

**COMMONWEALTH OF MASSACHUSETTS**

**Middlesex, ss.**

**Division of Administrative Law Appeals**

**Katherine Crosby,**  
Petitioner,

No. CR-24-0704

Dated: January 10, 2025

v.

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

**ORDER OF DISMISSAL**

This is an appeal from a decision excluding petitioner Katherine Crosby from the benefits program known as Retirement Plus. G.L. c. 32, § 5(4). As an individual who was already a teacher and a retirement-system member in 2001, Ms. Crosby was permitted to enroll in Retirement Plus no later than the middle of that year. *See* Acts 2000, c. 114, § 2.

A prior order explained that teachers who missed the mid-2001 deadline generally cannot join Retirement Plus at a later date, *Roldan-Flores v. Massachusetts Teachers' Ret. Syst.*, No. CR-18-311, 2020 WL 14009727 (Contributory Ret. App. Bd. Dec. 10, 2020), even if their employers have taken enlarged deductions from their pay for some years, *cf. Hunter v. Contributory Ret. Appeal Bd.*, 80 Mass. App. Ct. 257, 263 (2011), and even upon returning to teaching after a hiatus, *Snyder v. Massachusetts Teachers' Ret. Syst.*, No. CR-24-553, 2024 WL 4345244 (Div. Admin. Law App. Sept. 20, 2024). The order required Ms. Crosby to show cause why the appeal should not be dismissed for failure to state a claim. *See* 801 C.M.R. § 1.01(7)(g)(3). Ms. Crosby was advised that her failure to make that showing or to respond would result in dismissal of the appeal.

Ms. Crosby has filed no response. Accordingly, it is hereby ORDERED that this appeal is DISMISSED.

Division of Administrative Law Appeals

/s/ Yakov Malkiel

Yakov Malkiel

Administrative Magistrate