

Board of Regents Rules

04.1000 Retirement and Deferred Compensation Plans

04.1001 Optional Retirement Program

1. Optional Retirement Program As authorized by Chapter 830 of the Texas Government Code and Section 403(b) of the Internal Revenue Code, the Optional Retirement Program is available for employees eligible to participate under chapter 830 and rules adopted by the Texas Higher Education Coordinating Board.
2. Plan Document The System shall have a written plan document approved by the Board for the Optional Retirement Program in accordance with Section 403(b) of the Internal Revenue Code and consistent with Chapter 830 of the Texas Government Code.
3. Supplemental Employer Contribution Rate The Board delegates to the Chancellor the authority to approve a supplemental employer contribution rate for the Optional Retirement Program in accordance with rules issued by the Texas Higher Education Coordinating Board, provided any approved supplemental employer contribution rate shall be uniform for .42 33BT pd6.iT Q q 0.00000912 0 612 792 re V

3. Tax-Sheltered Annuity Program Plan Document The System shall have a written plan document approved by the Board for the Tax-Sheltered Annuity Program in accordance with Section 403(b) of the Internal Revenue Code.

04.1003 457(b) Deferred Compensation Plan

1. Texas Save! Deferred Compensation Plan As authorized by Chapter 609 of the Texas Government Code and Section 457(b) of the Internal Revenue Code, any eligible System employee defined by the

fiduciaries according to the objectives described in the Retirement Plan Investment Regulation,

- (f) With advice from the Retirement Plan Investment Committee, to appoint, remove, or replace any investment manager, investment advisor, trustees, or any other fiduciary of the Retirement Plans in accordance with the plan documents;
- (g) To recommend to the Chancellor selected companies qualified to provide Retirement Plan investment products and account management, remittance, and compliance services;
- (h) To make such other decisions as are necessary and appropriate to manage prudently the Retirement Plan selection of investment options and investment-related services;
- (i) To perform, or cause to be performed, such record keeping functions as necessary or advisable to administer and maintain the Retirement Plans;
- (j) To maintain, through the UNT System Administration human resources department, a listing of companies authorized to offer annuities or other investments under the Retirement Plans; and
- (k) To take all other actions and make all decisions and interpretations necessary or appropriate to administer and operate the Retirement Plans consistent with the plan documents and applicable law.

04.105 Indemnity

To the extent permitted by law, the System shall indemnify Deputy Chancellor and each member of the Retirement Plan Investment Committee, and any other employee of the System with duties under each Retirement Plan, against expenses (including claims paid) reasonably incurred in connection with any claims made by reason of conduct in the performance of duties under the Retirement Plan, except in relation to acts or omissions made fraudulently or in bad faith. This right of indemnification shall be in addition to any other right that exists as a matter of law or otherwise.

04.106 457(f) Deferred Compensation Plan

1. Establishment of 457(f) Deferred Compensation Plan As authorized by Texas Revised Civil Statutes Annotated Article 6228 Section 3(a), the Board has established a qualified deferred compensation plan pursuant to Section 457(f) of the Internal Revenue Code.
2. Purpose of the Plan Section 457(f) deferred compensation plans

provide financial incentives in recruiting highly qualified candidates for employment and encouraging existing qualified employees to continue to devote their best efforts to the service of the System, System Administration and Institutions. Such plans may be made available for the benefit of a select group of employees as determined solely by the Board. Each participant in the plan shall enter into a separate deferred compensation agreement with the Board.

3. 457(f) Plan Documents The System shall have a master plan document approved by the Board for the 457(f) deferred compensation plan.
4. Delegation of Authority The Board delegates to the Vice Chancellor for Finance the authority to take all actions and to make all decisions and interpretations that may be necessary or appropriate to administer and operate