

1. IS NOT MAKING ADEQUATE YEARLY PROGRESS OR IS A SCHOOL ~~"IN SCHOOL IMPROVEMENT"~~ 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;

2. IS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

3. PROVIDES AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL.

~~(II) EXCEPT AS PROVIDED IN SUBPARAGRAPH (III) OF THIS PARAGRAPH,~~ AN INDIVIDUAL REHIRED AT A SCHOOL DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL TEACH:

1. IN AN AREA OF CRITICAL SHORTAGE;

2. ~~TECHNOLOGY EDUCATION;~~

~~3.~~ A SPECIAL EDUCATION CLASS FOR STUDENTS WITH SPECIAL NEEDS; OR

~~4.~~ 3. A CLASS FOR STUDENTS WITH LIMITED ENGLISH PROFICIENCY.

~~(III) AN INDIVIDUAL REHIRED AT A SCHOOL DESCRIBED UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH MAY NOT TEACH IN THE ARTS OR PHYSICAL EDUCATION, AS DEFINED BY THE STATE DEPARTMENT OF EDUCATION BY REGULATION.~~

(6) AN INDIVIDUAL WHO IS REHIRED UNDER PARAGRAPH (4)(V) OF THIS SUBSECTION SHALL BE EMPLOYED AS A PRINCIPAL AT A PUBLIC SCHOOL THAT:

(I) IS NOT MAKING ADEQUATE YEARLY PROGRESS OR IS A SCHOOL ~~"IN SCHOOL IMPROVEMENT"~~ 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;

(II) IS RECEIVING FUNDS UNDER TITLE 1 OF THE FEDERAL NO CHILD LEFT BEHIND ACT OF 2001; OR

(III) PROVIDES AN ALTERNATIVE EDUCATION PROGRAM FOR ADJUDICATED YOUTHS OR STUDENTS WHO HAVE BEEN EXPELLED, SUSPENDED, OR IDENTIFIED FOR SUSPENSION OR EXPULSION FROM A PUBLIC SCHOOL.

(7) AN INDIVIDUAL WHO IS REEMPLOYED UNDER PARAGRAPH (4)(IV) OR (V) OF THIS SUBSECTION AT A SCHOOL DESCRIBED UNDER PARAGRAPH (5) OR (6) OF THIS SUBSECTION MAY NOT CONTINUE THAT REEMPLOYMENT AFTER THE SCHOOL MAKES ADEQUATE YEARLY PROGRESS FOR 4 CONSECUTIVE YEARS.

(8) (I) NOTWITHSTANDING PARAGRAPH (5) OF THIS SUBSECTION, EACH SUPERINTENDENT OF A LOCAL SCHOOL SYSTEM MAY REHIRE AN ADDITIONAL