

# SENATE . . . . No. 19.

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[To accompany the petition of George M. W. Hall and others for legislation authorizing the formation and disbursement of a public school teachers' retirement fund in the city of Boston. Mercantile Affairs.]

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## Commonwealth of Massachusetts.

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In the Year One Thousand Nine Hundred.

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### AN ACT

To provide for the Formation and Disbursement of a Public School Teachers' Retirement Fund in the City of Boston.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Upon the passage of this act, a  
2 teachers' retirement fund shall be created in the  
3 city of Boston, and shall consist of,  
4 (a) A permanent fund, made up of donations  
5 and legacies specifically given to said permanent  
6 fund, and a sum set apart by the board of trustees.  
7 (b) A general fund, made up of donations  
8 and legacies not specifically given to said perma-  
9 nent fund, amounts retained from the salaries of  
10 teachers under the provisions of this act, and the  
11 interest derived from said permanent fund. The

12 general fund may be drawn upon for the purposes  
13 of this act by said board of trustees, in its discre-  
14 tion.

1 SECTION 2. The superintendent of public  
2 schools in the city of Boston, three female teach-  
3 ers and three male teachers, also of said city, and  
4 holding positions in the public schools as in-  
5 structors, and four members of the school com-  
6 mittee of said city, shall constitute the board of  
7 trustees. The superintendent of public schools  
8 shall hold office in said board ex officio, and the  
9 other ten members shall be chosen as follows :  
10 At the first annual meeting of the school teachers  
11 in the city of Boston, who are included in this  
12 act, which shall be held on the last Saturday  
13 of October, in the year nineteen hundred there  
14 shall be elected by ballot, one female teacher  
15 who shall hold office for a term of one year,  
16 one female teacher who shall hold office for a  
17 term of two years, one female teacher who shall  
18 hold office for a term of three years, one male  
19 teacher who shall hold office for a term of one  
20 year, one male teacher who shall hold office for a  
21 term of two years, and one male teacher who  
22 shall hold office for a term of three years, and a  
23 majority of all the votes cast shall be necessary in  
24 each case for an election. Said meeting shall be  
25 called by the superintendent of the public schools  
26 after due and sufficient notice to all the school  
27 teachers in the city of Boston included in this  
28 act, at such hour and place as he shall designate.

29 Annually thereafter, at a meeting duly called by  
30 said board of trustees, on the last Saturday in  
31 October, one female teacher and one male teacher  
32 shall be elected in the same manner for a term of  
33 three years. At the first regular meeting of the  
34 said school committee of the city of Boston, in  
35 October, nineteen hundred, the said school com-  
36 mittee shall elect two of its number to be mem-  
37 bers of said board of trustees for a period of  
38 one year, and two of its number to be members  
39 of said board for a period of two years; and  
40 annually thereafter at the first meeting in Octo-  
41 ber, said school committee shall elect two of  
42 its number to be members of said board for a  
43 period of two years. Said board shall organize  
44 by adopting rules of its own, not inconsistent  
45 with this act, and in case of a vacancy in its  
46 membership, shall have power to fill such vacancy  
47 for the unexpired term.

1 SECTION 3. Said board shall have control of  
2 said retirement fund, investing the same only in  
3 such securities as savings banks are authorized by  
4 law to invest in. Said board shall receive and  
5 consider all applications for annuities under this  
6 act, and shall determine, direct and order payment  
7 of the same. Said board shall keep full and com-  
8 plete records of the receipts and disbursements  
9 on account of this fund, and a complete list of all  
10 annuitants, and shall make a report of the same  
11 at each annual meeting of the teachers in October.  
12 All necessary and proper expenses incurred by

13 said board in carrying out the provisions of this  
14 act shall be paid out of said retirement fund, as  
15 voted by said board. The members of said board  
16 shall serve without compensation. If at any time  
17 any member of said board shall cease to hold a  
18 position as member of the school committee of  
19 said city, or as teacher in the public schools re-  
20 spectively, his or her membership in said board  
21 shall thereupon immediately cease.

1 SECTION 4. The city treasurer, under the di-  
2 rection of the board of trustees, shall be the cus-  
3 todian of said retirement fund, and shall make  
4 payments therefrom as ordered by said board.  
5 He shall receive such compensation for his ser-  
6 vices and clerk hire, not exceeding fifteen hun-  
7 dred dollars per year, as said board of trustees  
8 shall determine, and said sum so determined shall  
9 be appropriated for that purpose by the school  
10 committee of the city of Boston.

1 SECTION 5. Beginning with the monthly pay-  
2 ments in November, nineteen hundred, the city  
3 treasurer of the city of Boston shall reserve from  
4 the salary of each teacher who has come under  
5 the provisions of this act, the sum of three dol-  
6 lars, and, in each and every alternate monthly  
7 payment thereafter shall reserve the same sum,  
8 and shall pay the sums so reserved into the school  
9 teachers' retirement fund, as herein provided.

1 SECTION 6. The city treasurer, upon vote of  
2 the board of trustees, shall pay out of said retire-

3 ment fund, in monthly payments, such an annuity  
4 to any teacher, who shall retire, or be discharged  
5 from the service of the city, as the fund will al-  
6 low and said board of trustees shall determine ;  
7 but in no case shall a teacher receive such annuity  
8 unless said teacher has taught thirty years, and  
9 of said thirty years at least ten in the public day  
10 schools of the city of Boston, except as herein-  
11 after provided.

1 SECTION 7. The city treasurer, upon vote of  
2 the board of trustees, shall pay out of said retire-  
3 ment fund, in monthly payments, such an annuity  
4 to any teacher who has taught not less than two  
5 years in the city of Boston, although less than  
6 thirty years in the aggregate, as the fund will  
7 allow and said board of trustees shall determine,  
8 if such teacher has become incapacitated for  
9 teaching, and has been discharged from the ser-  
10 vice of the city of Boston: *provided*, that a  
11 certificate of such incapacity be furnished by the  
12 attending physician and a physician sent by the  
13 board of trustees; and *further provided*, that the  
14 annuity shall cease when the disability ceases.

1 SECTION 8. All annuities shall be uniform in  
2 amount, whether the annuitants are retired under  
3 the provisions of section six or section seven,  
4 except as provided in section nine of this act.

1 SECTION 9. No annuity shall be paid to any  
2 teacher till such teacher shall contribute, or shall  
3 have contributed to said fund, a sum equal to all

4 the assessments for thirty years, viz.: five hun-  
5 dred and forty dollars; but should any retiring  
6 teacher be unable to pay the full amount of as-  
7 sessments as above before receiving an annuity,  
8 the board of trustees may at its discretion pay to  
9 such retiring teacher such monthly payments as  
10 in the opinion of said board the needs of such  
11 teacher may require.

1 SECTION 10. Any teacher who shall have been  
2 a contributing member for two years or more,  
3 who shall retire from the service of the city of  
4 Boston, shall, upon application within three  
5 months after date of such retirement, receive  
6 one-half of the total amount paid by such teacher  
7 into said fund.

1 SECTION 11. This act shall be binding upon all  
2 teachers entering the service of the city of Boston  
3 after it goes into effect, and upon such of the  
4 teachers in the service of said city at the time of  
5 its enactment as may thereafter elect to come  
6 under its provisions, and notice in writing to the  
7 superintendent of schools, signed by the teacher  
8 so electing, shall be conclusive as to said election.

1 SECTION 12. The term "teacher" in this act  
2 shall include all supervisors, superintendents of  
3 instruction, principals and regular instructors in  
4 the public day schools.

1 SECTION 13. This act shall take effect upon  
2 its passage.