

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

William Conard,
Petitioner,

Docket No.: CR-25-0556

v.

**Massachusetts Teachers' Retirement
System,**
Respondent.

ORDER OF DISMISSAL

Petitioner William Conard seeks to purchase retirement credit for a period of out-of-state work in the Chicago Public Schools. *See* G.L. c. 32, § 3(4). The Massachusetts Teachers' Retirement System (MTRS) denied the application based on the statutory proviso that: "no credit shall be allowed . . . for any service for which the member shall be entitled to receive a retirement allowance from any other state." *Id.*

In its decision, MTRS stated that Mr. Conard is eligible to collect a retirement benefit for his service from another state. Mr. Conard's notice of appeal did not dispute that point of fact or identify any other error made by MTRS. Mr. Conard did say that he learned about the proviso to § 3(4) only through MTRS's decision: but a member's rights remain unchanged even when he or she received limited or even erroneous information about those rights. *See Clothier v. Teachers' Ret. Bd.*, 78 Mass. App. Ct. 143, 146 (2010).

A prior order required Mr. Conard to show cause why his appeal should not be dismissed for failure to state a claim. Mr. Conard's deadline has expired. He has filed nothing further. It is therefore ORDERED that this appeal is DISMISSED.

Dated: November 14, 2025

/s/ Yakov Malkiel
Yakov Malkiel
Administrative Magistrate
DIVISION OF ADMINISTRATIVE LAW APPEALS
14 Summer Street, 4th floor
Malden, MA 02148
Tel: (781) 397-4700
www.mass.gov/dala