



EMPLOYER FACT SHEET SERIES

Determining Membership

As an STRS Ohio employer, it's critical that you correctly identify and report individuals who should be members of the pension system.

Ohio law defines STRS Ohio membership in Section 3307.01 of the Revised Code (R.C.). Generally, membership is required for:

- Any person paid from public funds and employed in the public schools under any type of contract described in Section 3311.77 or 3319.08, R.C., in a position for which the person is required to have a license or registration issued pursuant to Sections 3319.22 to 3319.31, R.C.
- Any person employed as a teacher or faculty member in a community school or a science, technology, engineering and mathematics (STEM) school pursuant to Chapter 3314 or 3326, R.C.
- Any other teacher or faculty member employed in any school, college, university, institution or other agency wholly controlled and managed, or supported in whole or in part, by the state or any of its subdivisions.
- The educational employees of the state board of education and the Department of Education and Workforce.

Positions that are covered by STRS Ohio include, but are not limited to, the following:

Examples of covered positions.

- Adult education instructors
- Athletic directors and coaches in K-12 schools (who hold a valid teaching license or registration)
- Community school directors and academic administrators
- Counselors
- Faculty members
- Interpreters for the hearing impaired
- Occupational and physical therapists and occupational and physical therapy assistants
- Orientation and mobility specialists
- Preschool directors and itinerant teachers
- Preschool head teachers (special education preschool program only)
- Principals and academic administrators
- Psychologists
- School nurses who hold a state board of education school nurse license or registered nurses with a bachelor's degree
- Social workers
- Speech language pathologists
- Superintendents
- Teachers and substitute teachers (with or without a license)
- Teachers employed to work in parochial or private schools using auxiliary funds
- Tutors

Membership is not required for any person employed by a community school operator who was withholding and paying Social Security taxes for persons employed in the school as teachers on or before Feb. 1, 2016, **unless** the person had contributing service with an Ohio community school within the last year.

STRS Ohio has the authority to make membership determinations as set forth by Chapter 3307, R.C.

If you are unsure whether or not an employee should be a member of STRS Ohio, please send an email to report@strsoh.org for a determination. Please note, you will be asked to provide a job description for further review.

(continued)

Frequently Asked Questions

We have an employee who holds a teaching license. Do they automatically contribute to STRS Ohio?

No. It is not the person but the position held that determines membership. If the position requires a state board of education license or registration under Sections 3319.22 to 3319.31, R.C., or meets other criteria as outlined in this fact sheet, then STRS Ohio membership is required.

The exception to this rule are coaches and athletic directors in K-12 schools. For these positions, you need to examine whether or not the individual holds a valid teaching license or registration. If a coach or athletic director has a valid teaching license or registration, he or she contributes to STRS Ohio; if not, he or she contributes to the School Employees Retirement System of Ohio (SERS).

We are hiring a physical therapist as an independent contractor. His salary will be paid as a purchased service, not through payroll. Is this individual considered a member of STRS Ohio?

Hiring a teacher or administrator as a third-party contractor or through a temporary agency does not necessarily relieve the obligation for member and employer contributions on earnings.

If the means and manner of teaching duties performed by a third-party contractor are controlled by the STRS Ohio employer, then STRS Ohio considers the individual to be a member and requires contributions to be remitted. In all cases of doubt, the Retirement Board shall determine whether a person is a teacher for STRS Ohio purposes.

To request a formal determination for a contracted service provider, complete the *Determination of STRS Ohio Membership for Contracted Services* form, which can be found on the employer website by clicking on "Forms" under the Resources menu. The form is in the Membership section of the Forms page. Email the completed form to report@strsoh.org.

We have a group of teachers' aides employed at our district. Should they be members of STRS Ohio?

No. STRS Ohio membership is required for anyone in a position that requires a license or registration pursuant to Sections 3319.22 through 3319.31, R.C. Since licensure is not required under that section of the code for teachers' aides, they would not be considered members of STRS Ohio.

If we hire a substitute teacher without a teaching license, does that teacher have to contribute to STRS Ohio?

Yes. STRS Ohio membership includes any individual employed with public funds in a position for which a teaching license is required. Teaching licenses, including temporary teaching licenses, are issued pursuant to Sections 3319.22 to 3319.31, R.C.

Our district requires our preschool teachers to be licensed individuals. Doesn't this mean STRS Ohio membership is required?

Not necessarily. Regardless of whether the district requires the individual to have a license, STRS Ohio membership is generally based on whether the state board of education requires a license for the position. In the case of preschool teachers, head teachers in a special education preschool program are required to hold specific licensure which qualifies them for STRS Ohio membership. However, regular preschool teachers are not required to hold a license covered under STRS Ohio's section of the Revised Code and, therefore, should be members of SERS.

For More Information

Log on to the employer website at www.strsoh.org/employer

Call the Employer Reporting Department toll-free at **888-535-4050** or send an email to report@strsoh.org