

**SENATE . . . . . No. 1326**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Michael R. Knapik***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to teachers' retirement credits for parochial schools..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Michael R. Knapik</i>	
<i>Bruce E. Tarr</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>

**SENATE . . . . . No. 1326**

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By Mr. Knapik, petition (accompanied by bill, Senate, No. 1326) of Tarr, Puppolo and Knapik for legislation relative to teachers' retirement credits for parochial schools [Joint Committee on Public Service].

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1103 OF 2009-2010.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Eleven**  
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An Act relative to teachers' retirement credits for parochial schools..

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1                   SECTION 1. Section 3 of chapter 32 of the Generals Laws as appearing in the  
2 2008 Official Edition, is hereby amended by inserting after subdivision (4A) the following seven  
3 subdivisions: -

4                   (4B) Parochial school or public or private academy. A member who taught in a  
5 parochial school or in a public or private academy may purchase up to 3 years of service credit  
6 for that service under subdivisions (4C) to (4H), inclusive.

7                   (4C) The member shall have taught in a school approved by the department of  
8 education or the education department of another state while holding an appropriate teaching  
9 certificate.

10                   (4D) The member shall before any retirement benefit becomes effective for that  
11 member, make contributions into the members retirement fund, for the years of private or  
12 parochial school teaching on the same basis as the member would have made contributions had  
13 the service been as a state employee or teacher in the Commonwealth, including interest at a rate  
14 to be set by the board not to exceed regular interest by more than five percentage points. The  
15 member's earnings for the years of private or parochial school teaching must be assumed to have  
16 been the same as the average salary for teachers in the Commonwealth as determined by the  
17 department of education for each of the years when the private or parochial school teaching took  
18 place. Interest shall be computed beginning at the end of the year when those contributions  
19 would have been made, if the service had been as a state employee or teacher in the  
20 Commonwealth, to the date of payment. Payment must be made by a single direct payment or  
21 annual direct payments to the retirement system in accordance with subdivision (4A).

22                   (4E) The member shall have begun membership before January 1, 1976.

23                   (4F) The member's last ten years of creditable service before the date of  
24 retirement must be as a state employee or teacher in the Commonwealth.

25                   (4G) Upon completion payment of the contributions under subdivision (4D) the  
26 member shall be granted service credit for the period of time for which the contributions have  
27 been made. Upon making partial payment of the contributions under subdivision (4D) the  
28 member shall be granted service credit on a pro rata basis in accordance with rules adopted by  
29 the board.

30                   (4H) Alternative. In the determination of the retirement benefit under this  
31 subdivision, if service credit for private or parochial school teaching is not allowed under (4C) or

32 (4E) additional service credit for private or parochial school teaching is allowed for any member  
33 who meets the requirements of subdivisions (4B) and (4F) if the member, before any retirement  
34 benefit becomes effective for that member, pays into the member's retirement fund, by a single  
35 direct payment or annual direct payments to the retirement system, an amount equal to the  
36 contributions he would have otherwise paid into the retirement system for said period together  
37 with regular interest thereon.

38 Annual payments shall be made in accordance with subdivision (4A).