

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Elena Bergin,
Petitioner

Docket No. CR-25-0363

v.

Massachusetts Teachers' Retirement System,
Respondent

ORDER OF DISMISSAL

The Petitioner, Elena Bergin, appealed the Massachusetts Teachers' Retirement System's (MTRS) denial of her request to purchase prior creditable service. The MTRS found that her creditable service was ineligible for purchase, as approximately 10% of students enrolled in the school where she worked paid private tuition; the retirement law requires that "tuition of all such pupils taught was financed in part or in full by the commonwealth." G.L. c. 32, § 4(1)(p). On December 31, 2025, I issued an Order to Show Cause asking the Petitioner to respond by Friday, January 30, 2026. In that Order, I indicated that I may dismiss the matter if she failed to provide a sufficient response. She did not provide any response by the deadline.

Accordingly, I hereby **dismiss** the Petitioner's appeal for failure to state a claim on which relief may be granted.

Dated: February 13, 2026

/s/ Judi Goldberg
Judi Goldberg
Administrative Magistrate
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