SENATE . . . . No.

The Commonwealth of Massachusetts

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PRESENTED BY:

Mr. Knapik

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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 bill:

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

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PETITION OF:

NAME:	DISTRICT/ADDRESS:
Mr. Brown	Norfolk, Bristol and Middlesex
Mr. Hedlund	Plymouth and Norfolk
Mr. Knapik	Second Hampden and Hampshire
Mr. Tarr	First Essex and Middlesex
Mr. Tisei	Middlesex and Essex
Stephen L. DiNatale	3rd Worcester

The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine
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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 2004 Official

2 Edition, is hereby amended by inserting after subdivision (4A) the following seven subdivisions:

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4   (4B) Parochial school or public or private academy. A member who taught in a parochial

5 school or in a public or private academy may purchase up to 3 years of service credit for that

6 service under subdivisions (4C) to (4H), inclusive.

7   (4C) The member shall have taught in a school approved by the department of education or the

8 education department of another state while holding an appropriate teaching certificate.

9   (4D) The member shall before any retirement benefit becomes effective for that member, make

10 contributions into the members retirement fund, for the years of private or parochial school

11   teaching on the same basis as the member would have made contributions had the service been

12   as a state employee or teacher in the Commonwealth, including interest at a rate to be set by the

13   board not to exceed regular interest by more than five percentage points. The member's earnings

14   for the years of private or parochial school teaching must be assumed to have been the same as

15   the average salary for teachers in the Commonwealth as determined by the department of

16   education for each of the years when the private or parochial school teaching took place. Interest

17   shall be computed beginning at the end of the year when those contributions would have been

18   made, if the service had been as a state employee or teacher in the Commonwealth, to the date of

19   payment. Payment must be made by a single direct payment or annual direct payments to the

20   retirement system in accordance with subdivision (4A).

21   (4E) The member shall have begun membership before January 1, 1976.

22   (4F) The member's last ten years of creditable service before the date of retirement must be as a

23   state employee or teacher in the Commonwealth.

24   (4G) Upon completion payment of the contributions under subdivision (4D) the member shall be

25   granted service credit for the period of time for which the contributions have been made. Upon

26   making partial payment of the contributions under subdivision (4D) the member shall be granted

27   service credit on a pro rata basis in accordance with rules adopted by the board.

28   (4H) <u>Alternative</u>. In the determination of the retirement benefit under this subdivision, if service

29   credit for private or parochial school teaching is not allowed under (4C) or (4E) additional

30   service credit for private or parochial school teaching is allowed for any member who meets the

31   requirements of subdivisions (4B) and (4F) if the member, before any retirement benefit

32   becomes effective for that member, pays into the member's retirement fund, by a single direct

33   payment or annual direct payments to the retirement system, an amount equal to the

34   contributions he would have otherwise paid into the retirement system for said period together

35   with regular interest thereon.

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

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