### ARKANSAS TEACHER RETIREMENT SYSTEM

# **Enabling Laws**

Act 55 of 2014 A.C.A. §24-7-101 et seq.

# **History and Organization**

### **MISSION:**

The Arkansas Teacher Retirement System (ATRS) is a cost sharing, multiple-employer, combination contributory/non-contributory defined benefit pension plan. ATRS provides age and service retirement benefits, Teacher Deferred Retirement Option Plan benefits, disability retirement benefits, survivor benefits, and lump sum death benefits for public school teachers and other educationally related employees as defined by Act 427 of 1973, as amended. ATRS is committed to providing high quality member services (including education and counseling), effectively and prudently managing the investment of the assets of the System, and making accurate and timely benefit payments to retired members or beneficiaries.

As of June 30, 2013, ATRS had 70,660 active members; 36,254 retired members and beneficiaries receiving benefits; 4,265 T-DROP participants; and 13,099 terminated plan members entitled to but not yet receiving benefits. The monthly benefits payroll averaged over \$65,000,000. The System had 337 participating employers. As of June 30, 2013, total assets were over \$13,600,000,000 with net assets available for benefits of over \$12,800,000,000. The System's revenue sources consist of employer and employee contributions and investment earnings.

### **HISTORY OF THE AGENCY:**

The Teacher Retirement System of the State of Arkansas was established by authority of the Arkansas General Assembly on March 17, 1937 pursuant to Act 266 of 1937. Numerous changes were made to the teacher retirement laws over the next 20 years. Act 93 of 1957 combined the existing laws and made further refinements. Act 93 of 1957 was superseded by Act 42 of 1971, which included the changes made since 1957. The teacher retirement laws were rewritten in entirety by Act 427 of 1973. Subsequent changes have been made in the form of amendments to Act 427. Statutes covering the Teacher Retirement System are primarily located in Title 24 of the Arkansas Code, particularly Chapter 7.

Act 541 of 1977 placed the system on the level-percent of payroll funding method and for the first time provided that the employer contribution rate is determined by the most recent actuarial valuation of the System. Act 472 of 1989 exercised the General Assembly's prerogative to set the employer contribution rate. Act 1446 of 2013 authorized the ATRS Board of Trustees to set the employer contribution rate beginning July 1, 2015 subject to legislative mandates. The current employer contribution rate is set at 14% of active member payroll.

On July 1, 2001, the Board of Trustees raised the multipliers for contributory and non-contributory service to 2.15% and 1.39% respectively under the provisions of Act 396 of 1999. Beginning in 1997, ATRS is prohibited by various statutes from implementing any benefit enhancement if (1) it would cause ATRS' unfunded actuarial accrued liabilities to exceed a thirty-year amortization or (2) ATRS has unfunded actuarial accrued liabilities being amortized over a period exceeding thirty years until the unfunded actuarial accrued liability is reduced.

Act 504 of 1985 established a non-contributory plan for members of the system in addition to the contributory plan. Act 93 of 2007, effective July 1, 2007, provides that beginning July 1, 2007, and each July 1 thereafter, active noncontributory members may make an irrevocable election to become contributory; inactive members may make an irrevocable election to become contributory at the time of reemployment regardless of a previous noncontributory status; new members who are not under contract or are contracted less than 181 days enter the system as non-contributory but may make an irrevocable election to become contributory.

Act 653 of 1989 provided that any person employed full-time by a school district after July 1, 1989, must become a member of the Teacher Retirement System. Act 43 of 1991 removed the right of a part-time employee to be excluded from membership in the Teacher Retirement System. Act 974 of 2011 required members to earn 160 days in a fiscal year to obtain one year of credited service.

Act 1096 of 1995 established the Teacher Deferred Retirement Option Plan (T-DROP), which allows members to defer receipt of benefit payments, and to continue to work in a position covered by Teacher Retirement. In order to make T-DROP more cost neutral, Acts 991 and 992 of 2003 made changes in the methods for calculating T-DROP deposits for new members in the T-DROP on or after September 1, 2003. Act 298 of 2007, effective July 1, 2007, changes the date for entering T-DROP to July 1; provides for the extension of employer contribution requirement for post and pre-September 2003 T-DROP members beyond July 1, 2011. Act 743 of 2009 causes T-DROP employer contributions to be the same as the regular employer contribution rate after July 1, 2009.

