

**ADOPTION AGREEMENT FOR THE
CODE SECTION 403(b) TAX SHELTERED ANNUITY
PROGRAM BASIC PLAN DOCUMENT FOR
PUBLIC EDUCATION ORGANIZATIONS**

Employer hereby establishes a 403(b) plan by adopting the following 403(b) plan document (the "Plan"). The Plan shall be comprised of the Code Section 403(b) Tax Sheltered Annuity Program Basic Plan Document for Public Education Organizations, as modified by this Adoption Agreement, including Appendix A attached to this Adoption Agreement.

1. **EMPLOYER INFORMATION (SECTION 1.12 OF THE BASIC PLAN DOCUMENT):**

A. Name of Employer: Bowling Green State University

B. Federal Tax ID: 34-6402018

C. Employer's Address:
Bowling Green State University
ATTN: Human Resources
100 College Park
Bowling Green, OH 43403-0201

D. Telephone Number: (419) 372-8421 Fax: (419) 372-2920

E. Type of Public Education Organization:

- K-12 Public School
- Community College
- Public College/University

Note: If the Employer is not a public education organization under Section 170(b)(1)(A)(ii) of the Code, this document may not be used.

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2. PLAN INFORMATION (SECTIONS 1.20 AND 1.21 OF THE BASIC PLAN DOCUMENT):

A. Name of Plan: The Bowling Green State University 403(b) Plan (the "Plan")

B. Effective Date: This Adoption Agreement:

- Establishes the Plan effective as of _____ (the "Effective Date") and is the first 403(b) plan document established by the Employer.
- Amends and restates a previously established 403(b) Plan document of the Employer. The effective date of this amended Plan is December 3, 2009 (the "Effective Date") unless otherwise specified herein. The original effective date of the Plan is January 1, 2009.

C. Plan Administration: The Plan shall be administered by:

- The Employer.
- The Employer and Vendors jointly as provided in the applicable Funding Vehicle and Vendor agreement between the Employer and each Vendor.
- The following designated Administrator: _____

3. ELIGIBILITY (SECTION 2.1 OF THE BASIC PLAN DOCUMENT): Except as otherwise selected below, all Employees are immediately eligible to make contributions under the Plan. The Plan shall not include:

- Employees who are eligible to participate in one or more plans described under Section 403(b)(12)(A) of the Code during the calendar year sponsored by the Employer (i.e., another Section 403(b) plan, a Section 457(b) plan, or a Section 401(k) plan).
- Employees who are non-resident aliens described in Section 410(b)(3)(C) of the Code.
- Student Employees as classified by the Employer during the calendar year (limited to Employers that are educational institutions).
- Employees who normally work fewer than 20 hours per week (must be 20 or less).
- Other: _____
- No exclusions apply.

4. **VALUATION DATE (SECTION 1.30 OF THE BASIC PLAN DOCUMENT):**

- Each business day.
- The last business day of the month.
- The last day of each calendar year year ending _____.
- Other: Per the terms of the Individual Agreements.

5. **EMPLOYEE CONTRIBUTIONS:**

A. Elective Deferrals. (Section 2.2(a) of the Basic Plan Document)

Effective as of January 1, 2009, the amount of Compensation that a Participant elects to have reduced by the Employer shall be expressed as:

- A specified dollar amount.
- A percentage of Compensation; provided that Participant receives Compensation from Employer for work performed in multiple capacities and elects to reduce Compensation received in each capacity in the same percentage.

In no event, however, may the amount of Compensation a Participant elects to have reduced be less than \$ 150 (must not exceed \$200).

B. Roth 403(b) Contributions. (Section 2.2(b) of the Basic Plan Document)

In addition to Elective Deferral Contributions, the Plan shall authorize the following Contributions:

- Roth 403(b) Contributions to the Plan are permitted beginning on _____.
- Roth 403(b) Contributions are NOT permitted under the Plan.

C. Changes in Elective Deferrals Election. (Section 2.4 of the Basic Plan Document)

Subject to the provisions of the applicable Individual Agreement(s), after his or her initial entry into the Plan, a Participant may change the amount to be contributed to his or her Elective Deferral Account as provided under Section 2.2 of the Plan as follows:

- Once per calendar month.
- Once per calendar quarter.

Other (but no less often than once per calendar year): Once per pay period in accordance with reasonable administrative procedures established by BGSU.

D. Age 50 Catch-Up Contributions. (Section 3.3 of the Basic Plan Document)

The Plan *will* or *will not* permit Employees who will attain age 50 or more by the end of the calendar year to increase their Elective Deferrals as provided under Section 3.3 of the Plan.

E. 15 Years of Service Catch-Up Contributions. (Section 3.2 of the Basic Plan Document)

The Plan *will* or *will not* permit Employees with 15 years of service with the Employer to increase their Elective Deferrals as provided under Section 3.2 of the Plan.

F. Rollover Contributions. (Section 6.1(a) of the Basic Plan Document)

The Plan *will* or *will not* accept rollovers from another eligible plan.

G. Roth Rollover Contributions. (Section 6.1(a) of the Basic Plan Document)

If Roth 403(b) Contributions are permitted to the Plan (above), direct rollovers from other Roth 403(b) or Roth 401(k) plans *are* or *are not* authorized to be rolled over into the Plan or Not Applicable because Roth Contributions to the Plan are not permitted.

