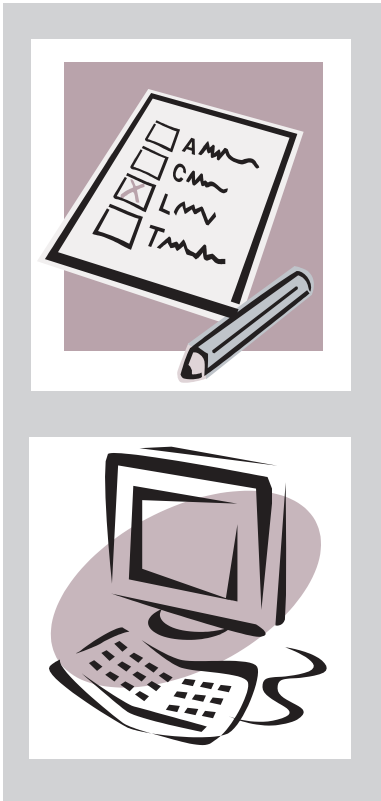


Electing & Reporting Retirement System Delegates

*A Guide for Potential Delegates/Alternates and
NYSTRS Participating Employers*



www.nystrs.org

Introduction

Each New York State Teachers' Retirement System (NYSTRS) participating employer elects a delegate(s) to serve as a representative to the Retirement System for a two-year term. Delegates have two main functions:

1. To elect a teacher member to the Retirement Board at the Annual Delegates Meeting; and,
2. To serve as a liaison between NYSTRS and the delegate's co-workers.

Although not required, each delegate should also have an alternate, who would carry out these duties in the absence of a delegate.

This pamphlet answers your questions about the delegate selection and reporting process. Call NYSTRS at (800) 348-7298, Ext. 4785 with any additional questions.

Delegate Responsibilities

W *hat are the duties of a delegate?*

The primary duty of a delegate is to elect a teacher member to the NYSTRS Board at the Annual Delegates Meeting, held each November. Teacher Board Member terms run three years and are staggered, with a different member elected every year. The delegate also acts as a liaison between the members of their school district/college and NYSTRS.

W *hat are the duties of an alternate?*

Alternates serve as backups to their corresponding delegates. The alternate may attend the Annual Meeting, but may only have voting rights if NYSTRS is informed prior to the meeting that the delegate will

not attend. Should the delegate vacate his/her position for any reason, the alternate would automatically assume the delegate position and the alternate position would remain vacant until the next regular election. (Note: Delegates and alternates are elected as a ticket and cannot be split.)

H *ow long does a delegate/alternate serve?*

Both delegates and alternates serve two-year terms. If elected in an odd-numbered year (a.k.a., a regular election year) the term begins on August 1 and ends July 31 of the following odd-numbered year. If elected in an even-numbered year (a.k.a., a special election year), the delegate serves out only the remainder of the regular election term.

I *s it mandatory for a delegate and/or an alternate to attend the Annual Delegates Meeting?*

No. However, the school district/college the delegate represents will not be entitled to vote for the teacher member to the Board, as voting occurs at this meeting only. There are no provisions in the law for casting absentee votes.

Election of a Delegate

W *hen is a delegate election held?*

Regular elections of a delegate/alternate are held between March 1 and June 1 of odd-numbered years, with results to be submitted to NYSTRS by July 1. Special elections are held in even-numbered years, but only employers with openings in both the delegate and alternate positions of a ticket are eligible to participate. Special elections must be held between March 1 and October 1, with results submitted by October 6.

W *ho runs the election?*

By law, it is the responsibility of the chief school administrator (CSA) to hold the election, or to designate someone to do so.

W *hat procedure is used for running a delegate election?*

The Education Law does not specify how to hold elections, and NYSTRS has no authority to mandate how elections are run. It is left to the discretion of each school district/college.

I *s an election necessary if there are just enough candidates to fill all entitlements?*

No formal election is necessary in this case; it is considered an uncontested election. The names of the delegate(s) and alternate(s) must be reported to NYSTRS electronically (see Submitting Election Results). When prompted for “date of election,” enter the date you were notified of the member(s) interest in running for delegate or alternate, ensuring this date falls within the appropriate election window.

H *ow is delegate entitlement determined?*

The number of delegates a school district/college is entitled to is determined by the number of NYSTRS members contractually employed there. “NYSTRS members contractually employed” is defined as per annum members who were employed in June of the previous school year and were credited with a full year of service. Part-time members are not included in the count to determine delegate entitlements. The calculation for the delegate entitlement is the number

of NYSTRS members employed divided by 200 and rounded to the nearest whole number, as follows:

NYSTRS MEMBERS EMPLOYED	NUMBER OF DELEGATES
1-299	1
300-499	2
500-699	3

I *f delegates do not have alternates, can they still be elected?*

It is not mandatory for a delegate to have an alternate. However, should a delegate vacate his/her position (e.g., retire) and there is no alternate, the delegate position would remain vacant until it could either be filled during a special election (held only in even-numbered years) or during the next regular election.

