

CHAPTER 3

TEACHERS' PENSION AND ANNUITY FUND

Authority

N.J.S.A. 18A:66-56.

Source and Effective Date

R.2008 d.94, effective April 21, 2008.
See: 39 N.J.R. 5058(b), 40 N.J.R. 2122(a).

Chapter Expiration Date

In accordance with N.J.S.A. 52:14B-5.1b, Chapter 3, Teachers' Pension and Annuity Fund, expires on April 21, 2015. See: 43 N.J.R. 1203(a).

Chapter Historical Note

Chapter 3, Teachers' Pension and Annuity Fund, was adopted and became effective prior to September 1, 1969.

Pursuant to Executive Order No. 66(1978), Chapter 3, Teachers' Pension and Annuity Fund, was readopted as R.1983 d.175, effective May 16, 1983. See: 15 N.J.R. 526(b), 15 N.J.R. 930(c). Pursuant to Executive Order No. 66(1978), Chapter 3, Teachers' Pension and Annuity Fund, expired on May 16, 1988.

Chapter 3, Teachers' Pension and Annuity Fund, was adopted as new rules by R.1988 d.381, effective August 15, 1988. See: 20 N.J.R. 1181(b), 20 N.J.R. 2072(b). Pursuant to Executive Order No. 66(1978), Chapter 3, Teachers' Pension and Annuity Fund, expired on August 15, 1993.

Chapter 3, Teachers' Pension and Annuity Fund, was adopted as new rules by R.1993 d.658, effective December 20, 1993. See: 25 N.J.R. 4461(a), 25 N.J.R. 5942(a).

Pursuant to Executive Order No. 66(1978), Chapter 3, Teachers' Pension and Annuity Fund, was readopted as R.1998 d.578, effective November 13, 1998. See: 30 N.J.R. 3376(a), 30 N.J.R. 4254(a).

Chapter 3, Teachers' Pension and Annuity Fund, was readopted as R.2002 d.352, effective October 10, 2002. See: 34 N.J.R. 1997(a), 34 N.J.R. 3782(c). Chapter 3, Teachers' Pension and Annuity Fund, expired on October 10, 2007.

Chapter 3, Teachers' Pension and Annuity Fund, was adopted as new rules by R.2008 d.94, effective April 21, 2008. As a part of R.2008 d.94, Subchapter 1A, Definitions, was adopted as new rules. See: Source and Effective Date. See, also, section annotations.

Law Review and Journal Commentaries

Battle for state contracts: What process is due in a challenge to a state contract award? Patrick D. Kennedy & Maeve E. Cannon, 180 N.J.Law. 16 (Mag.) (Oct./Nov. 1996).

CHAPTER TABLE OF CONTENTS

SUBCHAPTER 1. ADMINISTRATION

- 17:3-1.1 Board meetings
- 17:3-1.2 Fiscal year
- 17:3-1.3 Officers and committees
- 17:3-1.4 Election of member-trustee
- 17:3-1.5 Certifying officer (employer)
- 17:3-1.6 Records
- 17:3-1.7 Appeal from Board decisions
- 17:3-1.8 Suspension of pension checks
- 17:3-1.9 Verified discrepancy in member's age
- 17:3-1.10 (Reserved)

- 17:3-1.11 Proof of age
- 17:3-1.12 Employees; biweekly salaries
- 17:3-1.13 Nearest attained age; enrollment; retirement

SUBCHAPTER 1A. DEFINITIONS

- 17:3-1A.1 Definitions

SUBCHAPTER 2. ENROLLMENT

- 17:3-2.1 Enrollment eligibility
- 17:3-2.2 Documentation required
- 17:3-2.3 Multiple enrollees
- 17:3-2.4 Emergency or provisional certificate
- 17:3-2.5 Janitors
- 17:3-2.6 (Reserved)
- 17:3-2.7 Enrollment following deferred retirement
- 17:3-2.8 Enrollment date

SUBCHAPTER 3. INSURANCE AND DEATH BENEFITS

- 17:3-3.1 Compulsory and optional enrollment
- 17:3-3.2 Computation of insurance benefits
- 17:3-3.3 Contributory insurance rate
- 17:3-3.4 New enrollments and transfers; contributory insurance premiums
- 17:3-3.5 Leave for illness; life insurance coverage
- 17:3-3.6 Survivor benefits
- 17:3-3.7 Withdrawal application; contributory insurance
- 17:3-3.8 Withdrawal and return, contributory insurance and conversion
- 17:3-3.9 Retired life insurance coverage
- 17:3-3.10 Contributory insurance premiums, leave of absence and workers' compensation
- 17:3-3.11 Ten-month members
- 17:3-3.12 Beneficiary designation; pension contributions
- 17:3-3.13 Benefits payable under P.L. 1984, c. 96, as amended by P.L. 1995, c. 221
- 17:3-3.14 Acceptable designations of beneficiaries
- 17:3-3.15 Suspension

SUBCHAPTER 4. MEMBERSHIP

- 17:3-4.1 Creditable compensation
- 17:3-4.2 Leave with pay
- 17:3-4.3 School year members; 10 and 12 months
- 17:3-4.4 Loan tolerance
- 17:3-4.5 Approved leave
- 17:3-4.6 Minimum adjustment
- 17:3-4.7 (Reserved)
- 17:3-4.8 Military leave prior to August 1, 1974
- 17:3-4.9 Eligibility for loan
- 17:3-4.10 Waiver of retirement benefits upon withdrawal
- 17:3-4.11 Termination; withdrawal
- 17:3-4.12 Deductions
- 17:3-4.13 Active employment; membership requirement