6. **EMPLOYER CONTRIBUTIONS (SECTIONS 1.13 AND 11 OF THE BASIC PLAN DOCUMENT):**

No Employer Contributions will be made.

Discretionary non-elective contributions.

Formula non-elective contributions according to the following formula:

Discretionary matching contributions.

Formula matching contributions according to the following formula:

7. **COMPENSATION FOR PURPOSES OF ELECTIVE DEFERRALS (SECTION 1.7 OF THE BASIC PLAN DOCUMENT):**

- Compensation reported on Form W-2.
- Wages for withholding purposes under Code Section 3401.
- Safe harbor compensation under Code Section 415.
- Compensation shall include or shall not include pre-tax compensation reductions (i.e., compensation which is not currently includible in the Participant's gross income by reason of a compensation reduction election under Code Sections 125, 132(f)(4), 401(k), 403(b), or 457(b)).

8. **COMPENSATION FOR PURPOSES OF EMPLOYER CONTRIBUTIONS (SECTION 1.16 OF THE BASIC PLAN DOCUMENT):**

- Same as 7 above.
- Not Applicable.
- Other: _____

9. **EXCHANGES WITHIN THE PLAN (SECTION 6.5 OF THE BASIC PLAN DOCUMENT):** The Plan *will* or *will not* permit Participants to make Exchanges. If permitted, Exchanges may occur between:

- Any Vendor.
- Any Vendor and any other organization offering Annuity Contracts and or Custodial Accounts that satisfy the requirements of Section 403(b) of the Code who execute an Information Sharing Agreement with Employer or its appointee for purposes of satisfying applicable compliance requirements.
- Any Vendor listed in Section A of Appendix A.

10. **TRANSFERS INTO THE PLAN (SECTION 6.2 OF THE BASIC PLAN DOCUMENT):** The Plan *will* or *will not* accept Transfers from another Employer's 403(b) Plan.

11. **TRANSFERS FROM THE PLAN (SECTION 6.3 OF THE BASIC PLAN DOCUMENT):** The Plan *will* or *will not* permit Transfers from the Plan to another Employer's 403(b) Plan, if requested by a former Participant.

12. FINANCIAL HARDSHIP DISTRIBUTIONS (SECTION 5.4 OF THE BASIC PLAN DOCUMENT): Hardship Distributions are or are not available under the Plan subject to availability and any additional conditions that may apply under a Participant's Individual Agreement(s).

13. LOANS (SECTION 4 OF THE BASIC PLAN DOCUMENT): Loans are or are not available under the Plan subject to availability and any additional conditions that may apply under a Participant's Individual Agreement(s).

14. IN-SERVICE DISTRIBUTIONS (SECTION 5.3 OF THE BASIC PLAN DOCUMENT): The Plan will or will not permit in-service distributions subject to availability and any additional conditions that may apply under a Participant's Individual Agreement(s). If permitted, in-service distributions shall be made from:

- Rollover Accounts.
- Accounts other than Rollover Accounts upon attainment of age 59 ½.
- Both.

15. OTHER PROVISIONS: The following section may be used to modify any portion of the Plan or Adoption Agreement:

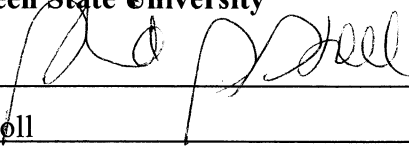
For purposes of Section 6, those Employees who participate in the University Employee Separation Program will receive employer contributions to this Plan to the extent provided in the University Employee Separation Program.

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16. **SIGNATURE:** The Employer acknowledges that it is an eligible public education organization under Section 170(b)(1)(A)(ii) of the Code and is authorized to offer a program qualified under Section 403(b) of the Code.

EMPLOYER: Bowling Green State University

By: _____



Print Name: Sheideen S. Stoll

Title: Chief Financial Officer and Vice President for Finance and Administration

Date: _____

12/15/09

APPENDIX A

**AUTHORIZED 403(b) VENDOR LIST
FOR
THE BOWLING GREEN STATE UNIVERSITY
403(b) PLAN**

This list identifies the Vendors available under the designated 403(b) Plan maintained by the Employer, on or after the effective date of this Appendix A (“Effective Date”). Vendors on this Appendix A shall be subject to requirements and restrictions under the written Plan, if any, provided however that such requirements and restrictions are not intended to enlarge the rights and benefits otherwise set forth in the Individual Arrangements.

Employer: Bowling Green State University Plan Name: The Bowling Green State University 403(b) Plan

Effective Date: April 1, 2009

A. Vendors authorized to receive contributions, receive or make exchanges, or receive or make Transfers under the Plan:

Name of Vendor	Accept Contributions	Accept Exchanges	Accept Transfers	Effectuates Transfers Out
Ameriprise Financial Services	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
The AXA Equitable Life Insurance Company	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
ING Life Insurance and Annuity Company	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
Met Life	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
Modern Woodman of America	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
TIAA-CREF	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009
Variable Annuity Life Insurance Company	January 1, 2009	January 1, 2009	April 1, 2009	April 1, 2009

B. Participants may Transfer funds from one of the following Orphan Providers to an authorized Vendor listed in Section A above of this Appendix A:

Name of Provider	De-Certification Date
USAA	December 31, 2008
Nationwide	December 31, 2008
Merrill Lynch	December 6, 2008
Franklin Templeton Bank and Trust, F.S.B.	December 31, 2008
Fidelity Investments	December 31, 2008

C. Other: _____

Name of Vendor