W *hat if there are not enough candidates to fill all entitlements?*

If the level of interest among employees eligible to be elected does not equal the number of delegate/alternate positions to which a school district/college is entitled, the employer should fill as many positions as possible. Should the employer receive interest for the vacant delegate position(s) at a later date, these vacancies may be filled the following year during a special election. As previously discussed, special elections are held only (1) in even-numbered years and (2) when there are openings in both the delegate and alternate positions.

W *hat if both the delegate and alternate positions are vacant and it is not a regular election year?*

A delegate/alternate ticket may be filled during a special election, held only in even-numbered years.

Special elections may begin as early as March 1 and must end by October 1. In these even-numbered years, results must be submitted to NYSTRS by October 6. Those elected as the result of a special election serve only the remainder of the regular election term. If they wish to continue as a delegate, they must run again during the next regular election.

Please Note: If an alternate position is vacated mid-term and the delegate remains, the vacant alternate position may not be filled. Likewise, if a delegate position is vacated mid-term, the alternate becomes the delegate and the alternate position remains unfilled until the next regular election.

A *re only teachers eligible to be nominated for and vote for a delegate/alternate position?*

By law, all active NYSTRS' members employed under an annual contract on either a full-time or part-time basis are eligible to vote. Per diem employees may not vote in the election.

For a complete definition, review Article 11 of the Education Law in the [Compilation of Laws Covering NYSTRS](#).

C *an a retired member who works part time as a teacher participate?*

No. Only active NYSTRS members may serve as delegates/alternates or cast votes.

W *here can I get more information on the Education Law's requirements regarding the Annual Delegates Meeting and the election of delegates?*

This information can be found in Section 505 of the [Education Law](#).

Why does a BOCES have two district numbers?

A BOCES needs to hold an election for NYSTRS members employed by their district as well as oversee an election for their component districts. In their capacity overseeing the component district election, they are considered a supervisory district and have a separate district number. As a supervisory district, the BOCES is responsible for overseeing an election for those component districts employing fewer than 75 NYSTRS members. In this instance, a single election takes place at the supervisory level, with delegate entitlement based on the cumulative number of NYSTRS members employed by the under-75 component districts. Any component districts employing 75 or more NYSTRS members are eligible to hold their own elections. They will be contacted independently by NYSTRS and the supervisory district will not be responsible for reporting election results for them.

Submitting Election Results

How are election results reported to NYSTRS?

Results must be reported electronically through the Employer Secure Area at www.nystrs.org. In addition to having Web access, the person reporting must be a registered ESA user with Convention Delegates application rights.

How does someone obtain the rights to enter election results?

The Chief School Administrator or Security Administrator at your school is the assignor of these rights. One of these individuals must, through ESA, specifically designate someone the rights to access the Convention Delegates application. Only those with this right can enter election results.

W *hat is the EmplID asked for when entering the delegate and alternate information?*

EmplID (or Employee Identification number) is a unique seven-digit number assigned to each NYSTRS member. If this information is not provided to the person reporting election results to NYSTRS, either (1) obtain it from the employer's Business or Payroll office, or (2) once logged on to the Convention Delegates application, use the delegate's or alternate's Social Security number to search for their EmplID.

W *hat if the person who previously reported election results is no longer employed here, or we want to appoint someone else to that role?*

Contact your employer's Chief School Administrator or Security Administrator. Only they can assign rights.

W *hat happens if I have problems logging on?*

Contact NYSTRS at (800) 348-7298, Ext. 4785 or at convdel@nystrs.state.ny.us and someone will assist you.

W *e entered our election results online. Is there anything else the district is required to do?*

No. Meeting details and other pertinent information will be mailed directly to elected delegates in September, using home addresses on file with NYSTRS. However, we urge employers to review [Administrative Bulletin 2011-4 \(Annual Delegates Meeting - Attendance, Salary and Expense Issues\)](#), found under the Administrative Bulletins tab on the Employers page at www.nystrs.org.

General Information

W *here is the Annual Delegates Meeting held?*

The Annual Delegates Meeting is held at the Saratoga Springs City Center in Saratoga Springs, New York.

W *hat are the dates of the Annual Delegates Meeting?*

They vary annually, but by law the meeting must be held in November. Traditionally, the two-day meeting is held on a Sunday and Monday. However, scheduling conflicts with the event hall and area hotels sometimes require the use of alternate days. In either case, delegates are given many months' advance notice to adequately plan their travel and accommodations. See the [Delegates](#) page for the latest meeting information.

W *ho pays Annual Delegates Meeting expenses?*

Please refer to [Administrative Bulletin 2011-4](#) (*Annual Delegates Meeting - Attendance, Salary and Expense Issues*), found under the Administrative Bulletins tab on the Employers page at www.nystrs.org.

I *f NYSTRS is notified prior to the annual meeting that a delegate will not be attending and their corresponding alternate will be there in place of them, will the alternate have voting rights?*

Yes. As long as NYSTRS has been notified prior to the Annual Delegates Meeting or the attendance status has been changed online for the delegate and alternate, the alternate will have voting rights.

Can an alternate attend and vote at the annual meeting for any delegate from their school who is unable to attend?

No. Delegates and alternates are elected as tickets and may not be split. An alternate may not cast a vote for a delegate they were not elected to serve with.