

1. Electing a member-trustee to the Board;
2. Presenting its annual report; and
3. Conducting a general discussion period on any questions concerning the report or matters pertaining to the Fund.

(b) Such convention shall be held annually at a time and location designated by the Board.

(c) The chairperson of the convention will be a member of the Board elected by the Board.

(d) The Secretary of the Board shall act as the Secretary of the convention.

(e) The delegates to the convention must be active members of or former members receiving a retirement allowance from the Fund.

(f) The delegates shall be selected from the membership of each county. The selection date shall be determined by the Board.

1. Notice of the time and place of the county meeting shall be issued by the County Superintendent at least 10 days before the date of the meeting.

2. The County Superintendent, within five days after the meeting, shall forward to the Secretary of the Board a certificate containing the membership numbers, retirement numbers, names, addresses and school districts of the delegates and alternates.

(g) Each county shall be entitled to one delegate for each 550 members employed in or retired from the county or major fraction thereof.

(h) Each county shall be entitled to elect alternates, the number not to exceed one half of the number of delegates elected.

(i) The Secretary of the Board shall forward to each delegate and alternate his or her identification for admission to the convention, a copy of the election rule, convention agenda, annual report of the Board of Trustees for the preceding fiscal year and the name of the trustee whose term is expiring.

(j) The candidate for trustee must be employed in or retired from one of the counties of the group so designated for electing a trustee that year and must be a resident of New Jersey.

(k) The Secretary of the Board shall also notify each delegate and alternate of the names of the candidates to be nominated for trustee that have been registered.

(l) The county grouping for election of trustee shall be as follows:

Group A	Group B	Group C
Bergen	Middlesex	Atlantic
Essex	Monmouth	Burlington
Hudson	Morris	Camden
Union	Passaic	Cape May
	Somerset	Cumberland
	Sussex	Gloucester
	Warren	Hunterdon
		Mercer
		Ocean
		Salem

(m) The election of a member-trustee shall be for a three-year term beginning the succeeding January 1.

(n) The nominating speech shall be limited to five minutes, with not more than one seconding speech of three minutes.

(o) A candidate to be elected must receive a majority of the total votes cast by the seated delegates or their alternates. In the event no candidate receives a majority, the candidate who has received the least number of votes shall be eliminated. This procedure shall be repeated on each succeeding ballot until one candidate has received a majority of the total vote.

(p) The trustee must be employed in or retired from a county in Group A, Group B or Group C. Members elected shall serve three-year terms. In the event an active or retired trustee elected by the membership is unable to finish the term, the vacancy shall be filled in the same manner and in the same group as the departing trustee, as set forth in N.J.S.A. 18:66-56. The term of this position shall be the remainder of the unexpired term.

(q) Only delegates with proper identification will be admitted to the main floor of the convention.

(r) Alternates and visitors shall be seated in a specified area.

(s) The secretary of the convention will conduct a roll call of the delegates. Alternates will be seated in the place of respective county absentee delegates in the order in which they are listed by the secretary of the county meeting:

1. The election of the member-trustee shall require a majority vote among the delegates actually seated in the convention.

(t) A majority of all of the delegates entitled to seats in the convention shall constitute a quorum for transacting the business of the convention.

(u) The minutes of the convention shall be submitted by the secretary for approval at the next annual meeting.

(v) Visitors and alternates not seated at the convention will only be recognized during the convention at the discretion of the chairman.

(w) Delegates and alternates will be reimbursed for actual travel expenses incurred in connection with the convention in accordance with State of New Jersey, Department of Treasury reimbursement schedules. Mileage reimbursement shall not exceed 150 miles each way.

As amended, R.1973 d.196, effective July 24, 1973.

See: 5 N.J.R. 203(c), 5 N.J.R. 294(d).

As amended, R.1974 d.24, effective January 31, 1974.

See: 5 N.J.R. 426(d), 6 N.J.R. 124(a).

As amended, R.1975 d.140, effective May 27, 1975.

See: 7 N.J.R. 179(a), 7 N.J.R. 349(a).

As amended, R.1978 d.444, effective December 29, 1978.

See: 10 N.J.R. 517(a), 11 N.J.R. 105(c).

As amended, R.1980 d.405, effective September 19, 1980.

See: 12 N.J.R. 435(b), 12 N.J.R. 678(a).

(w) Rate increased from \$0.16 to \$0.18.

As amended, R.1983 d.483, effective November 7, 1983.

See: 15 N.J.R. 1360(a), 15 N.J.R. 1870(d).

Certain dates and groupings changed concerning the election of delegates.

