

BLOOMINGTON PUBLIC SCHOOLS 403(B) RETIREMENT PLAN

AMENDMENT

WHEREAS, Bloomington Public Schools (the "Company") maintains the Bloomington Public Schools 403(b) Retirement Plan (the "Plan") for the benefit of certain of its employees; and

WHEREAS, Pursuant to Section 12.01 of the Plan, the Company desires to amend the Plan;

NOW, THEREFORE, the Plan is hereby amended as follows, effective as provided therein:

The response to Part B. Eligibility Item 1.a. of the Adoption Agreement is changed in its entirety effective January 1, 2013 to read as follows:

Exclusions - Elective Deferrals

- 1a.** For purposes of Elective Deferrals, the term "Eligible Employee" shall not include (Check items **B.1a.i - B.1a.vi** as appropriate):
- i.** Employees whose maximum Elective Deferrals would not exceed \$200.
 - ii.** Employees who are eligible to participate in an eligible governmental plan under section 457(b) which permits contributions or deferrals at the election of the employee.
 - iii.** Employees who are eligible to participate in a plan of the Employer offering a qualified cash or deferred election under Code section 401(k) or a contract described in Code section 403(b).
 - iv.** Employees who are non-resident aliens described in Code section 410(b)(3)(C).
 - v.** Employees who are students performing services described in Code section 3121(b)(10).
 - vi.** Employees classified as teachers who normally work fewer than 17.5 hours per week and employees classified as non-teachers who normally work fewer than 20 hours per week as defined in Treas. Reg. section 1.403(b)-5(b)(4)(iii)(B).

NOTE: If the Plan is subject to ERISA and **B.1a.vi** is selected, **B.1a.vi** shall be waived as of the first day of the first month or first day of the seventh month of the Plan Year coincident with or next following the end of an Eligibility Computation Period during which an Employee completes 1,000 Hours of Service; provided, that the individual is otherwise an Eligible Employee under **B.1a.i-B.1a.v**. For purposes of the preceding sentence the following shall also apply: (i) unless otherwise specified in **B.15a**, the Eligibility Computation Period will switch to the Plan Year; and (ii) more frequent entry dates may be specified in an addendum to the Adoption Agreement.

IN WITNESS WHEREOF, the Company has caused this Amendment to be executed this _____ day of _____, 2013.

BLOOMINGTON PUBLIC SCHOOLS:

Signature: _____

Print Name: _____

Title/Position: _____

V4.02-4.02