



Ohio Administrative Code Rule 3307:2-3-01 Election by new members.

Effective: June 7, 2019

(A) For purposes of section 3307.25 of the Revised Code, Chapter 3307:2-3 of the Administrative Code and the plan document:

(1) "Teacher" shall be a contributing member of the retirement system employed in a position that meets the requirements set forth in division (B) of section 3307.01 of the Revised Code.

(2) "New member" shall mean:

(a) An individual who is employed for the first time as a teacher and who has never previously been a member of the retirement system; or

(b) An individual who is not a member of the retirement system upon employment as a teacher, notwithstanding prior membership in the retirement system if:

(i) The individual terminated covered employment and withdrew contributions pursuant to section 3307.56 of the Revised Code before July 1, 2001; and

(ii) On June 30, 2001 the individual was not a member of the retirement system; and

(iii) The individual thereafter returned to teaching service; or

(c) An individual who is not a member of the retirement system upon employment as a teacher, notwithstanding prior membership in the retirement system, if:

(i) On June 30, 2001, the individual was a member of the retirement system with five or more years of service credit; and

(ii) The individual terminated covered employment and withdrew contributions pursuant to section



3307.56 of the Revised Code after July 1, 2001; and

(iii) The individual thereafter returns to teaching service; or

(d) An individual who is not a member of the retirement system upon employment as a teacher, notwithstanding prior membership in the retirement system if:

(i) The prior membership in the system was established on or after July 1, 2001; and

(ii) Upon such prior membership, the individual made an election pursuant to section 3307.25 of the Revised Code to participate in the defined contribution plan or the combined plan; and

(iii) The individual thereafter terminated covered employment and withdrew all contributions or had the account exhausted through fees under the terms of the plan in which he or she was participating prior to the first day of June immediately preceding the fourth anniversary of the June thirtieth of the entry year; and

(iv) The individual thereafter returns to teaching service.

(B) An election of the defined contribution or combined plans made pursuant to section 3307.25 of the Revised Code shall govern future participation in the retirement system, notwithstanding subsequent terminations of employment as a teacher, changes of employer, or new employment as a teacher, except as otherwise specifically provided by the Revised Code, the Administrative Code or the plan document.

(C) An election or an active election of the defined benefit plan made pursuant to section 3307.25 of the Revised Code shall govern future participation in the retirement system, notwithstanding subsequent terminations of employment as a teacher, changes of employer, withdrawal from membership or new employment as a teacher except as otherwise specifically provided by the Revised Code, the Administrative Code or the plan document.

(D) The retirement system shall establish an account in the defined contribution fund created by division (G) of section 3307.14 of the Revised Code for an individual who elects participation in a



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plan established under section 3307.81 of the Revised Code within fourteen days of receipt of a form with a valid plan election.