

**COMMONWEALTH OF MASSACHUSETTS
DIVISION OF ADMINISTRATIVE LAW APPEALS**

Middlesex, ss.

Sandy DaSilva,
Petitioner,

Docket No.: CR-26-0302

v.

Massachusetts Teachers'
Retirement System,
Respondent.

ORDER OF DISMISSAL

Petitioner, Sandy DaSilva, appeals from the denial by Respondent, Massachusetts Teachers' Retirement System (MTRS), of her application to purchase creditable service for work performed from 03/28/2010-08/04/2017 at the Meeting Street School. MTRS denied her application because while working at the Meeting Street School, she received employer-paid contributions.

The portion of the statute governing the purchase credit for teaching in non-public schools in Massachusetts provides that such credit is available only for:

[a]ny member of a contributory retirement system who is engaged in a teaching position and holds a certificate issued by the department of education or is exempted from the requirement of certification and who was previously engaged in teaching pupils in any non-public school in the commonwealth, if the tuition of all such pupils taught was financed in part or in full by the commonwealth. . .

M.G.L. c. 32, § 4(1)(p).

It also states that “no credit shall be allowed and [no] payment shall be accepted for any service for which the member shall be entitled to receive a retirement allowance, annuity or pension from any other source.” *Id.*

Regarding her eligibility for a retirement allowance, it appears that Ms. DaSilva participated in a plan at the Meeting Street School in which she was entitled to receive employer-paid contributions. This precludes her from receiving credit for this same service under M.G.L c. 32, § 4(1)(p).

On August 4, 2026, I issued an Order to Show Cause to Ms. DaSilva, sending it to both email addresses she supplied in her June 18, 2026 letter of appeal. She was to provide by August 31, 2026 sufficient evidence in writing of her eligibility to purchase creditable service under G.L. c. 32, § 4(1)(p). The Order to Show Cause stated that she must show she did not participate in a retirement plan at the Meeting School that entitled her to receive a retirement allowance. Further, she was to provide a copy of her service purchase application. She provided no response.¹

In view of the foregoing, Ms. DaSilva has failed to state a claim upon which relief can be granted. Accordingly, this appeal is hereby **DISMISSED**.

¹ Upon review of Petitioner’s submissions to date in the appeal, her factual allegations fail to state a claim upon which relief can be granted because even if her allegations were true, the eligibility problem discussed herein remains. *See Wollons v. State Bd. of Ret.*, CR-23-0610, at *3 n.8 (Contrib. Ret. App. Bd. Sept. 3, 2026); 801 CMR 1.01(7)(g)(3).

Dated: September 25, 2026

/s/ Karen T. Guthrie

Karen T. Guthrie

Administrative Magistrate

DIVISION OF ADMINISTRATIVE LAW APPEALS

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