

(1) A member of the faculty at [any of the institutions set forth in § 11-102 of this title] AN EMPLOYING INSTITUTION;

(2) A professional employee at any community college or regional community college ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE;

(3) A University of Maryland System employee who is not designated to be treated as a classified employee by the University under § 12-111 of the Education Article; [or]

(4) [A person] AN INDIVIDUAL who:

(i) Is employed by Morgan State University [or St. Mary's College of Maryland]; and

(ii) Who is not subject to the [Merit System Law] PROVISIONS OF THE STATE PERSONNEL ARTICLE THAT GOVERN THE CLASSIFIED SERVICE; OR

(5) AN INDIVIDUAL WHO:

(I) IS EMPLOYED BY ST. MARY'S COLLEGE OF MARYLAND; AND

(II) IS IN A POSITION DETERMINED BY THE BOARD OF TRUSTEES OF ST. MARY'S COLLEGE OF MARYLAND TO BE A PROFESSIONAL OR FACULTY POSITION.

(D) "EMPLOYING INSTITUTION" MEANS:

(1) THE UNIVERSITY OF MARYLAND SYSTEM;

(2) MORGAN STATE UNIVERSITY;

(3) ST. MARY'S COLLEGE; AND

(4) THE MARYLAND HIGHER EDUCATION COMMISSION WITH RESPECT TO ELIGIBLE EMPLOYEES OF THE COMMISSION OR ANY COMMUNITY COLLEGE OR REGIONAL COMMUNITY COLLEGE ESTABLISHED UNDER TITLE 16 OF THE EDUCATION ARTICLE.

(E) "PARTICIPANT" MEANS AN ELIGIBLE EMPLOYEE WHO ELECTS TO PARTICIPATE IN THE OPTIONAL RETIREMENT PROGRAM.

11-102.

(A) (1) THERE IS AN OPTIONAL RETIREMENT PROGRAM IN WHICH ELIGIBLE EMPLOYEES MAY PARTICIPATE.

(2) THE OPTIONAL RETIREMENT PROGRAM CONSISTS OF THE FOLLOWING PLANS ANNUITY CONTRACTS:

~~(1) THE PLAN OFFERED BY THE EMPLOYING INSTITUTIONS AS OF JANUARY 1, 1993, INCLUDING ANY TYPE OF ANNUITY CONTRACT THAT WAS APPROVED AS OF THAT DATE UNDER THAT PLAN THAT IS APPROVED BY THE UNIVERSITY OF MARYLAND SYSTEM ON OR BEFORE MARCH 1, 1993;~~