

(II) THE INCAPACITY IS LIKELY TO BE PERMANENT; AND

(III) THE MEMBER SHOULD BE RETIRED.

(B) IN NO EVENT SHALL A MEMBER RECEIVE A DISABILITY ALLOWANCE FOR A DISABILITY INCURRED PRIOR TO ENROLLMENT IN THE RETIREMENT SYSTEM, EXCEPT TO THE EXTENT THAT SUCH A DISABILITY WAS AGGRAVATED SUBSEQUENT TO THE MEMBER'S ENROLLMENT.

(6) ON RETIREMENT ON ORDINARY DISABILITY, A MEMBER SHALL RECEIVE A SERVICE RETIREMENT ALLOWANCE IF HE IS 62 YEARS OLD OR OLDER, OTHERWISE HE SHALL RECEIVE AN ORDINARY DISABILITY RETIREMENT ALLOWANCE AS PROVIDED IN SUBSECTION (2) OF THIS SECTION ON THE BASIS OF HIS AVERAGE FINAL COMPENSATION AND WITH THE CREDITABLE SERVICE THAT HE WOULD HAVE RECEIVED HAD HE CONTINUED IN SERVICE TO AGE 62 WITHOUT ANY CHANGE IN THE RATE OF HIS EARNABLE COMPENSATION.

(7) ON THE APPLICATION OF A MEMBER OR OF HIS STATE OR COUNTY SUPERINTENDENT, ANY MEMBER WHO HAS BEEN TOTALLY AND PERMANENTLY INCAPACITATED FOR DUTY AS THE NATURAL AND PROXIMATE RESULT OF AN ACCIDENT THAT OCCURRED WHILE IN THE ACTUAL PERFORMANCE OF DUTY AT SOME DEFINITE TIME AND PLACE, WITHOUT WILLFUL NEGLIGENCE ON HIS PART, SHALL BE RETIRED BY THE BOARD OF TRUSTEES, IF THE MEDICAL BOARD CERTIFIES THAT:

(I) THE MEMBER IS MENTALLY OR PHYSICALLY INCAPACITATED FOR THE FURTHER PERFORMANCE OF DUTY;

(II) THE INCAPACITY IS LIKELY TO BE PERMANENT;  
AND

(III) THE MEMBER SHOULD BE RETIRED.

A BENEFICIARY WHO IS ENTITLED TO AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE MAY NOT RECEIVE ANY ALLOWANCE ON ACCOUNT OF ORDINARY DISABILITY.

(8) (A) ON RETIREMENT FOR ACCIDENTAL DISABILITY, A MEMBER SHALL RECEIVE A SERVICE RETIREMENT ALLOWANCE IF HE IS 62 YEARS OLD OR OLDER; OTHERWISE HE SHALL RECEIVE AN ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE THAT SHALL CONSIST OF:

(B) AN ANNUITY WHICH SHALL BE THE ACTUARIAL EQUIVALENT OF HIS ACCUMULATED CONTRIBUTIONS AT THE TIME OF HIS RETIREMENT; AND

(C) A PENSION OF 66  $\frac{2}{3}$  PERCENT OF HIS AVERAGE FINAL COMPENSATION, BUT HIS TOTAL ACCIDENTAL DISABILITY RETIREMENT ALLOWANCE MAY NOT EXCEED HIS AVERAGE FINAL COMPENSATION.

(9) (A) ONCE EACH YEAR DURING THE FIRST 5 YEARS FOLLOWING THE RETIREMENT OF A MEMBER ON A DISABILITY