



SB 2455, “An Relative to Providing Equitable Benefits for Members of the Massachusetts Teachers’ Retirement System”

- Sponsored by Joint Public Service Chairmen, Senator Brian Joyce & Representative Jay Kaufman, and Representative Elizabeth A. Malia.

ISSUE: School nurses became eligible members of the Massachusetts Teachers’ Retirement System (MTRS) after Education Reform in 1993 required Department of Education (DOE) certification. Subsequent legal cases have concurred with this legal analysis. As a consequence of this change, a relatively small percentage of school nurses who have served our children for many years and are close to retirement have been unable to include their years of employment prior to 1993, for purposes of eligibility in Retirement Plus upon their retirement.

Many school nurses have worked in the private sector during the prime of their career before transitioning to school nursing. Often they are unaware that once they become public employees, they lose their social security benefits. MTRS is their only retirement income source, which is why this issue is so significant for the school nurses impacted.

SOLUTION: This bill seeks to remedy this unintended consequence of Education Reform and gross inequity for school nurses and certain other school professionals. It allows school nurses, school social workers, early childhood teachers, speech, occupational or physical therapists or school business administrators, who are members of the teachers' retirement system or the State-Boston retirement system to appropriately apply all their years employed in a like position, before Ed Reform, towards the membership requirements of RetirementPlus. Upon their request, the Board may allow the member to elect into the RetirementPlus program. Any active member electing into the RetirementPlus program must make contributions to the retirement system as if they had elected into the program as of July 1, 2001. In addition, the bill requires the member to pay interest on the amounts owed the system from the date of their subsequent election back to July 1, 2001. The interest rate paid by the member will be one half of the actuarially assumed investment rate of return for the applicable retirement system.

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