



Ohio Administrative Code

Rule 3307:1-7-09 Disability - appeal of terminations due to teaching service.

Effective: June 3, 2021

The following procedures are hereby established pursuant to section 3307.48 of the Revised Code for the appeal of termination of disability benefits by the retirement board when a recipient performed teaching services as defined by rule 3307:1-7-01 of the Administrative Code. Recipients who return to contributing service with the retirement system shall not have the right to appeal the termination of disability benefits.

(A) Disability benefits shall terminate if the recipient performs any teaching service in this state or elsewhere. The termination shall be effective the day prior to beginning the teaching service.

Following retirement board action, the recipient will be informed in writing of the action taken by the retirement board and of their right to appeal the retirement board's action.

(B) The recipient may submit in writing, not later than thirty days after the date the notice is sent, to the retirement board information specifying that the recipient did not perform teaching services while receiving disability benefits along with any supporting evidence available to the recipient.

(1) A deadline date will be provided by the retirement system.

(2) Any costs incurred by the recipient in the appeal will not be reimbursed by the retirement system.

(C) The executive director or his or her designee, in consultation with the retirement system's legal counsel, shall act as the retirement board's designee to review information received by a recipient specifying they did not perform teaching services while receiving disability benefits.

(D) After reviewing the information, the executive director or his or her designee shall make a recommendation to the retirement board whether or not to reinstate the disability benefits as directed by section 3307.48 of the Revised Code.

(E) The retirement board's decision shall be final.