Amended by R.2000 d.318, effective August 7, 2000.

See: 32 N.J.R. 1911(a), 32 N.J.R. 2926(a).

Rewrote (b), (f), (g), (p), (u) and (w); in (e), inserted "or former members receiving a retirement allowance from"; in (i), neutralized a gender reference; in (j), inserted "or retire from"; in (k), deleted "with him before the first day of November" at the end; and in (s), deleted a former 1, and recodified former 2 as 1.

Amended by R.2002 d.352, effective November 4, 2002.

See: 34 N.J.R. 1997(a), 34 N.J.R. 3782(c).

In (c), substituted "chairperson" for "chairman".

Amended by R.2008 d.94, effective April 21, 2008.

See: 39 N.J.R. 5058(b), 40 N.J.R. 2122(a).

In (a)1 and (c), deleted "of Trustees" following "Board"; and rewrote (p).

17:3-1.5 Certifying officer (employer)

(a) The secretary of each local board of education shall be the certifying officer for the respective school district.

(b) The secretary, as the certifying officer, shall be responsible for the duties described by N.J.S.A. 18A:66-32 and all other duties relating to matters concerning the Fund.

(c) In locations other than boards of education, the chief fiscal officer or the personnel officer shall serve as the certifying officer for such units.

(d) Upon request of the Board, the certifying officer shall be required to sign a statement, verifying that any information reported is accurate to the best of the officer's knowledge, and conforms with the statutes and rules governing the Fund.

As amended, R.1973 d.49, effective February 14, 1973.

See: 5 N.J.R. 20(b), 5 N.J.R. 95(b).

Amended by R.2002 d.352, effective November 4, 2002.

See: 34 N.J.R. 1997(a), 34 N.J.R. 3782(c).

Substituted "officer" for "agent" throughout; in (b), substituted "described for "prescribed"; added (d).

Amended by R.2008 d.94, effective April 21, 2008.

See: 39 N.J.R. 5058(b), 40 N.J.R. 2122(a).

In (d), substituted "Fund" for "retirement system".

Case Notes

School employee held not disqualified from purchase of retirement credit for unpaid maternity leave where failure to purchase credit within one year of return to active service was due to her being informed by school district employee, to whom duties of certifying agent had been

delegated, that she could not purchase credit, and prompt action was taken by her to secure rights when error was learned. *Zigmont v. Bd. of Trustees, Teachers' Pension and Annuity Fund*, 182 N.J.Super. 50, 440 A.2d 37 (App.Div.1981), reversed 91 N.J. 580, 453 A.2d 1333 (1983).

17:3-1.6 Records

(a) In the addition to the provisions of N.J.A.C. 17:1-1.2, the minutes of the Board are a matter of public record and may be inspected during regular business hours in the Office of the Board Secretary.

(b) The mailing addresses of all active and retired members are considered to be a part of the members' confidential files and shall not be released for any purpose.

(c) The designations of beneficiaries of all active and retired members are considered to be a part of the member's confidential files and shall only be released after the member's death.

(d) All medical testimony obtained in connection with an application for disability retirement shall be restricted for the confidential use of the Board. The Division will release a copy of the examining physician's medical report to the member, the member's attorney or any person authorized by the member in writing to receive a copy of such report. A copy of the Board appointed physician's medical report cannot be released until after the Board's initial determination. In no event will the report be released to any individual not authorized in writing to receive the report.

(e) The annual report of the Fund's actuary shall not be released until it has been approved by the Board.

(f) Original documents, if available, shall only be reviewed by appointment at the Division.

Amended by R.2002 d.352, effective November 4, 2002.

See: 34 N.J.R. 1997(a), 34 N.J.R. 3782(c).

Added new (c); recodified former (c) as new (d) with substantial amendments.

Amended by R.2008 d.94, effective April 21, 2008.

See: 39 N.J.R. 5058(b), 40 N.J.R. 2122(a).

In (a), substituted "In the addition to the provisions of N.J.A.C. 17:1-1.2, the" for "The" and "Office" for "office"; in (d), deleted "of Trustees" following "Board" and inserted the third sentence; and added (e) and (f).

17:3-1.7 Appeal from Board decisions

The following statement shall be incorporated in every written notice setting forth the Board's determination in a matter where such determination is contrary to the claim made by the claimant or the claimant's legal representative:

(a) "If you disagree with the determination of the Board, you may appeal by submitting a written statement to the Board within 45 days after the date of written notice of the determination. The statement shall set forth in detail the reasons for your disagreement with the Board's determination and shall include any relevant documentation supporting your