



STATE OF NEW JERSEY

# DEPARTMENT OF EDUCATION

A Memo from the New Jersey Department of Education

Date: May 31, 2023  
To: Local Educational Agency Leads  
From: Christopher Irving, Ed.D., Assistant Commissioner  
Division of Field Support and Services

## One-Year Extension for Chapter 408 Critical Need Teachers and Professionals

On February 24, 2022, the New Jersey Department of the Treasury's Division of Pensions and Benefits released a Notice to Certifying Officers regarding implementation of P.L.2021, c.408 ([Chapter 408](#)). Chapter 408 permits, for the 2021-2022 and 2022-2023 school years, local educational agencies (LEA), including school districts, charter schools, and renaissance school projects, to hire retired teachers and professional staff members providing special services for up to two years without reenrollment in the Teachers' Pension and Annuity Fund (TPAF). Chapter 408 also permits an extension of this flexibility upon application to the Commissioner of Education.

A one-year extension for the 2023-2024 school year to LEAs that hired retired staff members is permissible in accordance with Chapter 408. This extension is applicable only to LEAs and staff that implemented the provisions of Chapter 408 during the 2021-2022 and 2022-2023 school years. To apply for an extension, LEA leads must submit a letter to the Executive County Superintendent (ECS) that details the names, positions held, certifications, and school assignments of the staff members hired under Chapter 408 for processing. If the request for an extension is approved, the LEA will receive a letter of approval from the New Jersey Department of Education (NJDOE).

The LEA is responsible for updating the retired staff member's [Notification of Employment After Retirement \(form ee904\)](#) to reflect an end date of June 30, 2024. For specific pension-related questions, contact the Division of Pensions and Benefits at (609) 292-7524 or email [Pensions.nj@treas.nj.gov](mailto:Pensions.nj@treas.nj.gov).

c: Members, State Board of Education  
NJDOE Staff  
Statewide Parent Advocacy Network  
Garden State Coalition of Schools  
NJ LEE Group