

HOUSE No. 3298

The Commonwealth of Massachusetts

PRESENTED BY:

Cheryl A. Coakley-Rivera

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 creditable years of service at Job Corp.

PETITION OF:

NAME:

Cheryl A. Coakley-Rivera

DISTRICT/ADDRESS:

10th Hampden

HOUSE No. 3298

By Ms. Coakley-Rivera of Springfield, a petition (accompanied by bill, House, No. 3298) of Cheryl A. Coakley-Rivera relative to creditable years of service for teachers with nonpublic school service . Public Service.

The Commonwealth of Massachusetts

An Act relative to creditable years of service at Job Corp.

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 1 of chapter 32 of the General Laws, as appearing in the 2010
2 Official Edition, is hereby amended by inserting, after the definition of “Membership service,”
3 the following definition:-

4 “Nonpublic school,” an institution, not operated by the federal, state or local governments
5 or agencies thereof, the primary function of which is (a) to educate students in a course of study
6 designed to lead to the award of a diploma or its equivalent; or (b) to provide a college-level
7 course of study designed to lead to the award of a college or university degree; provided,
8 however, that a nonpublic school shall include a Job Corps Center established pursuant to Title I-
9 C of the Workforce Investment Act of 1998, Public Law 105-220.

10 SECTION 2. Said section 1 of said chapter 32, as so appearing, is hereby further
11 amended by inserting after the word “seventy-one”, in line 550, the following words:- counselor
12 at a Job Corps Center established pursuant to Title I-C of the Workforce Investment Act of 1998,
13 Public Law 105-220.

14 SECTION 3. Section 3 of said chapter 32, as so appearing, is hereby amended by
15 inserting after subdivision (4A) the following subdivision:-

16 (4B) Credit for Teachers for Nonpublic School Service after January 1, 1973. Any
17 member in service, or any member inactive on authorized leave of absence of the teachers’
18 retirement system, the state retirement system or as a teacher in the State–Boston retirement
19 system, who holds a certificate issued by the department of education or is exempted from the
20 requirement of certification, or any member who is employed in a public institution of higher
21 education as a faculty member or professional employee not under the jurisdiction of the human
22 resources division within the executive office for administration and finance classification
23 system, and who was previously employed as a teacher in a nonpublic school may receive

24 creditable service as if that service had been rendered in a public school of the commonwealth or
25 public institution of higher education and the member had been a member of the teachers'
26 retirement system, the state retirement system, or the State-Boston retirement system during the
27 period in which the service was rendered. No credit shall be allowed until the member has paid
28 into the annuity savings fund of the system before any retirement allowance becomes effective
29 for the member, in 1 sum, or in installments, upon the terms and conditions that the board
30 prescribes, makeup payments of an amount equal to 10 per cent of the regular annual
31 compensation of the member as of the member's most recent date of entry into membership in
32 the teachers' retirement system, the state retirement system, or as a teacher in the State-Boston
33 retirement system, for each year of service purchased plus buyback interest on that amount. No
34 credit shall be allowed and no payment shall be accepted under this paragraph until the member
35 has completed 10 or more years of membership service, and no credit shall be allowed and no
36 payment shall be accepted for any service on account of which the member shall be entitled to
37 receive a retirement allowance or other similar payment from any other nonpublic school system.
38 No credit shall be allowed if the member has received credit for 3 or more years of nonpublic
39 school service under subdivision (4A) of this section or paragraph (p) of subdivision (1) of
40 section 4. The creditable service allowable under this subdivision for any member shall not
41 exceed 4 years. Members in service of a retirement system who make application for this
42 creditable service shall be notified by the retirement board of their eligibility for this creditable
43 service, and, if they are eligible, shall also be notified by the retirement board that they have the
44 following options: (1) to purchase the service in a lump sum within 180 days after the notice, or
45 (2) to enter into an installment agreement within 180 days after the notice to pay for the
46 creditable service.