

## **DISCRETIONARY RETIREMENT SAVINGS PLANS FOR EMPLOYEES**

**671.31**

The District may offer various retirement savings plans and programs for employees that are separate from and in addition to the District's participation in the Wisconsin Retirement System. Examples of such plans and programs include any elective 403(b) plan, non-elective 403(b) plan, post-employment 403(b) plan, or 457 plan.

The Director of Finance and Operations is responsible for:

1. Ensuring that the District appropriately maintains and updates legally-required plan/program documents, including ensuring that any required Board approvals are obtained on a timely basis.
2. Establishing systems and procedures necessary to implement the District's responsibilities with respect to each plan or program, such as procedures related to:
  - a. Salary reduction agreements;
  - b. Payroll deductions, including enforcing annual contribution limits according to the information provided by participating employees; and
  - c. The transfer of funds to designated third-party administrators/vendors.
3. Providing information that notifies employees of the available plans and programs.

To the extent consistent with and permitted by applicable laws/regulations, the District's written plan documents, and any relevant third-party agreements, the District reserves discretion to establish and periodically modify rules and procedures that affect the District's general administration of and employees' participation in approved plans and programs, including but not limited to the following:

1. The conditions and procedures for beginning, modifying, or terminating voluntary/elective participation in any such plan or program.
2. The number of times that an employee may modify the amount of any voluntary/elective contributions and the designation of the vendor(s) to which funds are transferred on behalf of the employee.
3. The number of vendors an employee may designate at any one time to receive transferred funds within a particular plan or program.

4. The deadlines for making changes to elective decisions and the effective dates of any such changes.

To the extent required by law, any changes to the rules or procedures addressing the above-listed topics may require amendments to the relevant plan documents and/or specific notice to employees.

Employees are responsible for following the rules and procedures applicable to the plans or programs in which they are participating; for adhering to applicable contribution limits and to applicable restrictions on withdrawals and distributions; for understanding and paying the fees that may be charged to participating employees by third-party administrators and vendors; and for understanding the investment and other risks associated with their participation. To the extent permitted by law, the District assumes no liability for any losses that may be incurred by plan participants.

#### **Legal References**

##### **Wisconsin Statutes**

[Chapter 40, Subchapter VII](#) [section 457 Wisconsin Deferred Compensation Program statutes]  
[Section 66.0518](#) [restrictions on structure of contributions to defined benefit pension plans]

##### **Wisconsin Administrative Code**

[Chapter ETF 70](#) [section 457 Wisconsin Deferred Compensation Program regulations]

##### **Federal Law**

[IRC Section 403\(b\)](#) [revenue code authority for 403(b) plans]  
[IRC Section 457](#) [revenue code authority for 457 plans]

**Adopted:**            **01/17/22**