

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Maria Bridges,
Petitioner,

Docket No.: CR-25-0436

v.

Massachusetts Teachers' Retirement System,
Respondent.

ORDER OF DISMISSAL

Petitioner Maria Bridges is a member of the Massachusetts Teachers' Retirement System (MTRS). She appeals from an MTRS decision denying her application to purchase retirement credit for her work at a charter school in the school year 2016-2017.

According to Ms. Bridges's notice of appeal, she was a "licensed educator" during the pertinent period. A contemporaneous appointment letter referred to Ms. Bridges as a "teacher," a "math tutor," and an "instructional assistant." The letter stated in part that Ms. Bridges would be working in classrooms on "problem solving skills and strategies across various math concepts."

On appeal, MTRS filed a prehearing memorandum and exhibits. Ms. Bridges was instructed to make her own submission, to include "a description of the work she performed during the pertinent period." She was warned that: "Her failure to submit a response may be interpreted as signifying that she agrees with MTRS's position after all." *Compare Bray & Gillespie Mgmt. LLC v. Lexington Ins. Co.*, 527 F. Supp. 2d 1355, 1371 (M.D. Fla. 2007), with *Jones v. Providence Pub. Sch.*, No. 23-1407, 2024 WL 1128034 (1st Cir. Mar. 11, 2024). Ms. Bridges's deadline has expired without her having filed anything further.

The case is not necessarily straightforward. If, at the charter school, Ms. Bridges was a “teacher” within the meaning of the charter school statute, G.L. c. 71, § 89(y), then she may be entitled to purchase credit for her work under G.L. c. 32, §§ 3(3), or 20(5)(c)(2).¹ Also, if Ms. Bridges was “engaged in teaching pupils” at the charter school, then she may be entitled to purchase credit for her work under G.L. c. 32, § 4(1)(p).²

Ms. Bridges’s entitlements turn on the precise facts of her employment at the charter school. The documents on file do not establish those facts. The viability of Ms. Bridges’s appeal therefore depended on her own active participation. But she has chosen to ignore the orders issued to her and to withhold her input. Because Ms. Bridges has ceased to litigate any live dispute, dismissal is appropriate for failure to prosecute. See 801 C.M.R. § 1.01(7)(g)(2).

¹ General Laws c. 71, § 89(y), entitles any charter school “teacher” to membership in MTRS. The term “teacher” for that purpose is defined at 807 C.M.R. § 4.02(2)(b). General Laws c. 32, § 3(3), authorizes purchases of credit for periods when a public employee “had the right to become a member” but missed that opportunity; General Laws c. 32, § 20(5)(c)(2), directs the retirement boards to correct “errors” in their records and to adjust future payments and contributions accordingly.

² Under specified conditions, G.L. c. 32, § 4(1)(p), authorizes purchases of credit for periods when a member was “engaged in teaching pupils in any non-public school in the commonwealth.” MTRS doubts that charter schools are “non-public” in this context; generally speaking, charter schools are indeed deemed “public.” G.L. c. 71, § 89(c). But for the particular purposes of the retirement law, a “public school” is specifically defined as a school run “under the superintendence of a duly elected school committee” (or an alternative irrelevant here). G.L. c. 32, § 1. On that definition, a charter school is *non*-“public,” because it operates “independently of a school committee.” G.L. c. 71, § 89(c). MTRS’s analysis would also arguably produce an “illogical result,” *Rotondi v. Contributory Ret. Appeal Bd.*, 463 Mass. 644, 648 (2012), in that it would deny entitlements under the public retirement law to teachers whose employer is “too” public.

In view of the foregoing, it is hereby ORDERED that this appeal is DISMISSED.

Dated: November 21, 2025

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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