

**ACTION ITEM #2**  
Adoption of the Washington State University  
Voluntary Investment Plan  
(Barry Johnston)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Adoption of the Washington State University Voluntary Investment Plan

PROPOSED: That the Board of Regents approve and adopt the Washington State University Voluntary Investment Program, restated effective January 1, 2009 (the "Plan"), in or substantially in the form presented to this meeting; and

That the Board of Regents delegate to the President or his designee(s) the authority to make such changes in the Plan, not substantially at variance with the document presented to this meeting, to execute the Plan in the University's name, and to take such other actions as they deem necessary or appropriate to implement the Plan, including without limitation, submission of governmental filings, including application to the Internal Revenue Service for determination letters, and preparation and execution of additional documentation.

SUBMITTED BY: Greg Royer, Vice President for Business and Finance

SUPPORTING  
INFORMATION:

The Board of Regents has authority, pursuant to RCW 28B.10.400, et. seq., to provide retirement and annuity plans to faculty and staff of the University. Pursuant to this authority, the Board of Regents adopted the Washington State University Retirement Plan (WSURP) which is funded on a matching basis by contributions from the employee and the University. In addition to the WSURP, the University also makes available to faculty and staff a tax deferred Supplemental Retirement Account Plan funded entirely by employee contributions within the IRS Section 403(b) limits. Changes were made by Congress to the Internal Revenue Code in 2007 that take effect in January 2009 that impact the Supplemental Retirement Account Plan. Under these changes, the Supplemental Retirement Account Plan needs to be defined in a separate 403(b) plan document.

The new requirement to adopt a separate plan document for the supplemental retirement account is common to all Washington public higher education institutions. The Attorney General's office engaged a private law firm to assist Washington State University and the other institutions in writing the new plan document to ensure compliance with RCW and IRS laws and regulations. The proposed plan is the product of that effort. To avoid confusion with the IRS Section 401(a) WSU Supplementation Plan, this new plan has been re-named the Voluntary Investment Program.