

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss.

Division of Administrative Law Appeals

Antonio Raciti,
Petitioner

Docket No. CR-24-0697

July 25, 2025

v.

State Board of Retirement,
Respondent

ORDER OF DISMISSAL

The petitioner, Antonio Raciti, timely appealed the State Board of Retirement's (State Board) denial of his request to purchase his out-of-state teaching service under G.L. c. 32, § 3(4). Under a scheduling order from the Division of Administrative Law Appeals (DALA), Mr. Raciti filed a memorandum and three exhibits, and the State Board filed a memorandum and two exhibits.

G.L. c. 32, § 3(4) allows teachers to purchase credit for "service in any other state. . . as a teacher . . . in the public day schools." For Mr. Raciti to be eligible to purchase creditable service for his employment at the University of Memphis under c. 32, § 3(4), he must have been employed as a "teacher" as that term is defined by G.L. c. 32, § 1, which provides that a teacher "is defined to include any person employed by a school committee, board of trustees or a combination of the two on a basis of not less than half time as a teacher..." *Popple v. State Bd. of Ret.*, CR-04-0072 (Contributory Ret. App. Bd. Oct. 20, 2005); *Farricker v. Massachusetts Teachers' Ret. Sys.*, No. CR-16-492 (Div. Admin. Law App. Aug. 31, 2018); see *Weston v. Contributory Ret. App. Bd.*, 76 Mass. App. Ct. 475, 479 (2010).

Mr. Raciti was a professor at the University of Massachusetts-Boston. He was employed at the University of Memphis during the 2009-2010 academic year as a visiting research scholar and adjunct professor. He taught one graduate level course for a semester. In addition, he served as a researcher on various ongoing projects.

Mr. Raciti fails to state a claim upon which relief can be granted. 801 C.M.R. § 1.01(7)(g)(3). He fails to establish that he taught not less than half time as a teacher. He provided no information about how often the course met or for how long. Nor did he provide any information about the hours he worked and how his time was divided between teaching and research.

Mr. Raciti asks that his teaching at the University of Memphis be prorated. There is simply no basis for prorating his time when Mr. Raciti is not a teacher for the purposes of G.L. c. 32, § 3(4).

Mr. Raciti's appeal is dismissed.

DIVISION OF ADMINISTRATIVE LAW APPEALS

Bonney Cashin

Bonney Cashin
Administrative Magistrate

DATED: July 25, 2025