



Ohio Administrative Code

Rule 3309-1-23 Contributing status; compulsory and optional.

Effective: May 3, 2019

(A) The following standards shall apply for the determination of contributing status in the school employees retirement system.

(B) Contributing status shall be required for any employee of an employer as defined in divisions (A) and (B) of section 3309.01 of the Revised Code beginning with the first date of service, unless contributing status is otherwise made optional under this rule or the provisions of Chapter 3309. of the Revised Code.

(1) Employees who are eligible pursuant to division (B) or (C) of section 3309.23 of the Revised Code to elect to be exempt from contributing status, shall make such election by filing a written application for exemption with their employer within the first month of being employed.

(2) Once an exemption is filed, it is irrevocable during the current period of employment for the same employer provided the employee remains qualified for an exemption pursuant to division (B) or (C) of section 3309.23 of the Revised Code. Should the employee no longer qualify for an exemption, the previously filed exemption shall be invalid and contributing status shall be mandatory.

(3) An exemption shall be valid only during the current period of employment for the employer by whom the employee is employed at the time that the exemption is filed. When such employment terminates, the exemption also terminates. Upon return to employment, either for the former or for another employer, contributing status is mandatory unless the employee qualifies and timely applies for an exemption.

(1) Within thirty days of initially taking office, school board members or governing board members who are compensated by the school district for their services as board members may elect to be members by filing a written election with the treasurer of the board of education. If the board member elects to be a member, the treasurer of the board of education shall notify the system of the



election on a form provided by the school employees retirement board. Board members who are not compensated for their services, or who receive only reimbursement or payment for their expenses, are not eligible to be members.

(2) A board member who is a SERS retirant or other system retirant as defined in section 3309.341 of the Revised Code and who has elected to be a member shall contribute under the provisions of section 3309.341 of the Revised Code.

(3) The election to become a member, once made, is irrevocable during the board member's current term as a board member, and during any successive terms where the board member has not, prior to the commencement of the term, refunded his accumulated contributions or taken a retirement benefit from the school employees retirement system.