

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Joanne Blier,
Petitioner

v.

Docket No. CR-26-0006

Massachusetts Teachers Retirement System,
Respondent

ORDER OF DISMISSAL

Petitioner seeks to retire under the Retirement Plus program, *see* G.L. c. 32, § 5(4)(ii), on June 30, 2026. MTRS decided that she does not qualify because she will be one year short of the required 20 years of service as a teacher as of that date. The dispute is over whether her work as a school business manager qualifies as “teacher” service under G.L. c. 32, § 1 and 807 CMR 4.02.

On January 22, 2026, Petitioner was ordered to show cause no later than February 13, 2026 why this appeal should not be dismissed for failure to state a claim upon which relief may be granted. I explained that the retirement law includes in the definition of teacher several positions that are not teaching positions, including school business manager, as long as she was licensed by the Department of Elementary and Secondary Education or worked under a DESE-issued waiver pending licensure. 807 CMR 4.02(1)(a). Petitioner conceded that she did not have a license or a waiver during the disputed period.

She instead argued that it was the school district's responsibility to obtain the waiver. It was not; her contract placed that responsibility on her. She also requested that DALA recognize a "constructive waiver" after the fact. I explained that DALA does not have the authority to provide such equitable relief where it is contrary to the retirement law.

Moreover, the Petitioner failed to respond to the Order to Show Cause. Accordingly, this matter is hereby DISMISSED on the merits and for failure to prosecute.

Dated: February 20, 2026

/s/ Kenneth J. Forton

Kenneth J. Forton
Administrative Magistrate

Notice sent to: Joanne Blier
Lori Curtis Krusell, Esq.