

TEACHERS RETIREMENT BOARD

Filing of Administrative Regulations
Chapter 18-7A
Series II

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*obsolete rule
Jan 2, 1983
valid * to
Jan. 17, 1986*

WEST VIRGINIA ADMINISTRATIVE RULES

TEACHERS RETIREMENT BOARD

Chapter 18-7A
Series II

Section 1. Organization

1.01. Oath of Office - Each new member of the Board shall take the oath as prescribed by the West Virginia Code and have such oath filed with the Secretary of State before performing any of the duties of his office.

1.02. Vice-Chairman - At the Board meeting in May, or next following if a meeting is not held in May, the Board shall elect, by secret ballot for a two (2) year term, a Vice-Chairman from its own membership and report same promptly to the Executive Secretary.

(a) Duties of Vice-Chairman - The Vice-Chairman shall preside in the absence of the Chairman. In this capacity the Vice-Chairman is empowered to act and carry out all duties of the Chairman during any period that the Chairman is absent or incapacitated.

Section 2. Election of Members of the Board (18-7A-5)

2.01. Nomination of Teacher-Member Candidates -

(a) By January 1st, in each of the even numbered years, the Executive Secretary shall announce the coming election of the Teacher-Member of the Board for the upcoming term. Such announcements shall be made in the normal news services and the publications of the major education associations.

2.02. Nominations of candidates - shall be by petition signed by at least one hundred (100) members of the State Teachers Retirement System.

2.03. Petitions - must bear in written, typed, or printed form the following or similar statement on each page of the petition:

"We the undersigned do hereby nominate

_____ of
_____ as a

candidate for the Teacher-Member of the West
Virginia State Teachers Retirement Board for
the term July 1 _____ to June 30 _____.

Each signee certifies that he or she is, as of
this date, an active member of the West Virginia
State Teachers Retirement System."

Each individual shall sign and date the signing.

2.04. Petitions - must be filed with the Executive Secretary by
February 28th.

2.05. The Executive Secretary - shall prepare the ballots which shall
contain a space for members to vote for eligible candidates not nominated by
petition.

Section 3. Election Procedure for Teacher-Member

3.01. On or before March 30th of the election year - the Executive
Secretary shall send to each employer sufficient ballots for distribution to
each member and each employer shall be requested to receipt for same. The
employer shall distribute the ballots to each member.

3.02. The envelopes - for returning the ballots shall be marked with the
word "BALLOT" and instructions to the member that nothing except the ballot
should be placed therein.

3.03. Ballots postmarked after May 20th - shall not be counted. This
statement shall be printed on each ballot.

3.04. The Executive Secretary - shall deliver the envelopes unopened

to a committee of three (3) members of the Board appointed by the chairman, who shall tabulate the ballots and announce the results.

3.05. The candidate - receiving the highest number of votes shall be declared elected for the term beginning July 1, next following the election. If two vacancies exist, the candidate receiving the second highest number of votes shall be declared winner of the designated #2 position.

3.06. In case of a tie vote - the chairman of the Board shall cast the deciding vote.

3.07. Only members - of the West Virginia State Teachers Retirement System shall be eligible to nominate, vote or participate in any manner whatsoever in these elections. Employees of the Board may vote but shall not be eligible for election to the Board.

3.08. All election data and related materials - except the ballots shall be filed in the office of the Board. They shall be destroyed after the completion of the term involved.

3.09. The ballots - may be destroyed, one year after the election has been decided and the results announced, on order of the Board.

Section 4. Nomination of Candidates for Retired School Employee Members

4.01. By January 1st - in each of the even number years, the Executive Secretary shall advise all retirees of the election of the Retired School Employee Member for the upcoming term.

4.02. Nominations of candidates - shall be by petition signed by at least one hundred (100) retired individuals receiving benefits from the system.

4.03. Candidates must certify - that (1) they are a resident of the State of West Virginia (2) that they have been receiving benefits from the system for more than one year (3) that they are a retiree receiving benefits

from the System based on age and service earned as a former member. (18-7A-5)

4.04. Petitions must bear - in written, typed, or printed form the following or similar statement on each page of the petition:

"We the undersigned do hereby nominate

_____ of
_____ as a

candidate for the Retired School Employee

Member of the West Virginia Teachers Retirement

Board for the term July 1, 19_____ thru

June 30, 19_____. Each signee certifies

that he or she is, as of this date, currently

retired and are receiving benefits from the

system based on age and service earned as a

former member. We further certify that said

nominee is now a resident of West Virginia and

was retired prior to July 1, 19_____."

