

ARKANSAS TEACHER RETIREMENT SYSTEM Code of Ethics

The Arkansas Teacher Retirement System (ATRS) Code of Ethics (Code) is the written document that supports the culture of ethical and efficient service to the citizens of the State provided by this agency. The Code describes the behavior expected of employees that perform these services.

ARKANSAS TEACHER RETIREMENT SYSTEM - Code of Ethics

ATRS employees must comply with all applicable laws and regulations. ATRS will not condone employee conduct that either violates, or has the appearance of violating, the law, including the ethical provisions. This includes receiving payments for illegal acts, indirect contributions, rebates, or bribery.

If an employee is uncertain about the application or interpretation of any legal or procedural requirement, the employee should ask for guidance from his or her immediate supervisor.

Conflicts of Interest

ATRS employees must perform their duties in an ethical manner. Employees must not use their position or knowledge gained from their position for private or personal advantage. Arkansas Code Annotated (ACA) §21-8-304 lists certain activities that are ethically prohibited activities for state employees and officials. If an employee becomes involved in a situation that could be considered a prohibited activity, the employee should immediately communicate all the facts to his or her immediate supervisor.

Outside Activities, Employment, and Directorships

ATRS employees should avoid acquiring any business interest, engaging in outside employment or participating in any activity outside ATRS that would conflict with his or her official duties.

Relationships with Clients and Suppliers

Employees must adhere to ACA §19-11-705 in their relationships with clients and suppliers to avoid any conflict of interest. In addition, any employee who has or obtains any benefit from a state contract with a business in which the employee has a financial interest shall make a disclosure to the Director of DFA in accordance with ACA §19-11-706 and the Executive Order 98-04 Rules and Regulations found at http://www.state.ar.us/dfa/procurement/pro_index.html under "agencies".

Gifts, Entertainment, and Favors

Employees must not accept entertainment, gifts, personal favors or preferential treatment that could influence, or appear to influence, their decisions in performing their job functions. Specific procurement law addressing gratuities is codified in ACA §19-11-707 and included in Subchapter 7 of the Procurement Law and Regulations promulgated by the Office of State Procurement.

Refer to Rules on Gifts issued by the Arkansas Ethics Commission for detailed rules on gifts at: http://www.arkansasethics.com/rules/Rules_on_Gifts.doc

Kickbacks and Prohibited Commissions

ATRS employees must not receive kickbacks, prohibited commissions or other prohibited payments from third parties. Violations of this rule will result in imposition of the penalties provided by law. Specific procurement law addressing kickbacks and commissions is codified in ACA §19-11-707 and §19-11-708 and included in Subchapter 7 of the Procurement Law and Regulations promulgated by the Office of State Procurement.

Organization Funds and Other Assets

Employees who have access to ATRS funds in any form must follow the prescribed procedures for recording, handling, and protecting money as detailed in DFA's Financial Management Guide or other explanatory materials, or both. The Financial Management Guide may be found at http://www.arkansas.gov/dfa/accounting/guide/acc_fin_man_guide_index.html. If an employee has knowledge of fraud or waste of public assets, the employee should immediately advise his or her immediate supervisor.

Personal use of ATRS funds or assets is strictly forbidden.

Organization Records and Communications

ATRS's books and records must reflect accurate and timely recording of all business transactions. Full disclosure of assets, liabilities, receipts and disbursements must be made.

Employees must not make or engage in any false record or communication whether internal or external, including but not limited to:

- False expense, attendance, production, financial, or similar reports and statements
- False advertising, deceptive marketing practices, or other misleading representations

Dealing With Outside People and Organizations

Employees must not use their position or affiliation with ATRS when communicating regarding matters not involving ATRS business. Employees must not use organization identification, stationery, supplies, and equipment for personal or political matters.

When communicating publicly on matters that involve ATRS business, employees must not speak for ATRS on any topic, unless they are certain that the views they express are those of ATRS management, and that it is ATRS management's desire that such views be expressed publicly.

When dealing with anyone outside ATRS, including public officials, employees must take care not to compromise the integrity or damage the reputation of ATRS or any other entity.

Prompt Communications

Employees of ATRS shall respond promptly and accurately to all proper requests for information and to all complaints regardless of the source.

Privacy and Confidentiality

a. Uses of ATRS Agency Information

When handling financial and personal information about ATRS members, employers, or other business affiliates, employees shall observe the following principles:

Only the information about ATRS members or business affiliates that is necessary for the job duties assigned to the ATRS employee should be collected and/or retained. All information obtained by ATRS should be collected directly from the entities involved with ATRS business such as participating employers, members or beneficiaries.

All agency records should be retained in accordance with Arkansas law and ATRS policy on records retention for that type of document. Documents that are not required to be retained should be kept only as long as necessary to conduct the employee's work.

All agency employee, member, and proprietary information is confidential and should be used only for the legitimate business purposes of the agency. The internal access to personal information of ATRS members and personnel should be limited to those employees with a legitimate reason to have the information. All persons who conduct business involving the health or medical information of agency

employees or members should follow agency guidelines on the retention and transmittal of that information in compliance with HIPPA.

b. Confidentiality of Member Account Information

An ATRS member's account information including employment, payroll, social security, salary, and beneficiary information is confidential pursuant to ATRS policy and Arkansas law. See ACA §24-4-1003. ATRS employees should not share account information with anyone other than the member or the member's authorized representative. Persons purporting to be a member's authorized representative must provide sufficient documentation to ATRS prior to any account information being released to them. If an employee is unsure whether the person is authorized to receive member information, the employee's supervisor or the ATRS Staff Attorney should be consulted prior to releasing the information.

c. Freedom of Information Act ("FOIA") and Other Requests for Information from Third Parties

ATRS employees may receive requests for information from third parties. These requests may be presented informally or under the FOIA. For example, a third party might request a list of retirees meeting certain criteria or information related to a particular member's retirement account. ATRS employees shall not respond to these requests for information unless directly instructed to do so by ATRS Administration. When a request for information is received, employees should direct the inquiry to the Staff Attorney for an appropriate response.

ATRS employees shall not respond to questions from the media or make public comments on the business matters of the agency. All requests for comments or other inquiries from reporters or other media outlets should be directed to the Executive Director.

Reporting Suspected Fraud

ATRS employees have a responsibility to report occurrences of ethical violations, fraud, waste or abuse of ATRS resources that can be verified through investigation. ATRS employees shall be protected against any form of retaliation, including discharge, for reporting, in good faith, occurrences of ethical violations, fraud, waste or abuse of ATRS resources as stated in ATRS Administrative Memorandum #300.29 and the Arkansas Whistleblower Act (ACA §§21-1-601-609). Investigations to substantiate reported allegations will be conducted in a confidential manner.

Allegations of ethical violations or fraud may be reported to the Arkansas State Employees' Fraud, Waste, and Abuse Report Center (1-800-952-8248) or to the Office of Accounting - Internal Audit Section by telephone (682-0370). A complainant may also choose to report fraud, waste or abuse by completing a Complaint Form obtained at the following web site

http://www.arkansas.gov/dfa/accounting/acc_ia_fraud_reporting.html . Complaint forms can be mailed directly to the Office of Accounting - Internal Audit Section at the following address:

Department of Finance and Administration
Office of Accounting - Internal Audit Section
1515 West 7th Street, Room 215
Little Rock, AR 72201

My signature on this document indicates that I have read and fully understand the prohibited activities and my responsibilities to ATRS as listed in this code of ethics.

Name

Date