SENATE DOCKET, NO. 422 FILED ON: 1/19/2011

SENATE . . . . . No. 1326

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 passage of the accompanying:

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

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael R. Knapik	*[District]*
Bruce E. Tarr	*[District]*
Angelo J. Puppolo, Jr.	*12th Hampden*

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SENATE . . . . . No. 1326

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].

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

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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:

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

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

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

(4D) The member shall before any retirement benefit becomes effective for that member, make contributions into the members retirement fund, for the years of private or parochial school teaching on the same basis as the member would have made contributions had the service been as a state employee or teacher in the Commonwealth, including interest at a rate to be set by the board not to exceed regular interest by more than five percentage points. The member’s earnings for the years of private or parochial school teaching must be assumed to have 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).