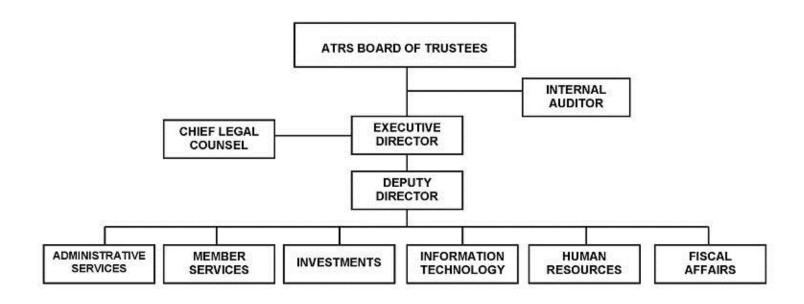
Act 461 of 2001 defined "Normal Retirement Age" as age 65, thus allowing members who reach that age to apply for retirement benefits without termination of employment. Act 45 of 2011 also designates that members under age 65 must terminate employment for a minimum of 1 month to be eligible for retirement benefits.

#### **ADMINISTRATION:**

The general administration and responsibility for the proper operation of the system and for making effective the provisions of the teacher retirement laws is vested in the 15-member Board of Trustees. The State Bank Commissioner, State Treasurer, State Auditor and the

Commissioner of the Department of Education serve as ex-officio members on the Board. Eleven (11) members are elected to the Board; eight (8) are active members and three (3) represent retirees. The Board believes that its paramount purpose is to provide an adequate and equitable retirement plan for the members of the System, to protect its members in the event of total and permanent disability, and to provide in part for their dependents upon their deaths.

The trustees serve without compensation except reimbursement for any necessary expenses incurred in attending meetings of the Board or in performing other official duties as defined by the Board. The Board appoints the Executive Director for the system as well as an actuarial firm to serve as technical advisor on matters regarding the operation of the system on an actuarial basis. The Board has the authority to employ professional investment counsel and to appoint a medical board to advise the Board on disability claims. The Board meets at least quarterly and must have eight (8) members present for a quorum. At least eight (8) concurring votes are needed to reach a decision.



# **Agency Commentary**

During the last biennium, ATRS assets have increased \$3.7 billion, our membership has increased by 3,000, and our monthly benefit payroll has grown to \$70 million. This growth has resulted in greater complexity of our investments and higher demand for member services. In addition, compliance with IRS regulations, tax laws, and new Government Accounting Standards Board (GASB) rules have added time and complexity to ATRS operations.

It is imperative that ATRS be adequately staffed, trained, and prepared to provide the high quality services that our members have come to expect and to fulfill our fiduciary duty to safeguard and properly account for ATRS assets. From providing exact benefit estimates to members to maintaining proper accounting records, it is incumbent upon ATRS to ensure knowledgeable, accurate, and timely information for our members, Board of Trustees, and the general public to use in their decision-making processes.

Through fiscal responsibility, ATRS has remained a strong, stable pension system during tough economic times. The ATRS budget request was created to meet the challenges presented by System growth and provide ever improving services to our members, while remaining true to our fiscally conservative nature.

### **C01 - Regular Salaries and Staffing**

ATRS requests 6 positions for the 2015-2017 Biennium (Regular Salaries \$263,733; Personal Services Matching \$87,497).

