

(1) an employee of a day school in the State under the authority and supervision of a county board of education or the Baltimore City Board of School Commissioners, employed as:

- (i) a clerk;
- (ii) a helping teacher;
- (iii) a principal;
- (iv) a superintendent;
- (v) a supervisor; or
- (vi) a teacher;

(2) a faculty employee of an educational institution supported by and under the control of the State;

(3) a librarian or clerical employee of a library that is established or operates under the Education Article;

(4) a professional or clerical employee of a community college that is established or operates under the Education Article; [or]

(5) a staff employee of the University System of Maryland, Morgan State University, or St. Mary's College who is a member of the Teachers' Pension System as of January 1, 1998, or who transfers from the Teachers' Retirement System on or after January 1, 1998; OR

(6) A NONFACULTY EMPLOYEE OF THE BALTIMORE CITY COMMUNITY COLLEGE WHO:

(I) IS A MEMBER OF THE TEACHERS' PENSION SYSTEM AS OF OCTOBER 1, 2002 AND DOES NOT TRANSFER TO THE EMPLOYEES' PENSION SYSTEM IN ACCORDANCE WITH § 23-202.1 OF THIS SUBTITLE; OR

(II) TRANSFERS FROM THE TEACHERS' RETIREMENT SYSTEM ON OR AFTER OCTOBER 1, 2002.

(b) Sections 23-207 through 23-209 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;

(3) a professional or clerical employee of the Department of Public Libraries of Montgomery County who is participating in the employees' retirement system of Montgomery County;

(4) a staff employee of the University System of Maryland, Morgan State University, or St. Mary's College who becomes employed on or after January 1, 1998