



Ohio Administrative Code Rule 145-2-33 Educational benefits.

Effective: September 1, 2017

(A) For the purpose of this rule and division (B)(2) of section 145.45 of the Revised Code:

(1) "Qualified student" means a qualified child as defined in division (B)(2)(b)(i) of section 145.45 of the Revised Code;

(2) "School year" means the twelve-month period commencing on the first date of instruction at the institution of learning or training program and ending on that date twelve months later;

(3) "Two-thirds of the full-time curriculum" means that in any one school year, the number of semester or credit hours required to maintain two-thirds of the full-time status for the entire school year with one semester or quarterly break.

(1) Benefits payable to a qualified student shall be paid to the qualified student for the month in which eligibility is attained or terminated, providing the child is over eighteen years of age and under age twenty-two and a student in a school pursuing a program designed to complete at least two-thirds of the full-time curriculum in each school year.

(2) If a qualified spouse is eligible for a monthly benefit as provided in division (B)(2)(a) of section 145.45 of the Revised Code solely due to the qualified spouse's care of a qualified student, the qualified spouse's benefits shall be suspended or terminated for any period that the qualified student is not eligible for a monthly benefit.

(C) Benefits to a qualified student shall be paid during a school vacation period that does not exceed four calendar months provided the child:

(1) Was qualified to receive benefits before the vacation period began;

(2) Intends to, and subsequently does, return to qualified attendance after the end of the vacation



period, unless the child has otherwise met the two-thirds of the full-time curriculum requirement for the school year; and,

(3) Does not receive such benefits for more than one vacation period during any one school year.

(D) Not later than the last day of the month next following the public employees retirement system's request, a qualified student shall provide proof of registration and completion of all courses for which monthly benefits are paid.

(E) Any overpayment of benefits may be recovered by withholding the amount of the overpayment from any benefits due to the beneficiary(ies) who accrued the overpayment. If no benefits are due to the beneficiary(ies) who accrued an overpayment, the amount may be collected pursuant to section 145.563 of the Revised Code.

(F) At no time shall a child be eligible for a monthly benefit as a qualified student for the period following completion of the course of study or graduation from the institution of learning or training program, unless the qualified student continues in the qualified attendance of an institution of learning or training program while under the age of twenty-two.

(G) This rule applies only to eligibility requirements under section 145.45 of the Revised Code as it existed immediately prior to April 6, 2017.