### **FISCAL YEAR 2016 PERSONNEL REQUESTS:**

- (1) ATRS Assistant Chief Fiscal Officer (N904). The ATRS Accounting Department is responsible for all fiscal operations of ATRS, paying monthly benefits and refunds to members, properly assessing and collecting retirement contributions, and maintaining accounting records in accordance with Government Accounting Standards. Currently, the ATRS Associate Director for Fiscal Affairs is the only Certified Public Accountant in the Accounting Department. This position is being requested to provide for another Certified Public Accountant to assist the Associate Director in overseeing the Accounting Department's 29 employees, preparing the ATRS Annual Financial Report in accordance with professional standards, safeguarding assets through the maintenance of proper records and procedures, reporting to the Internal Revenue Service, and ensuring uninterrupted service to members. This position will also provide for proper succession planning by ATRS.
- (1) Attorney Specialist (C126). This position is being requested to keep pace with increased legal needs due to an increase in the amount and complexity of ATRS investments. This position will also fill a void left by the military service of one of our attorneys who has been deployed for over a year, with a recent extension of that deployment. Additionally, this position is expected to allow less reliance on more costly outside legal counsel.
- (1) Assistant Controller (C124). This position is needed to keep pace with system growth and ensure the timely and accurate payment of benefits and Internal Revenue Service reporting. The Assistant Controller will provide assistance in supervision of staff, member service, maintenance of benefit payroll records, the proper reporting of income to retirees, and the filing of required reports with the Internal Revenue Service.

- **(2) Retirement Counselors (C117).** In August, 2014, ATRS will launch a new interactive membership website to better serve our members. Research indicates that ATRS can anticipate a 30% increase in call volume due to increased member web information. These positions are being requested for our call center so that we may continue to provide our members with timely, accurate responses to facilitate decisions related to their retirement needs and benefits.
- (1) Scanning Department Manager (C116). This position is needed to oversee the scanning department due to the continuous increase in membership and the number of programs available to ATRS members. With the addition of programs, new forms are developed and implemented, which requires additional training for scanning staff. This position is necessary to oversee all processes of the department to ensure accurate and timely processing of information to member files.

# **Audit Findings**

# DIVISION OF LEGISLATIVE AUDIT AUDIT OF: ARKANSAS TEACHER RETIREMENT SYSTEM

FOR THE YEAR ENDED JUNE 30, 2013

Findings	Recommendations
None	None

# **State Contracts Over \$50,000 Awarded To Minority Owned Businesses Fiscal Year 2014**

None

# **Employment Summary**

	Male	Female	Total	%
White Employees	21	50	71	82 %
Black Employees	4	7	11	13 %
Other Racial Minorities	1	4	5	5 %
Total Minorities			16	18 %
Total Employees			87	100 %

# Cash Fund Balance Description as of June 30, 2014

Fund Account Balance Type Location

3750000 \$0 Checking First Security Bank

Statutory/Other Restrictions on use:

ACA 1-4-801

Statutory Provisions for Fees, Fines, Penalties:

ACA 1-4-801 establishes that the agency may use a cash fund. ACA 24-7-403 restricts the use to benefits, refunds, and other disbursements in accordance with ACA 24-7 et seq.

Revenue Receipts Cycle:

Monthly

Fund Balance Utilization:

Fund balance is returned to the Trust Fund at the end of the year.

# **Publications**

### A.C.A. 25-1-201 et seq.

	Statutory	Required for		# of	Reason(s) for Continued	Unbound Black & White Copies	Cost of Unbound Copies Produced
Name	Authorization	Governor	General Assembly	Copies	Publication and Distribution	Produced During the Last Two Years	During the Last
Agency Comprehensive Annual Financial Report	24-7-305(e)(1), 24-2-702	Y	Y	50	Reports on the financial health of ATRS; provides necessary information to ATRS board; required by GFOA and other entities	0	0.00

