

1244.

APPROVAL, NOTES OF WAYNE RURAL SCHOOL DISTRICT, ADAMS COUNTY, OHIO—\$6,185.00.

COLUMBUS, OHIO, July 31, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1245.

APPROVAL, NOTES OF UNION TOWNSHIP RURAL SCHOOL DISTRICT, BELMONT COUNTY, OHIO—\$2,196.00.

COLUMBUS, OHIO, July 31, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

1246.

STATE TEACHERS RETIREMENT SYSTEM—DUTIES OF RETIREMENT BOARD PRESCRIBED BY STATUTE—UNAUTHORIZED TO EXTEND RETIREMENT ALLOWANCES CONTRARY TO STATUTE—MAY RETIRE MEMBERS ONLY AFTER APPLICATION THEREFOR.

SYLLABUS:

1. *The duties and powers of the State Teachers Retirement Board in the administration of the State Teachers Retirement System, are prescribed by law and limited by the statutory provision with reference thereto. It possesses no power except such as is expressly given or such as is necessarily implied to carry out the expressed powers granted.*

2. *The State Teachers Retirement Board is without power to extend the retirement allowances or other benefits to members of the State Teachers Retirement System, in any manner other than that authorized by statute.*

3. *The State Teachers Retirement Board may retire members of the Retirement System for disability, only after an application has been made therefor. It is without power to antedate the retirement so as to make retirement allowances and other benefits accrue at some time prior to the date of the report of the medical examination of the member, conducted in pursuance of an application for retirement showing that the member is physically or mentally incapable of performing his duties and ought to be retired.*

COLUMBUS, OHIO, July 31, 1933.

Retirement Board, State Teachers Retirement System, Columbus, Ohio.

DEAR SIRs:—This will acknowledge receipt by me of the following communication submitted over the signature of your secretary:

"I should like your formal opinion on the following:

Section 7896-37-GC provides for disability retirement, and provides