

**403(b) PLAN DOCUMENT AMENDMENT AND RESTATEMENT RESOLUTION
OF
NEW MEXICO SCHOOL FOR THE ARTS CHARTER SCHOOL**

March 13, 2019

WHEREAS, New Mexico School for the Arts (the "School") has established a retirement plan under Section 403(b) of the Internal Revenue Code of 1986. As amended (the "Code");

WHEREAS, the Internal Revenue Service issue final regulations under Section 403(b) of the Code that would, in relevant part, require the School to adopt a written plan to ensure compliance with Section 403(b) of the Code and the regulation thereunder.

WHEREAS, the School previously adopted the New Mexico School for the Arts 403(b) Plan (the "Plan"), a tax deferred annuity plan intended to meet the requirements of Section 403(b) of the Internal Revenue Code of 1986, as amended, the regulations thereunder, and the requirements of applicable state and/or local law effective on June 7, 2011;

WHEREAS, the School desires to adopt an IRS pre-approved 403(b) plan document in accordance with IRS Rev. Proc. 2013-22;

WHEREAS, the School desires to amend and restate the Plan to the Voya Retirement Insurance and Annuity Company 403(b) Volume Submitter Plan, an IRS pre-approved 403(b) plan document;

WHEREAS, the Governing Council of the School (the "Council") authorizes and ratifies Eric Crites, Head of School, to execute the amendment and restatement of the Plan on behalf of the School to the Voya Retirement Insurance and Annuity Company 403(b) Volume Submitter Plan;

BE IT RESOLVED THAT: the School shall amend and restate the Plan effective March 13, 2019 to the Voya Retirement Insurance and Annuity Company 403(b) Volume Submitter Plan attached hereto as its amended and restated 403(b) plan document.

NEW MEXICO SCHOOL FOR THE ARTS



Bill Beacham,
NMSA Governing Council Chair



Paula Tackett,
NMSA Governing Council Secretary