**Section 1650.340 Service Credit for Out-of-System Service and Leaves of Absence**

a) Granting Out-of-System Service

1) For purposes of granting out-of-system service as provided in Section 16-127(b)(2) of the Code, once the statutory minimum service requirement has been met, the member may purchase the portion of out-of-system service available at the time of purchase based on total creditable service years, provided one of the following conditions are met:

A) If a refund from the other system is available to the member, that refund must be taken prior to the purchase of the out-of-system service; or

B) If the member is unable to take a refund from the other system, the member must be ineligible for a benefit from that system.

2) The member may purchase additional qualifying out-of-system service, after the initial purchase, on a fiscal year basis, upon further request by the member, to a maximum of 2/5 of the total creditable service of the member or 10 years, whichever is less.

b) For purposes of granting service credit for an approved leave of absence as provided in Section 16-127(b)(5)(i) of the Code, the statutory return-to-teaching requirement is met when the member returns to teaching service creditable under this System or the State Universities Retirement System for the period of the leave or one year, whichever is less. A leave of absence is creditable as an approved leave if:

1) The member did not resign prior to the effective date of the leave; or

2) The employer promised renewed employment at the end of the leave; and

A) The employer took official action to approve the request for leave; or

B) The leave qualifies as a leave under the Family and Medical Leave Act (29 USC 2601), as certified by the employer.

(Source: Amended at 44 Ill. Reg. 7905, effective April 24, 2020)