# **Department Appropriation Summary**

#### **Historical Data**

	2013-20	14	2014-20	15	2014-20	15			2015-20	16					2016-20	17		
Appropriation	Actual	Pos	Budget	Pos	Authorized	Pos	Base Level	Pos	Agency	Pos	Executive	Pos	Base Level	Pos	Agency	Pos	Executive	Pos
2QV Property Management	0	0	500,000	0	500,000	0	500,000	0	500,000	0	500,000	0	500,000	0	500,000	0	500,000	0
2QW Teacher Retirement System-Operations	138,840,493	95	453,434,311	98	453,907,612	104	453,440,386	98	453,791,616	104	453,594,897	101	453,444,442	98	453,795,672	104	453,598,953	101
C26 Teacher Retirement System-Cash	788,511,892	0	906,000,000	0	906,000,000	0	906,000,000	0	906,000,000	0	906,000,000	0	906,000,000	0	906,000,000	0	906,000,000	0
Total	927,352,385	95	1,359,934,311	98	1,360,407,612	104	1,359,940,386	98	1,360,291,616	104	1,360,094,897	101	1,359,944,442	98	1,360,295,672	104	1,360,098,953	101
Funding Sources		%		%				%		%		%		%		%		%
Cash Fund 4000045	788,511,892	85.0	906,000,000	66.6			906,000,000	66.6	906,000,000	66.6	906,000,000	66.6	906,000,000	66.6	906,000,000	66.6	906,000,000	66.6
Trust Fund 4000050	138,840,493	15.0	453,934,311	33.4			453,940,386	33.4	454,291,616	33.4	454,094,897	33.4	453,944,442	33.4	454,295,672	33.4	454,098,953	33.4
Total Funds	927,352,385	100.0	1,359,934,311	100.0			1,359,940,386	100.0	1,360,291,616	100.0	1,360,094,897	100.0	1,359,944,442	100.0	1,360,295,672	100.0	1,360,098,953	100.0
Excess Appropriation/(Funding)	0		0				0		0		0		0		0		0	
Grand Total	927,352,385		1,359,934,311				1,359,940,386		1,360,291,616		1,360,094,897		1,359,944,442		1,360,295,672		1,360,098,953	

# **Agency Position Usage Report**

			FY20	12 - 2	013		FY2013 - 2014						FY2014 - 2015					
Auth	norized		Budgete	d	Unbudgeted	% of	Authorized	uthorized Budgeted L		Unbudgeted	% of	Authorized	Budgeted			Unbudgeted	% of	
	in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused	in Act	Filled	Unfilled	Total	Total	Authorized Unused
	92	78	14	92	0	15.22 %	101	89	6	95	6	11.88 %	104	87	11	98	6	16.35 %

### **Analysis of Budget Request**

**Appropriation:** 2QV - Property Management

**Funding Sources:** TER - Teacher Retirement Fund

The Property Management Program of the Arkansas Teacher Retirement System pays for the necessary expenses to maintain properties that the System holds as investments. These expenses include, but are not limited to, attorney fees, foreclosure expenses, selling expenses, audit costs, appraisal expenses, property management fees, property rehabilitation costs, travel expenses related to property management, property repairs, property maintenance, advertising expenses, and property operating expenses.

The Agency Request is for Base Level of \$500,000 each year of the 2015-17 Biennium.

The Executive Recommendation provides for the Agency Request.

# **Appropriation Summary**

**Appropriation:** 2QV - Property Management **Funding Sources:** TER - Teacher Retirement Fund

#### **Historical Data**

		2013-2014	2014-2015	2014-2015		2015-2016	·		2016-2017	
Commitment Ite	em	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Property Management	5900046	0	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Total		0	500,000	500,000	500,000	500,000	500,000	500,000	500,000	500,000
Funding Source	es									
Trust Fund	4000050	0	500,000		500,000	500,000	500,000	500,000	500,000	500,000
Total Funding		0	500,000		500,000	500,000	500,000	500,000	500,000	500,000
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		0	500,000		500,000	500,000	500,000	500,000	500,000	500,000

### **Analysis of Budget Request**

**Appropriation:** 2QW - Teacher Retirement System-Operations

**Funding Sources:** TER - Teacher Retirement Fund

The Arkansas Teacher Retirement System provides age, service, survivor, and disability benefits for public school teachers and other covered employees. This appropriation is funded by trust funds of the Teacher Retirement System.

Base Level Regular Salaries and Personal Services Matching include the continuation of the previously authorized 2015 1% Cost of Living Adjustment and Career Service Payments for eligible employees. Personal Services Matching also includes a \$10 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$420 per month. Base Level salaries and matching do not include appropriation for Merit Pay Increases. The Base Level salary of unclassified positions reflects the FY15 line item maximum plus the previously authorized 2015 1% Cost of Living Adjustment.