SUBCHAPTER 5. PURCHASES AND ELIGIBLE SERVICE

- 17:3-5.1 Eligibility for purchase
- 17:3-5.2 New enrollment contribution rate adjustment
- 17:3-5.3 Reestablishing military leave credit
- 17:3-5.4 Compulsory contributions (back deductions)
- 17:3-5.5 Optional purchases of eligible service
- 17:3-5.6 Methods of payment
- 17:3-5.7 (Reserved)
- 17:3-5.8 Service ineligible for purchase
- 17:3-5.9 Lump-sum purchases

SUBCHAPTER 6. RETIREMENT

- 17:3-6.1 Applications
- 17:3-6.2 Effective date
- 17:3-6.3 Effective date; changes

- 17:3-6.4 Outstanding loan
- 17:3-6.5 Willful negligence
- 17:3-6.6 (Reserved)
- 17:3-6.7 Disability determination
- 17:3-6.8 Option selection; accidental disability denied
- 17:3-6.9 Employer and employee notices
- 17:3-6.10 Involuntary disability application
- 17:3-6.11 Early retirement; reduction
- 17:3-6.12 Service retirement; eligibility
- 17:3-6.13 Disability retiree; annual medical examinations
- 17:3-6.14 Disability retiree; annual report (employment, earnings, test and adjustment)
- 17:3-6.15 Disability retirements; filing after more than two years' discontinuance of service
- 17:3-6.16 (Reserved)
- 17:3-6.17 Approved allowance
- 17:3-6.18 Option 1 benefit
- 17:3-6.19 Work-related travel; accidental disability retirement and accidental death benefit coverage
- 17:3-6.20 Final compensation; 10 and 12-month members reported monthly
- 17:3-6.21 Determination of last year's salary; veterans paid on a monthly basis
- 17:3-6.22 Waiver
- 17:3-6.23 (Reserved)
- 17:3-6.24 Part-time members
- 17:3-6.25 Medical examination; physicians
- 17:3-6.26 Final compensation; biweekly salary computation for employees reported on a biweekly basis
- 17:3-6.27 Determination of last year's salary; veterans reported on a biweekly basis

SUBCHAPTER 7. TRANSFERS

- 17:3-7.1 Honorable service; interfund transfers; State-administered retirement systems
- 17:3-7.2 Intrafund transfers; State-administered retirement systems

SUBCHAPTER 1. ADMINISTRATION

17:3-1.1 Board meetings

(a) The Board shall meet on the first Thursday of each month or at such time as may be deemed necessary by the Board.

(b) The chairperson may call for special meetings when necessary.

(c) The current rules within Roberts' Rules of Order, Second Edition, as well as future amendments thereto, are adopted and incorporated herein by reference as the source to be used by the Board of the TPAF in the conduct of its monthly meetings.

As amended, R.1973 d.49, effective February 14, 1973.
See: 5 N.J.R. 20(b), 5 N.J.R. 95(b).
As amended, R.1982 d.344, effective October 18, 1982.
See: 14 N.J.R. 201(a), 14 N.J.R. 1164(c).

Change of meeting from second to first Thursday of the month.
Amended by R.1994 d.161, effective April 4, 1994.
See: 25 N.J.R. 5762(b), 26 N.J.R. 1537(d).
Amended by R.2002 d.352, effective November 4, 2002.
See: 34 N.J.R. 1997(a), 34 N.J.R. 3782(c).

In (b), substituted "chairperson" for "chairman"; in (c), deleted "effective as of April 4, 1994."
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), deleted "of Trustees" following "Board"; and in (c), substituted "of the TPAF" for "of Trustees of the Teachers' Pension and Annuity Fund".

17:3-1.2 Fiscal year

The transaction of business and control of funds shall be conducted on a July 1 to June 30 fiscal year.

Amended by R.2000 d.442, effective November 6, 2000.

See: 32 N.J.R. 2985(a), 32 N.J.R. 3996(b).

Rewrote the section.

17:3-1.3 Officers and committees

(a) The members of the Board shall elect a chairperson and vice chairperson from its membership for the forthcoming year at its regular meeting held in July. The members of the Board shall elect a representative to the State Investment Council pursuant to N.J.S.A. 52:18A-83. A representative to the Pension System Actuary Selection Committee, as provided for by N.J.S.A. 43:4b-1, shall be elected by the Board whenever the selection of a new actuary is needed.

(b) The chairperson of the Board shall preside at all meetings or in the absence of the chairperson, the vice chairperson shall assume the chairperson's responsibilities. In the absence of the chairperson and vice chairperson, another member selected by the majority of the members in attendance will preside for that single meeting.

(c) The chairperson and the Secretary of the Board shall have the power to act for the Board in all matters which may be referred to them by the Board.

(d) Pursuant to N.J.S.A. 18A:66-61, there shall be one standing committee which is the Finance Committee. The Committee shall be appointed at the July Board meeting by the chairperson elect for the forthcoming fiscal year. The committee shall consist of three members of who shall be elected members of the Board. The State Treasurer and the person designated to represent the Fund on the State Investment Council shall serve as members of the Finance Committee. The Finance Committee shall review all investment transactions and financial reports referred to it by the Secretary for presentation to the Board at its regular monthly meeting.

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 "chairperson" for "chairman" and "July" for "June" throughout.

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

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

Rewrote (a) and (b); rewrote (d), incorporating former (e) through (g); and deleted (h) and (i).

17:3-1.4 Election of member-trustee

(a) The Board shall prescribe the manner of election of three trustees from among the active or retired membership of