johnson, Wayne; Janet Millnitz, Lincoln; Dan Schiefelbein, Columbus; and Ellen Williams, Lincoln.

Retired NEA Trainer Gene Grooms returned for his 14<sup>th</sup> year as facilitator. Gene uses communication-styles training. The participants leave with an awareness of communication styles that they can apply to their teaching

careers as well as their personal lives. The soon-to-be-teachers leave knowing they have their mentor's wisdom just a call, text, or email away!

Friday evening included a panel featuring Maureen Nickels, NSEA Organizational Specialist and Nebraska State Board of Education 6<sup>th</sup> District Representative; Patrick Hunter-Pirtle, LPS District Director of Secondary Education; and Aisha Bourke, new full-time middle school teacher at LPS. De Tonack facilitated the panel. The mentoring training concluded on Saturday with the matching process and a graduation lunch.

Plans for the 2017-2018 Intergenerational Mentoring project are currently underway. We need ***your*** experience to be successful. To apply, go to [www.nsea.org/retired](http://www.nsea.org/retired) and click on the Intergenerational Mentoring link.



## Retiring Board Members Recognized



Tom Black (right) is recognized for his nineteen years of service on the NSEA-Retired Board. Tom served as the Elkhorn District Director (6 years), Vice President (two different times for a total of 8 years), and President (5 years). He also edited the *NSEA-Retired Corner* column in the *NSEA Voice* for 16 years, and the *Advocate* for 8 years.



Roger Rea (left) is recognized for his 9 years of service as NSEA-Retired President by Duane Obermier. The gavel is made from one of the spindles on the stairway of the old Governor's mansion (built in 1892). Victor Anderson was governor in 1955 when the mansion was replaced, and a number of these gavels were made.

## NSEA-Retired Election Results

By: Roger Rea, NSEA-Retired President

A total of 1,475 ballots were counted for the recent NSEA-Retired elections. De Tonack was elected to be the new NSEA-Retired President; Roger Rea was elected to be the new NSEA-Retired Vice President. Pat Etherton was re-elected as Capitol District Director; Francis Rohrich was re-elected as Elkhorn District Director; and Dee Gillham was re-elected as Sandhills District Director. All of the new officers will begin their three-year terms of office on August 15, 2016, as provided in the NSEA-Retired Bylaws. NSEA-Retired members also elected 19 delegates to the NSEA Delegate Assembly and five delegates to the NEA Representative Assembly. The President of NSEA-Retired serves as a delegate to both of these assemblies by virtue of office.



**2017-18 NSEA-Retired Board of Directors.** District Directors (standing, L to R): Carol Krejci, Pat Etherton, Guy Roggenkamp, Francis Rohrich, Dee Gillham, Jim McDermott. (Not pictured: John Jensen). Officers (seated, L to R): Roger Rea, Vice President; De Tonack, President; Ruby Davis, Secretary; Art Tanderup, Treasurer.

## Spring Conference a Success!



Lincoln resident Robert Kay tells about climbing Mt. Everest.



Daniel Glomski shares tips on viewing solar eclipse.



Shannon Fickes talks about working as a firefighter in Antarctica.

## Fall Conference Scheduled

The annual Fall Conference for NSEA-Retired will be held Tuesday, October 24, 2017 at The Leadership Center in Aurora, NE.

The agenda is being developed now, and will include Keynote Speakers and Breakout Sessions.

Full details as well as registration information will be available on the NSEA-Retired web page, [www.nsea.org/retired](http://www.nsea.org/retired), about September 15. A pre-conference event is being planned for Monday evening, October 23.

You can register on-line, or by calling or emailing Rebecca Smith, 1-800-742-0047, [rebecca.smith@nsea.org](mailto:rebecca.smith@nsea.org). The registration deadline is October 17. Look for additional details online and in the next issue of the *Advocate*.