In addition to Base Level of \$453,440,386 in FY16 and \$453,444,442 in FY17, the Agency Change Level requests of \$351,230 in each year of the biennium reflect the following:

- Regular Salaries and Personal Services Matching of \$351,230 in each year of the biennium to support six (6) new positions: one (1) Assistant Chief Fiscal Officer (Grade N904), one (1) Attorney Specialist (Grade C126), two (2) Retirement Counselors (Grade C117), one (1) Assistant Controller (Grade C124) and one (1) Scanning Department Manager (Grade C116). These positions will be used to provide high quality member services to an increasing number of retirees.
- Reclassification of six (6) positions: one (1) Retirement Section Manager (Grade C123) to one (1) Fiscal Support Manager (Grade C123); one (1) Retirement Investment Specialist (Grade C119) to one (1) Retirement Coordinator; one (1) Internal Auditor (Grade C119) to one (1) Retirement Investment Specialist (Grade C119); one (1) Information Systems Analyst (Grade C117) to one (1) Computer Support Specialist (C117); and two (2) Accountant I (Grade C116) positions to two (2) Retirement Analyst (Grade C116) positions.

The Executive Recommendation provides for the Agency Request, with the exception of the new Assistant Chief Fiscal Officer, Assistant Controller, and the Scanning Department Manager positions.

# **Appropriation Summary**

**Appropriation:** 2QW - Teacher Retirement System-Operations

**Funding Sources:** TER - Teacher Retirement Fund

### **Historical Data**

		2013-2014	2014-2015	2014-2015		2015-2016			2016-2017	
Commitment Iter	n	Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	3,844,520	4,373,155	4,575,092	4,365,962	4,629,695	4,480,489	4,369,062	4,632,795	4,483,589
#Positions		95	98	104	98	104	101	98	104	101
Extra Help	5010001	176,328	200,000	200,000	200,000	200,000	200,000	200,000	200,000	200,000
#Extra Help		14	16	16	16	16	16	16	16	16
Personal Services Matching	5010003	1,357,490	1,450,612	1,721,976	1,463,880	1,551,377	1,503,864	1,464,836	1,552,333	1,504,820
Overtime	5010006	0	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Operating Expenses	5020002	1,843,472	2,934,889	2,934,889	2,934,889	2,934,889	2,934,889	2,934,889	2,934,889	2,934,889
Conference & Travel Expenses	5050009	13,701	30,759	30,759	30,759	30,759	30,759	30,759	30,759	30,759
Professional Fees	5060010	256,228	558,115	558,115	558,115	558,115	558,115	558,115	558,115	558,115
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Benefits-Non Employee	5100023	120,425,813	344,000,000	344,000,000	344,000,000	344,000,000	344,000,000	344,000,000	344,000,000	344,000,000
Refunds/Reimbursements	5110014	8,569,405	20,086,781	20,086,781	20,086,781	20,086,781	20,086,781	20,086,781	20,086,781	20,086,781
Capital Outlay	5120011	52,286	0	0	0	0	0	0	0	0
Professional Sevices	5900043	0	250,000	250,000	250,000	250,000	250,000	250,000	250,000	250,000
Data Processing Services	5900044	0	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Investment Counsel	5900046	2,301,250	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000	2,500,000
Discount Buyout Plan	5900047	0	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000	75,000,000
Total		138,840,493	453,434,311	453,907,612	453,440,386	453,791,616	453,594,897	453,444,442	453,795,672	453,598,953
Funding Sources	3									
Trust Fund	4000050	138,840,493	453,434,311		453,440,386	453,791,616	453,594,897	453,444,442	453,795,672	453,598,953
Total Funding		138,840,493	453,434,311		453,440,386	453,791,616	453,594,897	453,444,442	453,795,672	453,598,953
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		138,840,493	453,434,311		453,440,386	453,791,616	453,594,897	453,444,442	453,795,672	453,598,953

