

137 O.L.
H.B. 754

Sec. 3307.02. Upon presentation of an honorable discharge,

or certificate of service, and subject to rules adopted by the state teachers retirement board, any member of the state teachers retirement system who was or is out of active service as a teacher by reason of having become a member of the armed forces of the United States on active duty or service shall be considered as on indefinite leave of absence and shall have such service not in excess of ten years considered as the equivalent of prior service, provided the member returns to service as a teacher within two years after the effective date of discharge, and establishes one year of service credit, or becomes a member of either the public employees retirement system or the school employees retirement system within such two-year period, and establishes at least one year of service credit. The retirement board shall extend such two-year period an additional year if failure to return is due to continuous professional training as determined by said board. If such member, otherwise qualified for such credit, canceled his membership by the withdrawal of his accumulated account, such military service credit shall be granted following the restoration of his canceled service credit as provided by section 3307.28 of the Revised Code. "Armed forces" of the United States, as used in this section, includes army, navy, marine corps, coast guard, auxiliary corps as established by congress, army nurse corps, navy nurse corps, red cross nurse serving with the army, navy, air force, or hospital service of the United States, full-time service with the American red cross in a combat zone, and such other service as is designated by the congress as included therein. Any member of the state teachers retirement system or anyone who becomes a new entrant who is assigned or called to take charge of special training for essential national defense work or veterans' training courses in any of the public schools or universities of the state may make regular contributions to the state teachers retirement system even though his salary is paid from federal funds, provided his salary is disbursed by an employer.

A MEMBER OF THE STATE TEACHERS RETIREMENT SYSTEM IS INELIGIBLE TO RECEIVE SERVICE CREDIT UNDER THIS SECTION FOR ANY YEAR OF MILITARY SERVICE CREDIT USED IN THE CALCULATION OF ANY RETIREMENT BENEFIT CURRENTLY BEING PAID TO THE MEMBER OR PAYABLE IN THE FUTURE UNDER ANY OTHER RETIREMENT PROGRAM EXCEPT SOCIAL SECURITY. AT THE TIME SUCH CREDIT IS REQUESTED THE MEMBER SHALL CERTIFY ON A FORM SUPPLIED BY THE RETIREMENT BOARD THAT THE MEMBER DOES AND WILL CONFORM TO THIS REQUIREMENT. ANY BENEFIT PAID UNDER THIS SECTION TO WHICH THE MEMBER IS NOT ENTITLED SHALL BE RECOVERED BY ANY RECOVERY PROCEDURES AVAILABLE UNDER THIS CHAPTER. THIS PARAGRAPH DOES NOT CANCEL ANY MILITARY SERVICE CREDIT EARNED PRIOR TO THE EFFECTIVE DATE OF THIS PARAGRAPH.

Effective March 15, 1979