

23-407.

(a) Subject to subsection (b) of this section, an individual who is receiving a service retirement allowance or a vested allowance may accept employment with a participating employer on a permanent, temporary, or contractual basis, without any reduction in the allowance, if:

(1) the individual immediately notifies the Board of Trustees of the individual's intention to accept this employment; and

(2) the individual specifies the compensation to be received.

(b) (1) This subsection does not apply to:

(i) an individual whose average final compensation was less than \$10,000 and who is reemployed on a temporary or contractual basis;

(ii) an individual who is serving in an elected position as an official of a participating governmental unit or as a constitutional officer for a county that is a participating governmental unit;

(iii) a retiree of the Teachers' Pension System who:

1. is or has been certified to teach in the State;

2. has verification of satisfactory or better performance in the last assignment prior to retirement;

3. based on the retired teacher's qualifications, has been appointed in accordance with § 4-103 of the Education Article;

4. A. retired with a normal service retirement allowance under § 23-401 of this article; or

B. retired with an early service retirement allowance under § 23-402 of this article and has been retired for at least 12 months;

5. subject to item 6 of this item is employed as:

A. a substitute classroom teacher or substitute teacher mentor in a public school that has been recommended for reconstitution, or has been reconstituted, by the State Board of Education, until the public school meets the standards for school performance set by the State Board of Education;

B. a classroom teacher or teacher mentor in a public school that has been recommended for reconstitution, or has been reconstituted, by the State Board of Education, until the public school meets the standards for school performance set by the State Board of Education;

C. a classroom teacher or teacher mentor in a county or subject area on a statewide basis in which the State Board of Education finds that there is a shortage of teachers, until the State Board of Education finds the shortage no longer exists in that county or subject area on a statewide basis; or