

East Bay Innovation Academy's
403(b) Plan

Restated Plan Document
August 1, 2018

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Plan Provisions Section

1. Employer Information

Employer name: East Bay Innovation Academy

Employer address: 3400 Malcolm Ave. Oakland, CA 94605

Person at Employer to contact: Michelle Cho, COO and CFO

Contact's telephone number: 925-683-5431

Contact's email address: michelle.cho@eastbayia.org

2. Plan name: East Bay Innovation Academy's 403(b) Plan

3. Plan Effective/Restatement date: August 1, 2018

Note: is this the first document for your plan? If yes, insert date established. If no, enter date plan was restated to this document.

4. State where Employer is located: California

5. The Administrator (see Section 1.3) shall mean the following person(s) or organization and shall perform the following administrative service functions for the Plan:

Name	Administrative Services Performed
<u>Employer</u>	<u>All</u>

NOTE: If the Employer chooses not to delegate any administrative services, this section should be left blank.

6. Valuation Date (see Section 1.22) shall mean:

Each business day

The last business day of each month

7. List of Funding Vehicles (see Section 1.13) that are authorized to receive Elective Deferrals, Roth 403(b) Contributions, and Employer Contributions under the Plan, including Annuity Contracts and Custodial Accounts offered by (check all that apply):

ING Life Insurance and Annuity Company

ReliaStar Life Insurance Company

ING National Trust Company

Great American - Annuity Investors Life Insurance Company

Oppenheimer Funds

ASPIRE, American Century & Vanguard

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8: List of Vendors that can receive Contract Exchanges (see Section 6.4). Check all that apply:

- ING Life Insurance and Annuity Company
- ReliaStar Life Insurance Company
- ING National Trust Company
- Great American - Annuity Investors Life Insurance Company
- Oppenheimer Funds
- ASPIRE, American Century & Vanguard

9. Roth 403(b) Contributions (see Section 11)

- shall be permitted under the Plan
- shall not be permitted under the Plan

10. (a) Employer Discretionary Contributions (see Section 10):

- shall be permitted under the Plan
- shall not be permitted under the Plan

If permitted, for each Plan Year, the Employer Discretionary Contribution shall be:

- _____% of each Participant's Compensation contributed to the Employer Contributions Account of each Participant.
- \$_____ contributed to the Employer Contributions Account of each Participant.
- An amount, determined uniformly with respect to each Employee classification within the applicable collective bargaining agreement, to the Employer Contributions Account of each Participant as specified in the applicable collective bargaining agreement.

(b) If permitted, Employer Discretionary Contributions shall be made to the following Participants:

- All Employees
- Collectively bargained employees who participate in the following unions:

- Employees whose employment is NOT governed by a collective bargaining agreement between the Employer and employee representatives
- Management employees
- Superintendent
- Principals
- Treasurer
- Administrator
- Other (specify): _____

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11. (a) Employer Matching Contributions (see Section 10):

- shall be permitted under the Plan
 shall not be permitted under the Plan

If permitted, Employer Matching Contributions shall match a Participant's (select all that apply):

- Elective Deferrals
 Roth 403(b) Contributions

If permitted, the amount of Employer Matching Contributions for each Plan Year shall be:

- A matching contribution equal to ____% of each Participant's contribution to the Plan.
 A matching contribution equal to \$____ of each Participant's contribution to the Plan.
 A matching contribution equal to a percentage of each Participant's contribution to the Plan in an amount to be determined each Plan Year by the Employer or the applicable collective bargaining agreement.

(b) If permitted, Employer Matching Contributions shall be made to the following Participants:

- All Employees
 Collectively bargained employees who participate in the following unions:

-
- Employees whose employment is NOT governed by a collective bargaining agreement between the Employer and employee representatives
 Management employees
 Superintendent
 Principals
 Treasurers
 Administrator
 Other (specify): _____
-

12. Signature and acknowledgement

Please note that this document is offered by ING as:

- a 403(b) plan document for public schools intended to meet the requirements of the final 403(b) regulations issued on July 24, 2007 (Federal Register (72 FR 41128));
- a plan document substantially similar to the IRS model plan language under Rev. Proc. 2007-71. Additional features in this 403(b) plan document are the ability to offer Roth 403(b) and/or Employer Contributions under your 403(b) plan, which are not addressed by the IRS model plan language. The document has not been reviewed or approved by the Internal Revenue Service.

A plan sponsor should review this plan document, together with legal counsel to the extent appropriate, to determine whether additional modifications to the plan document may be necessary to address specific facts, circumstances, and applicable law.

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If a plan sponsor elects to adopt this plan document, it must complete the Plan Provisions Section and return the Section to ING to the following address:

ING

ATTN: Claudia Bateman, A3N

One Orange Way

Windsor, CT 06095-4774

If ING does not receive a copy of the completed Plan Provisions Section from the plan sponsor, we cannot provide future updates to this plan document as they become available.

IN WITNESS WHEREOF, the undersigned individual, as authorized by the Employer, has caused this Plan to be executed this 1st day of August, 2018.

Employer: East Bay Innovation Academy

By: Michelle Cho



Title: COO and CFO