

- (I) AN ATTENDANCE OFFICER;
- (II) A CLERK;
- (III) A HELPING TEACHER;
- (IV) A PRINCIPAL;
- (V) A SUPERINTENDENT;
- (VI) A SUPERVISOR; OR
- (VII) A TEACHER;

(2) A FACULTY EMPLOYEE OF AN EDUCATIONAL INSTITUTION SUPPORTED BY AND UNDER THE CONTROL OF THE STATE;

(3) A PROFESSIONAL OR CLERICAL EMPLOYEE OF ANY LIBRARY THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE; OR

(4) A PROFESSIONAL OR CLERICAL EMPLOYEE OF A COMMUNITY COLLEGE THAT IS ESTABLISHED OR OPERATES UNDER THE EDUCATION ARTICLE.

(B) EXCEPTIONS.

SECTIONS 22-206 THROUGH 22-208 OF THIS SUBTITLE DO NOT APPLY TO:

(1) AN INDIVIDUAL WHO HAS ELECTED TO PARTICIPATE IN AN OPTIONAL RETIREMENT PROGRAM UNDER TITLE 30 OF THIS ARTICLE;

(2) AN INDIVIDUAL WHO IS EMPLOYED UNDER A FEDERAL PUBLIC SERVICE EMPLOYMENT PROGRAM; OR

(3) A PROFESSIONAL OR CLERICAL EMPLOYEE OF THE DEPARTMENT OF PUBLIC LIBRARIES OF MONTGOMERY COUNTY WHO ELECTED TO TRANSFER TO THE EMPLOYEES' RETIREMENT SYSTEM OF MONTGOMERY COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 73B, § 3-101(j)(1) and (2), the first sentence of § 3-505(a)(1), and, as it related to membership in an optional retirement program, § 3-201(a), as they related to membership in the Teachers' Retirement System, the first and second sentences of § 3-501(a), the first, second, and third sentences of § 3-502(a), §§ 3-503, 3-504(a), (b), and (d), 3-505(b)(1), the first sentence of § 3-505(b)(2), and § 3-506(a) and (b)(2).

This section is set forth as a scope provision instead of a definition since the definition of "teacher" in former Art. 73B, § 3-101(j) served as a scope provision. Also, the former definition included individuals who would not be considered a teacher under normal usage of the term "teacher".

In subsection (a)(1) of this section, the reference to "day school" is substituted for the former reference to "public school" to reflect that "public school" is no longer defined and to conform to § 23-206 of this article, which applies to membership in the Teachers' Pension System.