

Memo

To: Public Education Employers
From: Kades-Margolis Corporation
Date: 2/21/2008
Re: 403(b) Plan Document and TPA Service Forms

M. Kristi Cook, JD and Kades-Margolis Corporation participated on the PASBO Task Force that wrote the PASBO approved documents. In addition, Ms. Cook prepared documents for Kades-Margolis' use with all of our 403(b) employer clients, and we have enclosed same. Both documents are similar and are based on the IRS model documents. You may want to use the PASBO generated documents since not only Kades-Margolis but three additional 403(b) vendors and a number of school business officials took part in the development. Whichever you decide to use, Kades-Margolis will provide its 403(b) Consulting Service and the Third Party Administrator at no cost to the district or its employees. Following is a list of the documents included and an explanation of each:

<u>Document</u>	<u>Description</u>
403(b) Plan Document and Adoption Agreement for Public Education Employers	This is the 403(b) plan document and adoption agreement written by M. Kristi Cook, JD for Kades-Margolis Corporation.
Sample Board Resolution (Sample A)	This sample resolution adopts the 403(b) plan, authorizes an official designee to act on behalf of the plan, appoints Employer Admin Services, Inc to act as the Third Party Administrator, and appoints Kades-Margolis Corporation to act as the district's 403(b) consulting company.
Sample Board Resolution (Sample B)	This sample resolution is similar to Sample A above, except that the appointment of Employer Admin Services, Inc and of Kades-Margolis Corporation are included on a second page, to act as a separate resolution if the employer prefers.
403(b) Program Compliance Services Agreement	This is the agreement between the employer and Employer Admin Services, Inc (EAS) for Third Party Administration Services.

Kades-Margolis Corporation 403(b) Plan Consulting Service Agreement	This is the agreement between the employer and Kades-Margolis Corporation that lists the services Kades-Margolis will perform and other requirements that will allow the employer to receive the Third Party Administration services from EAS at no charge to the employer or its employees.
Service Provider Agreement (Sample)	This is a sample of the Service Provider Agreement that will be sent to all vendors on the employer's approved list if the district is using Employer Admin Services, Inc for their Third Party Administrator.
Salary Reduction Agreement for 403(b) Programs (Sample)	This is a sample Salary Reduction Agreement created by the PASBO 403(b) Task Force that the employer may consider using as a standard/required Salary Reduction Agreement.

Since the Adoption Agreement contains a number of optional features that your district may include or exclude from your 403(b) Plan, if you expect to make any changes to the status quo, we'd suggest you involve other district constituencies (Superintendent, Act 93 leadership, EA and ESP Presidents, etc.) so that staff expectation and bargaining issues can be addressed.

Please contact our Employer Plans Department at (800) 433-1828, ext with any questions or for more information.