



STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: March 9, 2022
To: Chief School Administrators
From: Jorden Schiff, Ed.D., Assistant Commissioner, Division of Field Support and Services

Employment of Teachers and Certain Professional Staff Members Who are Retired from TPAF

On February 24, 2022, the New Jersey State Department of Treasury's Division of Pensions and Benefits (DPB) released a [Notice to Certifying Officers](#) regarding implementation of [P.L.2021, c.408 \(Chapter 408\)](#). Chapter 408 provides that, for the 2021-2022 and 2022-2023 school years, local educational agencies (LEA) including school districts, charter schools, renaissance school projects, and Approved Private Schools for Students with Disabilities (APSSD) may temporarily hire teachers and professional staff members providing special services who are retired from the Teachers' Pension and Annuity Fund (TPAF) without reenrollment in the TPAF. Prior to hiring retired teachers and professional staff members providing special services in accordance with Chapter 408, each LEA must be determined to be in a position of critical need by the Commissioner of Education or designee.

Key Actions

- Chief School Administrators that wish to hire TPAF retirees pursuant to Chapter 408 must submit an [Application for Determination of Chapter 408 Critical Need](#) to their Executive County Superintendent (ECS).
- Upon receipt of the application, ECSs will provide a response to the LEA within three business days.
- Once a LEA is determined to be in a position of critical need, LEAs are responsible for complying with all relevant statutes, regulations, and other requirements of the DPB. See, for example, DPB's [Notice to Certifying Officers](#), [Fact Sheet 86](#), and the [Notice of Reemployment Form](#).
- Please note that in their applications, Chief School Administrators must affirm that the LEA will:
 - Hire the most qualified applicants to fill vacancies; and
 - Provide the NJDOE with data regarding the individuals hired pursuant to Chapter 408 in a format prescribed by the Commissioner. Data will include, but need not be limited to, these employees' certification areas, grade level(s) served, and course(s) served. Additional information on this process is forthcoming.

Please note that Chapter 408 does not modify requirements that all individuals serving in teaching and educational services roles in New Jersey's public schools must be appropriately certified.

For additional information regarding pensions, you may visit the [Division of Pensions and Benefits](#), call 609-292-7524, or email Pensions.nj@treas.nj.gov.

c: Members, State Board of Education
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NJDOE Staff
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