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Sec. 3307.381. (A) A former teacher receiving a service retirement allowance from the state teachers retirement system, and referred to in this section as a superannuate, may be employed for temporary service as a teacher, provided:

(1) At least sixty calendar days have elapsed since the effective date of his retirement;

(2) Such employment does not exceed eighty-five school days, or the equivalent thereof in fractional service, during any school year;

(3) If employed by a board of education, such employment does not include teaching one specific course of instruction to the same group of pupils for more than thirty school days during any school year;

(4) The compensation of any superannuate so employed does not exceed that for persons employed for substitute service.

Any person so employed shall not make contributions as provided by section 3307.51 of the Revised Code.

(B) AS USED IN THIS DIVISION, "PUPIL ACTIVITY PROGRAM" MEANS ANY PROGRAM OFFERED BY A BOARD OF EDUCATION THAT IS NOT INCLUDED IN THE GRADED COURSE OF STUDY PRESCRIBED BY THE BOARD UNDER SECTION 3313.60 OF THE REVISED CODE.

DIVISIONS (A)(3) AND (4) OF THIS SECTION DO NOT APPLY TO EMPLOYMENT BY A BOARD OF EDUCATION OF A SUPERANNUATE WHOSE DUTIES ARE LIMITED TO SUPERVISING, DIRECTING, OR COACHING A PUPIL ACTIVITY PROGRAM WHERE SUCH EMPLOYMENT DOES NOT CONSITITUTE FULL-TIME EMPLOYMENT AS DEFINED BY THE BOARD OF EDUCATION. THE COMPENSATION OF SUCH SUPERANNUATE SHALL NOT EXCEED THE AMOUNT SUCH BOARD WOULD PROVIDE A CONTRACT TEACHER TO PERFORM SIMILAR DUTIES UNDER A SUPPLEMENTAL CONTRACT IN ACCORDANCE WITH SECTION 3319.08 OF THE REVISED CODE. A SUPERANNUATE SO EMPLOYED SHALL NOT MAKE CONTRIBUTIONS AS PROVIDED BY SECTION 3307.51 OF THE REVISED CODE.

NO BOARD OF EDUCATION SHALL EMPLOY A SUPERANNUATE UNDER THIS DIVISION UNTIL:

(1) IT HAS OFFERED THE POSITION UNDER A SUPPLEMENTAL CONTRACT TO CERTIFICATED EMPLOYEES OF THE DISTRICT AND NO SUCH EMPLOYEE QUALIFIED TO FILL THE POSITION HAS ACCEPTED IT;

(2) IT HAS ADOPTED A RESOLUTION STATING THAT IT HAS COMPLIED WITH THE REQUIREMENTS OF DIVISION (B)(1) OF THIS SECTION.

(C) A superannuate may be employed as a full-time teacher, provided:

(1) He has received a retirement allowance from the state teachers retirement system for at least eighteen months;

(2) The employer requests the retirement board of the state teachers retirement system to authorize such employment.

During such employment as a full-time teacher, the pension portions of the monthly payments of the retirement allowance provided by section 3307.38 of the Revised Code, shall be terminated on the first day of the month of such employment and thereafter shall be forfeited until the first of the month after such superannuate ceases to be a full-time teacher, at which time the pension portions of his allowance shall be resumed.

Such employment shall not be considered as service qualifying for continuing contract status and the salary of a superannuate so employed shall be fixed at an amount at least equal to that paid other teachers in the district with similar training and experience for the same type of service. A superannuate employed as a full-time teacher shall make contributions as provided in section 3307.51 of the Revised Code. However, such membership as a new entrant shall not include the survivor benefit rights provided for in sections 3307.48 and 3307.49 of the Revised Code.

A superannuate shall not receive the pension portions of a retirement allowance for any period for which he is compensated under a private contract, or through an independent contractor, whereby he is to perform personal or professional services for the employer by which he was employed at the time of retirement.

If a superannuate should be paid any amount of pension allowance to which he is not entitled under this section, such amount shall be repaid to the system by the superannuate, or shall be recovered by a withholding from his subsequent monthly retirement allowance checks.

The retirement board of the state teachers retirement system may make the necessary rules to carry into effect this section and to prevent the abuse of the rights and privileges thereunder.

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