

# MAINE STATE LEGISLATURE

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January 14, 1976

William G. Blodgett, Ex. Director

Maine State Retirement System

Donald G. Alexander, Assistant

Attorney General

Out of state credits for private school service rendered in New Hampshire

Your memorandum of January 6, 1976 poses a question with regard to obtaining credits for out of state teaching in a private school:

Is service in an out of state private school "out of state service" pursuant to the provisions of 5 M.R.S.A. § 1001-15 to qualify for credit pursuant to 5 M.R.S.A. § 1094-12? The answer is negative. Sub-§15 limits out of state service to service rendered to public agencies. The private school addressed in this case does not qualify as a public agency.

However, answering this question also requires reference to 5 M.R.S.A. § 1094-14, the private and parochial school credit provision. Under this provision, credit for out of state private school service may be given if the appropriate conditions are met. The facts provided with your opinion request are not sufficient to indicate whether the applicant in question qualifies for private and parochial school credit under sub-§14. A person who had 10 years service in public schools and taught at a private educational institution approved by the state education department in another state and who also possessed a teaching certificate (many private school teachers do not) would be eligible for credit under sub-§14.

DGA/mf