

# **RULE 4-1**

## **BOARD OF TRUSTEES COMPOSITION AND ELECTIONS**

A.C.A. § 24-7-301

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The general administration and proper operation of the System is vested in the Board of Trustees that consists of eleven (11) elected members and four (4) ex-officio members. Pursuant to ACA § 24-7-301, the Board shall adopted rules and regulations regarding the election of trustees and vacancies.

### **I. GENERAL RULES FOR CANDIDACY AND VOTING IN TRUSTEE ELECTIONS**

- A. For purposes of eligibility for an active member trustee position and voting, “active members” shall mean active members as defined in § 24-7-202 (2) and members participating in T-DROP, if employed by a participating employer and receiving T-DROP plan deposits.
- B. If a candidate is employed in more than one position with a participating employer(s), eligibility shall be determined based on his/her primary position for which he/she receives the greater percentage of covered salary.
- C. For purposes of eligibility for an administrator trustee position or voting for that position, “administrator” shall mean a public school superintendent, assistant superintendent, principal, or vice-principal; a higher education president, chancellor or director; or a community college, vocational/technical or educational cooperative director, president, or vice president, who is employed by a participating employer OR any employee of an education related agency participating in ATRS that is employed in a position grade C127 or higher, including unclassified employees.
- D. For purposes of eligibility for a licensed trustee position or voting for that position, “licensure” shall mean a person employed in a position requiring state teaching licensure or an education institution grade C117-C126 and not an administrator.
- E. For purposes of eligibility for a nonlicensed trustee position and voting for that position, “nonlicensed” shall mean employed in a position with a participating employer that does not require state licensure including employment of an educationally related agency in a position Grade C116 or below. Nonlicensed shall not include any position defined as an administrator or licensure.

- F. Only members are authorized to vote in a trustee election. Guardians, attorneys-in-fact, or others may not vote on behalf of a member.
- G. Terms not defined in these rules shall have the meaning set forth in Arkansas Code § 24-7-202 *et. seq.*
- H. An employee working for ATRS is not eligible to be elected to the board, appointed to the board, or be a candidate to be elected or appointed to the board.

## **II. QUALIFICATION AND VOTER ELIGIBILITY FOR ELECTED TRUSTEE POSITIONS**

There shall be four (4) active member trustees each of whom will represent one of the four congressional districts in Arkansas.

### **A. Active Member Trustee Position Nos. 1-4 - Congressional Districts**

- 1. Qualifications for Candidacy
  - i. Active member with a minimum of five (5) years of actual service.
  - ii. Employed by a participating employer located in the congressional district for which he/she is seeking election.
  - iii. Employed in a position requiring state teaching licensure or the equivalent under these rules.

#### 2. Eligible Voters for Trustee Positions Nos. 1-4

Active members, regardless of credited service, employed by participating employers located in the respective congressional districts and who are otherwise eligible to be a candidate under subsection (IIA iii) above.

### **B. Active Administrator Trustee Positions Nos. 5 - 6**

There shall be two (2) active member trustees each of whom must be employed as administrators as defined in these rules.

- 1. Qualifications for candidacy:
  - i. Active member with a minimum of five (5) years of actual service.

- ii. Candidates for Position No. 5 shall be licensed administrators employed as Arkansas school superintendents by a participating employer.
- iii. Position No. 6 shall be licensed administrators employed by a participating employer.

2. Eligible Voters for Trustee Positions Nos. 5-6

Eligible voters for Position No. 5 and 6 shall be active members, regardless of credited service, employed as licensed administrators.

**C. Nonlicensed Trustee Position No. 7**

1. Qualifications for candidacy:

- i. Active member with a minimum of five (5) or more years of actual service.
- ii. Employed in a position not requiring state licensure.

2. Eligible Voters for Trustee Position No. 7

Eligible voters for Position No. 7 shall be all active members, regardless of credited service, who are employed by participating employers in non- licensed positions as defined these rules.

**D. Minority Trustee Position No. 8**

There shall be one (1) member trustee of a minority racial ethnic group.

I. Qualifications for candidacy:

- i. An Active or retirant member of ATRS
- ii. Member of a minority racial or ethnic group

2. Eligible Voters for Position No. 8

- i. All active members, regardless of credited service
- ii. Retirant members

**E. Retired Member Trustees (At - Large) - Position Nos. 9-11**

There shall be three (3) retired member trustees who shall be “retirants” under A.C.A. § 24-7-202 (25).

1. Qualifications for Candidacy
  - i. Retirant member of ATRS
  - ii. Resident of the State of Arkansas
2. Eligible Voters for Position Nos. 9-11

All retirants of ATRS, regardless of present employment status or residency.

**Amended:** April 26, 2007  
February 11, 2008  
December 18, 2009  
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