### **Change Level by Appropriation**

**Appropriation:** 2QW - Teacher Retirement System-Operations

**Funding Sources:** TER - Teacher Retirement Fund

#### **Agency Request**

	Change Level	2015-2016	16 Pos Cumulative % of BL 2016-2017		Pos	Cumulative	% of BL		
BL	Base Level	453,440,386	98	453,440,386	100.0	453,444,442	98	453,444,442	100.0
C01	Existing Program	351,230	6	453,791,616	100.1	351,230	6	453,795,672	100.1
C10	Reclass	0	0	453,791,616	100.1	0	0	453,795,672	100.1

#### **Executive Recommendation**

	Change Level	2015-2016	Pos	Cumulative	% of BL	2016-2017	Pos	Cumulative	% of BL
BL	Base Level	453,440,386	98	453,440,386	100.0	453,444,442	98	453,444,442	100.0
C01	Existing Program	202,024	3	453,642,410	100.0	202,024	3	453,646,466	100.0
C10	Reclass	0	0	453,642,410	100.0	0	0	453,646,466	100.0
C13	Not Recommended	(47,513)	0	453,594,897	100.0	(47,513)	0	453,598,953	100.0

	Justification
C01	Increases of \$263,733 in Regular Salaries and \$87,497 in Personal Services Matching are requested for the addition of six (6) new positions. The Attorney Specialist position is requested in order to fill
	existing demand and avoid the high cost of outside counsel. The ATRS Assistant Chief Fiscal Officer position to safeguard assets, manage employees, develop the ATRS Annual Financial report in
	accordance with existing standards, and provide increased accounting expertise to the agency. The Assistant Controller position will ensure compliance with all relevant state and federal tax laws, and
	ensure that continuity of service keeps pace with growing demand. The Scanning Departent Manager is requested to fill the gap between staff and the steadily increasing work load. Two (2)
	Retirement Counselor positions are requested due to a thirty (30) percent increase in call volume.

Agency requests the reclassification of a Senior Auditor position to Accounting Supervisor II in order to establish internal controls, ensure compliance, and monitor ongoing accounting activities. The Agency requests the reclassification of a Retirement Section Manager to a Fiscal Support Manager in order to restructure agency sections and assign additional duties to the position. Agency requests the reclassification of an Informational Systems Analyst position to a Computer Support Analyst in order to better suit the needs of the Data Processing Section and align duties with typical functions of the position. Agency requests the reclassification of two (2) Accountant I positions to two (2) Retirement Analyst positions to provide assistance with delinquent services issues, researching and documenting employee history, providing contribution calculations, and maintaining fiscal reporting methods. Agency requests the reclassification of a vacant Retirement Investment Specialist position to a Retirement Coordinator position to be utilized in the Accounting department.

# **Analysis of Budget Request**

**Appropriation:** C26 - Teacher Retirement System-Cash

**Funding Sources:** 375 - Arkansas Teacher Retirement Fund-Cash

The Arkansas Teacher Retirement System cash fund allows the Agency to make payments to beneficiaries by check or direct deposit.

The Agency Request is for Base Level of \$906,000,000 in both years of the the 2015-17 Biennium.

The Executive Recommendation provides for the Agency Request.

# **Appropriation Summary**

**Appropriation:** C26 - Teacher Retirement System-Cash

**Funding Sources:** 375 - Arkansas Teacher Retirement Fund-Cash

### **Historical Data**

		2013-2014	2014-2015	2014-2015		2015-2016			2016-2017	
Commitment Item		Actual	Budget	Authorized	Base Level	Agency	Executive	Base Level	Agency	Executive
Benefits-Non Employee 51	.00023	786,601,954	900,000,000	900,000,000	900,000,000	900,000,000	900,000,000	900,000,000	900,000,000	900,000,000
Refunds/Reimbursements 51	10014	1,909,938	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000	6,000,000
Total		788,511,892	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000
Funding Sources										
Cash Fund 40	00045	788,511,892	906,000,000		906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000
Total Funding		788,511,892	906,000,000		906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
Grand Total		788,511,892	906,000,000		906,000,000	906,000,000	906,000,000	906,000,000	906,000,000	906,000,000