

Sec. 3309.011. "Employee" as defined in division (B) of section 3309.01 of the Revised Code, does not include either of the following:

(A) Any person having a license issued pursuant to sections 3319.22 to 3319.31 of the Revised Code and employed in a public school in this state in an educational position, as determined by the state board of education, under programs provided for by federal acts or regulations and financed in whole or in part from federal funds, but for which no licensure requirements for the position can be made under the provisions of such federal acts or regulations;

(B) Any person who participates in an alternative retirement plan established under Chapter 3305. of the Revised Code;

(C) ANY PERSON WHO ELECTS TO TRANSFER FROM THE SCHOOL EMPLOYEES RETIREMENT SYSTEM TO THE PUBLIC EMPLOYEES RETIREMENT SYSTEM UNDER SECTION 3309.312 OF THE REVISED CODE;

(D) ANY PERSON WHOSE FULL-TIME EMPLOYMENT BY THE UNIVERSITY OF AKRON AS A STATE UNIVERSITY LAW ENFORCEMENT OFFICER PURSUANT TO SECTION 3345.04 OF THE REVISED CODE COMMENCES ON OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT.