

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5576

with committee amendments

STATE OF NEW JERSEY

DATED: JANUARY 3, 2022

The Assembly Education Committee reports favorably Assembly Bill No. 5576 with committee amendments.

As amended, this bill would permit a teacher or a professional staff member providing special services, including but not limited to a speech language specialist or a therapist, who retired from the Teachers' Pension and Annuity Fund (TPAF) to return to work full time with a board of education in a position of critical need, as determined by the State Commissioner of Education, without being reenrolled in the TPAF if reemployment commences during the remainder of the 2021-2022 school year and the entirety of the 2022-2023 school year. If the retired teacher or the retired professional staff member returns to work with the former employer, it must occur more than 180 days after the retirement. This bill will permit the teacher or professional staff member to receive the TPAF retirement allowance as well as a salary. The bill permits the return to work under a contract for one year, which may be renewed only for one additional year. The total period of reemployment with any individual board of education must not exceed a two-year period, unless so approved by the Commissioner of Education as being in the best interests of the school district. Under the bill, the former member's retirement must have been a bona fide retirement and any employment or reemployment under the bill must not be prearranged before retirement.

Under the bill, a school district of a board of education in a position of critical need seeking to reemploy a former member pursuant to the provisions of the bill is required to demonstrate to the board of education the need for reemploying such members prior to reemployment.

Current law has a substantially similar provision to permit certain TPAF retirees to return to work with a board of education in a TPAF position as a certificated superintendent or certificated administrator for a limited period of time, without reenrollment in the TPAF.

As amended and reported by the committee, this bill is identical to Senate Bill No. 3685 (1R), which also amended and reported by the committee on this same date.

COMMITTEE AMENDMENTS:

The committee amended the bill to:

- add to the bill professional staff members who provide special services, including but not limited to a speech language specialist or a therapist, as those who would be permitted to return to employment after retirement from the TPAF without being reenrolled in the TPAF;
- include language for provisions in the bill to apply to employment commencing during the remainder of the current school year and the entirety of the 2022-2023 school year; and
- require hiring school districts to demonstrate to the districts' boards of education the need to reemploy teachers or professional staff members covered by the bill.