4.05. Petitions must be filed - with the Executive Secretary by April 1st.

4.06. The Executive Secretary - shall prepare the ballots which shall contain a space for members to vote for eligible candidates not nominated by petition.

Section 5. Election Procedure for Retired School Employee Member

5.01. The Executive Secretary - shall mail to each eligible Retiree, a ballot containing the names of all qualified candidates by the end of April.

5.02. The ballot - shall include the following instructions:

(a) That the ballot must be voted and returned to the Retirement Board

Office prior to June 5th in an envelope with the word "BALLOT" marked on the outside.

(b) Any ballot received after June 5th will not be counted.

5.03. All ballots - properly returned shall be counted and tabulated by a Retirement Board Subcommittee named by the Board Chairman.

5.04. The candidate - receiving the highest number of votes shall be declared elected for the term beginning July 1, next following the election.

5.05. In case of a tie vote - the chairman of the Board shall cast the deciding vote.

5.06. The ballots - may be destroyed, one year after the election has been decided and the results announced, on order of the Board.

Section 6. Meetings

6.01. The Board shall meet - regularly once each quarter at a time and place designated by the Chairman. In the event that the Chairman fails to announce such a quarterly meeting by the last day of February, May, August, or November, the Board shall meet on the second Friday in the months of March, June, September and December at a time and place to be designated by the Chairman. In the event that the Chairman does not designate a meeting time and place the Board shall meet at 10:30 a.m. in the Office of the Executive Secretary. The Board may meet additionally in special session on its own call or call of the Chairman. Upon written request by at least a majority of the members of the Board, the Executive Secretary shall call a meeting of the Board within thirty (30) days of such request.

6.02. Open Meetings - All meetings of the Board shall be open to the public.

6.03. The Board at any meeting - may go into executive session, when properly moved, seconded and passed, to deliberate on matters that, in the

best interests of the member and the Board, should be discussed in such manner.

6.04. Any action - taken as a result of such discussion in executive session must be properly passed in open session of the Board to be an official action of the Board.

6.05. The Board - must be in open session or recess for adjournment.

6.06. The Board - shall by vote decide any parliamentary procedure question when it is divided on such a question.

6.07. Quorum and Voting - A majority of the members of the Board shall constitute a quorum.

6.08. A favorable vote - of the majority of those present and constituting a quorum shall be sufficient to transact the business of the Board

6.09. Any non-unanimous vote - shall be recorded in the minutes by a roll call, each member responding aye, naye or not voting.

6.10. Minutes - of the meeting shall be prepared by the Executive Secretary and mailed to each member within ten (10) days of each meeting. A copy of the minutes shall be on file for public viewing in the Office of the Executive Secretary.

6.11. Order of Business - The general order of business for a regular meeting of the Teachers Retirement Board shall be:

- (a) Call to order -
- (b) Agenda Adjustments (to include executive sessions if any) -
- (c) Review and approval of previous minutes -
- (d) Hearing of delegations on agenda -
- (e) Committee Reports -
- (f) Unfinished Business -
- (g) New Business -
- (h) Executive Secretary's reports and concerns -

- (i) Board's reports and concerns -
- (j) Adjournment

Section 7. Travel Expense Rules

7.01. The members of the retirement board - shall serve without compensation, but they shall be reimbursed from the expense fund for all necessary expenses incurred. No member of the retirement board shall suffer loss of salary while performing his duties as a member of the retirement board.

(18-7A-6)

7.02. The members of the retirement board - shall be subject to the following rules relative to travel expenses when incurred while performing official duties as a board member:

(a) Lodging, in-state and out-of-state, will be based on the actual cost incurred at a reasonable rate.

(b) Meal cost, in-state, will be limited to a maximum of \$15.00 per day. Meal cost for out-of-state travel will be limited to a reasonable amount not to exceed \$30.00 per day.

(c) Mileage reimbursement for the use of a personal vehicle for in-state or out-of-state travel, will be based upon the rate applicable under the state employee travel regulations at the time the service is performed.

(d) If personal car is used in preference to air travel or train for out-of-state travel, the maximum reimbursement will be cost of coach airfare (plus reasonable allowances for taxis and mileage to and from the airports) or the actual mileage rate, for personal car use, whichever is lower. Meals, motel and other charges in connection with such travel will be allowed only to the extent that such costs along with mileage charges do not exceed such airfare.

(e) Expense accounts need not be notarized but are subject to audit.

August 3, 1981