

completed the eligibility requirements for a vested retirement allowance incurs a break in service in which the number of consecutive 1-year breaks in service equals or exceeds the aggregate number of years of eligibility service rendered before the break in service, except for any years of eligibility service disregarded because of any prior break in service, the service rendered before the break in service may not be included in his eligibility service. If a teacher terminates his employment and is reemployed after incurring a break in service, his service before the break in service may not be included in his eligibility service, except as provided in this section.

(2) With respect to any person who was employed by a public school on December 31, 1979, eligibility service for service rendered before that date shall be equal to the creditable service recognized through December 31, 1979 under the retirement system in effect on that date.

[(3) Service for purposes of this section shall mean service as a teacher, whether or not as a teacher as herein defined.]

[(4)] (3) Eligibility service shall include periods while in the military service as specified in Article 65, § 88 of the Code.

[(5)] (4) A period during which a teacher is on a leave of absence approved by the board of trustees, under rules that apply to all teachers similarly situated, shall be included in eligibility service, if the period of leave is not included otherwise under this section.

[(6)] (5) If a former member who is not retired is restored to service without having incurred a break in service, the eligibility service to which he was previously entitled shall be restored to him. If a former member who is not retired has incurred a break in service and is restored to service and the number of consecutive 1-year breaks in service does not at least equal the aggregate number of years of his eligibility service rendered before the break in service, determined as of the time of the break in service, excluding any eligibility service disregarded under this section because of any prior break in service, or if he was entitled to a vested retirement allowance at the time of the break in service, the eligibility service to which he previously was entitled may not be disregarded but shall be restored to him.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1982.

Approved June 1, 1982.