

HOUSE BILL 962

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By: **Delegates Conway, Anderson, Branch, Braveboy, G. Clagett, Eckardt, Griffith, Guzzone, Haynes, Hixson, James, Jones, Levy, Love, Mathias, McIntosh, Niemann, Proctor, Rosenberg, Rudolph, and Stocksdale**

Introduced and read first time: February 9, 2007

Assigned to: Appropriations

A BILL ENTITLED

1 AN ACT concerning

2 **Teachers' Retirement System and Teachers' Pension System – Reemployment**
3 **of Retirees**

4 FOR the purpose of altering the total number of certain retirees of the Teachers'
5 Retirement System or Teachers' Pension System that certain school districts
6 may rehire; altering the criteria for hiring certain retirees of the Teachers'
7 Retirement System or the Teachers' Pension System who are exempt from a
8 certain offset of a retirement allowance; and generally relating to the
9 reemployment of retirees in the Teachers' Retirement System or the Teachers'
10 Pension System.

11 BY repealing and reenacting, without amendments,
12 Article – State Personnel and Pensions
13 Section 22–406(c)(5) and 23–407(c)(5)
14 Annotated Code of Maryland
15 (2004 Replacement Volume and 2006 Supplement)

16 BY repealing and reenacting, with amendments,
17 Article – State Personnel and Pensions
18 Section 22–406(c)(8) and 23–407(c)(8)
19 Annotated Code of Maryland
20 (2004 Replacement Volume and 2006 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article – State Personnel and Pensions**

4 22–406.

5 (c) (5) (i) An individual who is rehired under paragraph (4)(v) of this
6 subsection shall be employed as a classroom teacher, substitute classroom teacher, or
7 teacher mentor in a public school that:

8 1. is not making adequate yearly progress or is a school
9 in need of improvement as defined under the federal No Child Left Behind Act of 2001
10 and as implemented by the State Department of Education;

11 2. is receiving funds under Title 1 of the federal No
12 Child Left Behind Act of 2001; or

13 3. provides an alternative education program for
14 adjudicated youths or students who have been expelled, suspended, or identified for
15 suspension or expulsion from a public school.

16 (ii) An individual rehired at a school described under
17 subparagraph (i) of this paragraph shall teach:

18 1. in an area of critical shortage;

19 2. a special education class for students with special
20 needs; or

21 3. a class for students with limited English proficiency.

22 (8) (i) Notwithstanding paragraph (5) of this subsection, each
23 superintendent of a local school system may rehire an additional number of
24 individuals described under paragraph (4)(v) of this subsection equal to the greater of:

25 1. ~~three~~ **FIVE**; or

26 2. 0.1% of the total full-time equivalent instructional
27 teachers employed by that local school system, rounded up to the nearest whole
28 number not to exceed 10, as reported annually by the State Department of Education.

1 (ii) At any one time, the total number of individuals rehired by a
2 superintendent of a local school system under this paragraph may not exceed the
3 number determined under subparagraph (i) of this paragraph.

4 (iii) An individual rehired under this paragraph:

5 1. **A.** shall be reemployed at a school specified in
6 paragraph (5)(i) of this subsection; and

7 [2.] **B.** may teach any subject or class or provide
8 educational services assigned by the individual's superintendent; **OR**

9 **2. A. MAY BE REEMPLOYED AT ANY SCHOOL**
10 **ASSIGNED BY THE INDIVIDUAL'S SUPERINTENDENT; AND**

11 **B. SHALL TEACH A SUBJECT OR CLASS OR PROVIDE**
12 **EDUCATIONAL SERVICES SPECIFIED IN PARAGRAPH (5)(II) OF THIS**
13 **SUBSECTION.**

14 23-407.

15 (c) (5) (i) An individual who is rehired under paragraph (4)(iv) of this
16 subsection shall be employed as a classroom teacher, substitute classroom teacher, or
17 teacher mentor in a public school that:

18 1. is not making adequate yearly progress or is a school
19 in need of improvement as defined under the federal No Child Left Behind Act of 2001
20 and as implemented by the State Department of Education;

21 2. is receiving funds under Title 1 of the federal No
22 Child Left Behind Act of 2001; or

23 3. provides an alternative education program for
24 adjudicated youths or students who have been expelled, suspended, or identified for
25 suspension or expulsion from a public school.

26 (ii) An individual rehired at a school described under
27 subparagraph (i) of this paragraph shall teach:

28 1. in an area of critical shortage;

