**Section 1650.346 Service Credit for Periods Away From Teaching Due to Adoption**

a) Service credit of up to three years shall be granted for periods beginning prior to July 1, 1983, during which a teacher ceased covered employment for the purpose of adopting an infant under three years of age or caring for a newly adopted infant under three years of age. The maximum lifetime amount of credit available for any type of leave of absence, including pregnancy related absences, is 3.000 years. Type of leave of absences include pregnancy, leave of absence, involuntary layoff, and adoption.

b) For purposes of determining eligibility to receive optional service credit under the provisions of 40 ILCS 5/16-127(b)(5)(iv), the following definitions shall apply:

1) "Ceased covered employment" shall mean the submission of a resignation that terminated employment in a position requiring membership contributions to the System as a condition of employment.

2) "For the purpose of adopting an infant under three years of age" shall mean the termination of covered employment:

A) To meet the requirements of an adoption agency or similar entity resulting in the adoption of an infant who is under the age of three at the time the member terminates covered employment;

B) To formally commence judicial or administrative proceedings to adopt an infant who is under the age of three at the time the adoption proceedings were initiated; or

C) To care for an infant under the age of three while an adoption proceeding is ongoing which results in the adoption of the infant.

3) "Caring for a newly adopted infant under three years of age" shall mean providing care to an adopted infant of less than three years of age when the interruption of service begins within 180 days after the court order declaring the member the adoptive parent of such an infant.

4) "Teaching service creditable under this System or the State Universities Retirement System" means employment in a position requiring membership contributions to the System or the State Universities Retirement System as a condition of employment.

c) The documents necessary to establish service credit under this Section shall include:

1) Employment records;

2) Birth certificates;

3) Court records;

4) Adoption agency records;

5) Governmental records; and/or

6) Other contemporaneous documentation that reliably supports the service credit to be established while eliminating the possibility of mistake or fraud.

d) For purposes of granting service credit for periods away from teaching due to adoption, 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 the member was away from teaching due to adoption or one year, whichever is less.

(Source: Amended at 41 Ill. Reg. 14256, effective November 8, 2017)