

Sec. 3305.01. As used in this chapter:

(A) "Public institution of higher education" means a state university as defined in section 3345.011 of the Revised Code, the medical college of Ohio at Toledo, the northeastern Ohio universities college of medicine, or a

university branch, technical college, state community college, community college, or municipal university established or operating under Chapter 3345., 3349., 3354., 3355., 3357., or 3358. of the Revised Code.

(B) "State retirement system" means the public employees retirement system created under Chapter 145. of the Revised Code, the state teachers retirement system created under Chapter 3307. of the Revised Code, or the school employees retirement system created under Chapter 3309. of the Revised Code.

(C) "~~Academic or administrative~~ Eligible employee" means any person employed as a full-time employee not receiving any benefit, allowance, or other payment granted on the employee's account from a state retirement system who meets one of the following requirements:

(1) ~~The employee is a member of the faculty of a public institution of higher education.~~

(2) ~~The employee is a member of the administrative staff of a public institution of higher education serving in a position in the unclassified civil service pursuant to section 124.11 of the Revised Code.~~

(3) ~~If section 124.11 of the Revised Code does not apply to the public institution of higher education, the employee is a member of the administrative staff of a public institution of higher education serving in a position comparable to a position in the unclassified civil service of a public institution of higher education.~~

In all cases of doubt, the board of trustees of the public institution of higher education shall determine whether any person is an ~~academic or administrative~~ eligible employee for purposes of this chapter, and the board's decision shall be final.

(D) "Electing employee" means any ~~academic or administrative~~ eligible employee who elects, pursuant to section 3305.05 or 3305.051 of the Revised Code, to participate in an alternative retirement plan provided pursuant to this chapter or an eligible employee who is required to participate in an alternative retirement plan pursuant to division ~~(E)(C)~~(4) of section 3305.05 or division (F) of section 3305.051 of the Revised Code.

(E) "Compensation," for purposes of an electing employee, has the same meaning as the applicable one of the following:

(1) If the electing employee would be subject to Chapter 145. of the Revised Code had the employee not made an election pursuant to section 3305.05 or 3305.051 of the Revised Code, "earnable salary" as defined in division (R) of section 145.01 of the Revised Code;

(2) If the electing employee would be subject to Chapter 3307. of the Revised Code had the employee not made an election pursuant to section

3305.05 or 3305.051 of the Revised Code, "compensation" as defined in division (L) of section 3307.01 of the Revised Code;

(3) If the electing employee would be subject to Chapter 3309. of the Revised Code had the employee not made an election pursuant to section 3305.05 or 3305.051 of the Revised Code, "compensation" as defined in division (V) of section 3309.01 of the Revised Code.

(F) "Provider" means an entity designated under section 3305.03 of the Revised Code as a provider of investment options for an alternative retirement plan.