

Boston Supplementary Regulations

February 22, 2006

Rule 2005-4

EFFECTIVE DATE OF RETIREMENT FOR TEACHERS UNDER 10-MONTH CONTRACT

If a member is in service until the school in which he is employed closes for the school year, his retirement shall not take effect earlier than (*sic*) 12 o'clock midnight on June 30 irrespective of any earlier date, which may be designated on his application.

June, 10, 2005

13.01. Purpose. The purpose of 807 CMR 13.00 is to bring certainty and definiteness to the requirements of G.L. c. 32, § 5(4) governing the election to participate in the enhanced superannuation retirement plan provided in that statute for Transferees. Specifically, the purpose is to clarify the election opportunities available to (1) members transferring into the Massachusetts Teachers' Retirement System ("System") who have already made an election into RetirementPlus; (2) members who have taken refunds; and (3) members transferring out of the System, consistent with the statutory requirement that all such elections be irrevocable.

13.02. Definitions. For purposes of 807 CMR 13.00, the following terms shall have the following meanings:

"Election Opportunity" shall mean the 180-day election "window" available to Transferees in G.L. c. 32, § 5(4). Said election "window" shall begin on the date when the System receives the transfer of the member's account from the other contributory retirement system.

"RetirementPlus" shall mean the enhanced superannuation retirement allowance provided for in G.L. c. 32, § 5(4). This term includes the Teachers' Alternate Retirement Program ("TARP") of the State-Boston Retirement System.

"Transferee" shall mean any member of another chapter 32 Massachusetts contributory retirement system who is transferring his or her membership to the System, or a member of the System who is transferring to another c. 32 contributory

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retirement system.

13.03. Refunds. (a) Any member who takes a refund of accumulated total deductions pursuant to G.L. c. 32, § 10(4) and after July 1, 2001 re-establishes membership with the System or the State-Boston Retirement System shall be a mandatory participant in RetirementPlus. Any member who takes a refund of accumulated total deductions pursuant to G.L. c. 32, § 10(4) and after July 1, 2001 re-establishes membership with another contributory retirement system, and later transfers to the System, shall be treated like any other Transferee.

13.04. Transfers In.

(a) Except as provided below, any Transferee into the System shall have an Election Opportunity.

(b) Because an election opportunity is irrevocable, any Transferee into the System who, since his/her date of membership (or re-establishment of membership after a refund), has made an election to participate or not participate in RetirementPlus (or who failed to so elect when an opportunity was available), shall not have another Election Opportunity. The rights of such a Transferee shall be governed by his or her previous election or non-election.

(c) Any Transferee into the System who is or was a mandatory participant in RetirementPlus shall not have an Election Opportunity.

13.05 Transfers Out. In transferring a Transferee's account to another contributory retirement system, the System will transfer the entire account and break out for the other retirement system the "excess" contributions over the normal retirement contribution rate.

October 2, 2002

Credit for service rendered as a Part-Time member

Rule 2000-5: RETIREMENT CREDIT FOR SERVICE RENDERED AS A PART-TIME MEMBER

(1) A member whose entire service is in a part-time position shall receive one year of creditable service for each year worked provided the member works the number of

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hours required by the position held.

(2) A member employed on a part-time basis who becomes full-time shall receive credit for his part-time service on a pro-rated basis as it relates to a full- time position.

(3) A member employed on a full-time basis who becomes part-time shall receive credit for his part-time service on a pro-rated basis as it relates to a full- time position.

(4) Part-time membership service performed on or before November 21, 2000 shall be credited with full-time service. Thereafter, all part-time service shall receive credit in accordance with the rules stated in this regulation.

January 26, 2001

Teachers & Credible
Service

Rule 2001-1: TEACHERS IN THE PUBLIC SCHOOLS OF THE CITY OF BOSTON

A "teacher," is any person employed under a contract with the Boston School Committee on a basis of not less than half-time service who

(a) is deemed to be a teacher by the Boston School Committee and

(b) performs services in a job title included in or substantially similar to those enumerated in Mass. Gen. Laws. c. 32, §1, paragraph 55 ("Teacher") or Mass. Gen. Laws. c.71, §38G, paragraph 19, and

(c) (i) holds a certificate required by the Board of Education of the Commonwealth or

(ii) has been granted a waiver pending certification by the Board of Education, or

(iii) has been approved as an apprentice teacher in accordance with the provisions of St. 1985, c. 188, §21 or

(iv) is exempted from the requirement of certification by the Commissioner of Education upon the request of the superintendent or by law or regulation.

Rule 2000-5: RETIREMENT CREDIT FOR SERVICE RENDERED

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AS A PART-TIME MEMBER

(1) A member whose entire service is in a part-time position shall receive one year of creditable service for each year worked provided the member works the number of hours required by the position held.

(2) A member employed on a part-time basis who becomes full-time shall receive credit for his part-time service on a pro-rated basis as it relates to a full-time position.

(3) A member employed on a full-time basis who becomes part-time shall receive credit for his part-time service on a pro-rated basis as it relates to a full-time position.

(4) Any member employed on a part-time basis on or before November 21, 2000, shall receive creditable service as though full-time creditable service had been performed.

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| September 27, 2000 | Maternity Service Purchase | Boston Retirement Rule 2000-2 regulates the buyback of up to four years of maternity leave by teachers who are members of the State-Retirement System, as permitted by G.L. c. 32, §4(1)(g-1/2), which was inserted by Chapter 114 of the Acts of 1999. |
| June 9, 1999 | Buy-backs military service | <p>Upon receipt of a member's application for military credit under c. 71 of the Acts of 1996, the Board shall further prepare a bill for the cost of the buyback. Upon the member's receipt of a bill for the military service credit, the member must within 60 days of receipt of the bill, either (i) pay the bill in full or (ii) enter into a payment schedule for full payment of the bill.</p> <p>Payment schedules for the buyback of military service credit shall be available to a member whose buyback bill exceeds \$1,000.00. Payment schedules must be completed within a five-year period or before the member retires, whichever comes first. No interest shall be charged over the period of the payment schedule. The Board may extend the five-year maximum payment period upon a showing by the member that the monthly payment amount for a five-year period would create an undue hardship upon the member.</p> |
| September 17, 1996 | election rules | Supplementary rule relating to procedures for board election under c. 306 approved. |

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| March 26, 1991 | form | Approval of “Disability Retiree Medical Questionnaire” for use by Board in processing cases under G.L. c. 32, § 8. |
| November 28, 1990 | form | Approval of “Disability Retiree Employment and Earnings Form” for use by Board. |
| June 20, 1990 | election rules | Supplementary rule authorizing a 60 day notice period for the retirement board election approved. |
| November 9, 1987 | creditable service | In the case of any member who established credit for part time service rendered in a governmental unit covered by this system prior to his or her current period of membership, such credit will be allowed for the amount of actual service rendered as it bears to full-time service for the same or similar position. |