

~~2. If the Board of Trustees and the State Department of Education agree that a superintendent of a local school system has rehired an individual that does not satisfy the criteria provided in paragraph (4)(v) or (vi) and (5), (6), or (8) of this subsection:~~

~~A. on or before July 1 of the year of the finding, the Board of Trustees shall notify the superintendent of the local school system of this individual; and~~

~~B. the local school system shall reimburse the Board of Trustees the amount equal to the reduction to the individual's retirement allowance that would have been made in paragraph (2) of this subsection.~~

~~(iv) The local school system shall make the reimbursement on or before December 31 of the year the local school system receives notice from the Board of Trustees under subparagraph (iii)2A of this paragraph.~~

~~(10) On or before August 1 of each year, the local superintendent shall report to the State Department of Education for the previous school year:~~

~~(i) the number of individuals rehired under paragraph (4)(v) or (vi) or (8) of this subsection;~~

~~(ii) 1. the school and school system where each individual was rehired; and~~

~~2. whether the school:~~

~~A. was not making adequate yearly progress or was a school in need of improvement as defined under the federal No Child Left Behind Act of 2001 and as implemented by the State Department of Education;~~

~~B. was receiving funds under Title 1 of the federal No Child Left Behind Act of 2001; or~~

~~C. provided an alternative education program for adjudicated youths or students who have been expelled, suspended, or identified for suspension or expulsion from a public school;~~

~~(iii) the original date of rehire for each individual;~~

~~(iv) the subject matter taught by each individual; and~~

~~(v) the annual salary of each individual.~~

~~23-307.5.~~

~~(A) THIS SECTION APPLIES ONLY TO A FORMER MEMBER, MEMBER, RETIREE, OR SURVIVING BENEFICIARY OF THE EMPLOYEES' PENSION SYSTEM WHO, WHILE A MEMBER, WAS AN EMPLOYEE OF A PARTICIPATING GOVERNMENTAL UNIT THAT ELECTED THE MODIFIED CONTRIBUTORY PENSION BENEFIT FOR ITS EMPLOYEES UNDER § 31-116.1 OF THIS ARTICLE.~~