



## Ohio Administrative Code Rule 3309-1-30 Eligibility for retirement.

Effective: [May 1, 2022](#)

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(A) For purposes of division (A) of section 3309.34 of the Revised Code and this rule:

(1) "Total service credit" means all service credit earned in the public employees retirement system, state teachers retirement system, or school employees retirement system, except credit for service subject to section 3309.341 of the Revised Code. Total service credit shall not exceed one year of credit for any twelve-month period.

(2) "Buy-up" means to pay an additional voluntary contribution in an amount equal to the additional actuarial liability to the school employees retirement system of retiring under the retirement eligibility criteria contained in division (A)(1)(a) of section 3309.34 of the Revised Code.

(B)

(1) SERS administrative staff shall provide a cost estimate of a member's buy-up amount to any member or their designee upon request. A member who wishes to buy-up after receiving a cost estimate shall submit a written request for an actuarial cost calculation.

(2) The actuarial cost calculation of the additional liability shall be performed by the school employees retirement system actuary based on factors recommended by the actuary and approved by the retirement board. The factors used in calculating the additional liability will be revised no more than once annually and shall apply only to payments made after such revision is approved by the school employees retirement board.

(a) SERS will send notice of the actuarial cost calculation to the member upon receipt from the actuary.

(b) The buy-up payment shall be made in a lump sum payment and shall be received by SERS within ninety days following the date of the notice or by August 1, 2017, whichever is earlier. If SERS does



not receive the payment within ninety days of the notice, a new cost calculation is required.

(c) Members can request no more than four actuarial cost calculations in any calendar year.

(3) The amount of any buy-up payment cannot exceed the limitations set forth in Internal Revenue Code section 415. If the cost of the additional liability exceeds the limitations set forth in the Internal Revenue Code, the member is not eligible to retire under division (A)(1)(a) of section 3309.34 of the Revised Code.

(4) Buy-up payments shall be treated as part of a member's accumulated contributions as defined in division (J) of section 3309.01 of the Revised Code. Contributions paid by a member pursuant to this rule shall be credited to the employees' savings fund.

(C) Except as provided in division (A)(1)(c) of section 3309.34 of the Revised Code, to retire under division (A)(1)(a)(i) of section 3309.34 of the Revised Code, a member must meet the following requirements:

(1) Have at least five years of total service credit and have attained at least sixty years of age before August 1, 2017;

(2) File with the retirement board a proper and complete application for retirement before August 1, 2017; and

(3) Have a retirement effective date that is no later than August 1, 2017.

(D) For purposes of division (A)(1)(b) of section 3309.34 of the Revised Code:

(1) Periods of compulsory service that occurred before August 1, 2017 for which the employer did not deduct and transmit contributions and for which SERS receives required contributions and interest after August 1, 2017 pursuant to section 3309.47 of the Revised Code, shall be credited to the member's account effective the dates of the service.

(2) A period of reinstatement with back wages that preceded August 1, 2017 and for which SERS



receives required contributions after August 1, 2017, shall be credited to the member's account effective as of the dates of the reinstatement period identified under the final order or final settlement awarding back wages.

(E) For purposes of division (B)(1) of section 3309.34 of the Revised Code, "last day of employment" refers to the last day of covered employment after a completed application is filed with the retirement system.