

**RESOLUTION OF THE STATE BOARD OF TRUSTEES OF
IVY TECH COMMUNITY COLLEGE OF INDIANA TO AMEND THE IVY
TECH COMMUNITY COLLEGE
FLEXIBLE BENEFIT PROGRAM AND SUMMARY**

RESOLUTION 2026-49

WHEREAS, Ivy Tech Community College of Indiana ("Ivy Tech") maintains the Ivy Tech Community College Flexible Benefit Program and Summary ("Program"), a cafeteria plan within the meaning of Section 125 of the Internal Revenue Code that allows eligible employees of Ivy Tech to elect to pay certain benefit plan contributions on a pre-tax basis, including but not limited to salary reduction contributions to health savings accounts, and to participate in flexible spending accounts offered under the Program.

WHEREAS, Ivy Tech has reserved the right to amend the Program at any time, through action of the State Board of Trustees of Ivy Tech Community College of Indiana ("Board of Trustees") and the President of Ivy Tech or his or her designee.

WHEREAS, the Board of Trustees has determined it is desirable and in the best interests of Ivy Tech to amend the Program, effective January 1, 2027, to (i) add a post-deductible feature to the Limited Purpose Health Flexible Spending Account, (ii) update the reinstatement provisions applicable to former participants, (iii) establish a one-year limitations period for filing a lawsuit following exhaustion of the Program's ERISA claims procedures, (iv) provide that COBRA continuation coverage under the Health Flexible Spending Account will only be offered to qualified beneficiaries with underspent accounts, (v) expand the Program's permitted election change rules to allow revocation of family coverage for one or more family members enrolling in Marketplace coverage, and (vi) remove the COVID-19 Addendum to the Program.

NOW THEREFORE, BE IT RESOLVED, that Ivy Tech, by its Board of Trustees, approves and adopts the Fourth Amendment and Summary of Changes to the Ivy Tech Community College Flexible Benefit Program and Summary, effective as stated therein, in the form and substance of a copy of the same which is attached hereto.

RESOLVED FURTHER, that Ivy Tech, by its Board of Trustees, does hereby authorize and direct (i) the President of Ivy Tech or his or her designee to execute the Fourth Amendment and Summary of Changes to the Ivy Tech Community College Flexible Benefit Program and Summary, in the form attached hereto, on behalf of and in the name of the Board of Trustees, and (ii) any additional actions that may be necessary or appropriate to implement the foregoing resolutions and administer the provisions of the Program.

**STATE BOARD OF TRUSTEES
IVY TECH COMMUNITY COLLEGE
OF INDIANA**



Kim Emmert O'Dell, Chair



Michael Dora, Secretary

Dated October 8, 2026