



EMPLOYEE TRUST FUNDS BOARD, TEACHERS RETIREMENT BOARD, WISCONSIN RETIREMENT BOARD

Adopted: December 11, 2014

Updated: June 23, 2021

BOARD MEMBER QUALIFICATION POLICY

Purpose

This policy is intended to ensure that Board members understand the requirements applicable to membership on the Employee Trust Funds Board, Wisconsin Retirement Board and Teachers Retirement Board (Boards).

Applicable Law

Wis. Stat. [§§ 15.07](#), [15.16](#) and [15.165](#) defines the membership and qualifications of boards in the State of Wisconsin, including the Employee Trust Funds Board (ETF Board, [15.16 \(1\)](#)), Teachers Retirement Board (TR Board, [15.165 \(3\) \(a\)](#)), Wisconsin Retirement Board (WR Board, [15.165 \(3\) \(b\)](#)).

Policy Goals

The primary goals of this policy are to ensure that the broad membership required by the foregoing statutes and the purposes of that requirement are maintained for the Boards.

Broad Representation

A careful review of the applicable statutes indicates that a principal emphasis is to provide for broad representation on each of the Boards. It also is evident that a primary purpose of the statutes is to have Boards consisting of persons who bring a wide variety of skill sets, career and life experiences, and viewpoints to their participation on those Boards.

The WR Board has 9 members, and the membership is drawn from 9 distinct backgrounds, including members of government bodies with specified skill sets, local and state employees, and a public member who is not a participant or beneficiary of the Wisconsin Retirement System (WRS). The TR Board has 13 members, and the membership is comprised of public-school teachers in various specified areas, an administrator, a school board member, and an annuitant. The ETF Board has 13 members, including 4 members appointed by the WR Board, 4 members appointed by the TR Board, 1 public member who is not a participant or beneficiary of the WRS, 1 annuitant, 1 participant in the WRS who is a non-teacher, and the Governor and the Administrator of the Division of Personnel Management in the Department of Administration or their designees.

Candidates for Board membership are encouraged to consider whether they will be able to maintain that qualification during their entire term of office. Only those candidates who believe they will be able to maintain the qualifications for a particular seat on the Board for the entire length of the specified term are encouraged to seek election or appointment to the Board.

Maintaining Such Broad Representation

To comply with the above statutory requirements and the goals of broad representation on each Board, this policy directs candidates for membership on a Board to consider which of the specified qualifications they satisfy at the time they seek election or appointment. In addition, this policy encourages candidates to consider whether they will be able to maintain that qualification during their entire term of office. Only those candidates who believe they will be able to maintain the qualifications for a particular seat on the Board for the entire length of the specified term are encouraged to seek election or appointment to the Board.

Member Ceases to Meet the Applicable Qualifications

There is no law specifying that a vacancy is created if a Board member, during their term of office, ceases to meet the qualifications applicable at the time of appointment or election. [Wis. Stat. § 15.165 \(1\) \(a\)](#) specifies that a member who ceases to meet the qualifications applicable at the time of appointment or election ceases to be a member of the Board upon election or appointment of a qualified successor.

However, if a member no longer meets the qualifications for their specific seat the member shall notify the applicable Board Chairperson, or the highest-ranking Board member, and the Secretary of ETF of such fact, in writing. In doing so, the member shall indicate whether they can continue to meet their fiduciary duty and whether their continued service on the Board is inconsistent with the qualifications for their specific seat. If such member determines that they are unable to fulfill their fiduciary duty or that their continued service on the Board is inconsistent with the qualification for their specific seat, the member is encouraged to resign from the Board (See [Board Member Resignation Procedure](#)). Such action by a member will ensure the Board will be able to meet the goals of broad representation.

If a term expires for a member that no longer meets the applicable qualifications and a call for nominations returns no candidates, then the seat must be filled via another election or remain vacant until an election may be held.

Oath of Office

[Wis. Stat. § 15.07 \(7\)](#) requires each member of a Board to take and file the official oath prior to assuming office. The language of the official oath is prescribed in [Wis. Stat. § 19.01 \(1\)](#). That language includes the name of the specific office to which the person is being appointed. Accordingly, members of the TR Board and the WR Board appointed to the ETF Board, must take and file an oath of office for the ETF Board. The oath of office is filed with the Secretary of State ([Wis. Stat. § 19.01 \(4\) \(a\) 9.](#)). Past practice has been for ETF to file the oaths for elected and ex officio members and for the Governor's office to file the oaths for Governor appointees.