

Sec. 3307.56. (A)(1) Subject to sections 3307.37 and 3307.561 of the Revised Code AND EXCEPT AS PROVIDED IN DIVISION (B)(2) OF THIS SECTION, a member participating in the plan described in sections 3307.50 to 3307.79 of the Revised Code who ceases to be a teacher for any cause other than death, retirement, receipt of a disability benefit, or election of CURRENT EMPLOYMENT IN A POSITION IN WHICH THE MEMBER HAS ELECTED TO PARTICIPATE IN an alternative retirement plan under section 3305.05 of the Revised Code, upon application, shall be paid the accumulated contributions standing to the credit of the member's individual account in the teachers' savings fund plus an amount calculated in accordance with section 3307.563 of the Revised Code. If the member or the member's legal representative cannot be found within ten years after the member ceased making contributions pursuant to section 3307.26 of the Revised Code, the accumulated contributions may be transferred to the guarantee fund and thereafter paid to the member, to the member's beneficiaries, or to the member's estate, upon proper application.

(2) A member described in division (A)(1) of this section who is married at the time of application for payment and is eligible for age and service retirement under section 3307.58 or 3307.59 of the Revised Code shall submit with the application a written statement by the member's spouse attesting that the spouse consents to the payment of the member's accumulated contributions. Consent shall be valid only if it is signed and witnessed by a notary public. If the statement is not submitted under this division, the application shall be considered an application for service retirement and shall be subject to division (F)(1) of section 3307.60 of the Revised Code.

THE STATE TEACHERS RETIREMENT BOARD MAY WAIVE THE REQUIREMENT OF CONSENT IF THE SPOUSE IS INCAPACITATED OR CANNOT BE LOCATED, OR FOR ANY OTHER REASON SPECIFIED BY THE BOARD. CONSENT OR WAIVER IS EFFECTIVE ONLY WITH REGARD TO THE SPOUSE WHO IS THE SUBJECT OF THE CONSENT OR WAIVER.

(B) This division applies to any member who IS EMPLOYED IN A POSITION IN WHICH THE MEMBER HAS ELECTED UNDER SECTION 3305.05 OF THE REVISED CODE TO PARTICIPATE IN AN ALTERNATIVE RETIREMENT PLAN AND DUE TO THE ELECTION ceases to be a teacher by electing an alternative retirement plan pursuant to section 3305.05 of the Revised Code and who is not otherwise employed as a teacher in a position to which the election does not apply. For purposes of this division, "continuously employed" has the same meaning as in section 3305.01 of the Revised Code FOR THE PURPOSES OF THAT POSITION.

(1) Subject to sections 3307.37 and 3307.561 of the Revised Code, upon application of any member to whom this division applies who is continuously employed, the state teachers retirement board SYSTEM shall pay the accumulated contributions standing to the credit of the member's individual account in the teachers' savings fund plus an amount calculated in accordance with section 3307.563 of the Revised Code to the entity providing the alternative retirement plan for application to that plan in accordance with any contract the member has entered into for purposes of that plan.

(2) Subject to sections 3307.37 and 3307.561 of the Revised Code, upon application of any member to whom this division applies who has ceased to be continuously employed, the state teachers retirement board shall pay the accumulated contributions standing to the credit of the member's individual account in the teachers' savings fund plus an amount calculated in accordance with section 3307.563 of the Revised Code to the entity providing the alternative retirement plan for application to that plan in accordance with any contract the member has entered into for purposes of that plan DO THE FOLLOWING:

(1) ON RECEIPT OF A CERTIFIED COPY OF AN ELECTION UNDER SECTION 3305.05 OF THE REVISED CODE, PAY, IN ACCORDANCE WITH SECTION 3305.051 OF THE REVISED CODE, THE AMOUNT DESCRIBED IN THAT SECTION TO THE APPROPRIATE PROVIDER:

(2) IF A MEMBER HAS ACCUMULATED CONTRIBUTIONS, IN ADDITION TO THOSE SUBJECT TO DIVISION (B)(1) OF THIS SECTION, STANDING TO THE CREDIT OF A MEMBER'S INDIVIDUAL ACCOUNT AND IS NOT OTHERWISE IN A POSITION IN WHICH THE MEMBER IS CONSIDERED A TEACHER FOR THE PURPOSES OF THAT POSITION, PAY, TO THE PROVIDER THE MEMBER SELECTED PURSUANT TO SECTION 3305.05 OF THE REVISED CODE, THE ACCUMULATED CONTRIBUTIONS STANDING TO THE CREDIT OF THE MEMBER'S INDIVIDUAL ACCOUNT IN THE TEACHERS' SAVING FUND PLUS AN AMOUNT CALCULATED IN ACCORDANCE WITH SECTION 3307.80 OF THE REVISED CODE. THE PAYMENT SHALL BE MADE ON THE MEMBER'S APPLICATION.

(C) PAYMENT OF A MEMBER'S ACCUMULATED CONTRIBUTIONS UNDER DIVISION (B) OF THIS SECTION CANCELS THE MEMBER'S TOTAL SERVICE CREDIT IN THE STATE TEACHERS RETIREMENT SYSTEM. A MEMBER WHOSE ACCUMULATED CONTRIBUTIONS ARE PAID TO A PROVIDER PURSUANT TO DIVISION (B) OF THIS SECTION IS FOREVER BARRED FROM CLAIMING OR PURCHASING SERVICE CREDIT UNDER THE STATE TEACHERS RETIREMENT SYSTEM FOR THE PERIOD OF EMPLOYMENT ATTRIBUTABLE TO THOSE CONTRIBUTIONS.