

**AMENDMENT TO THE  
MILWAUKEE PUBLIC SCHOOLS 403(b) PLAN  
AS EFFECTIVE JANUARY 1, 2009**

The Milwaukee Public Schools 403(b) Plan ("Plan"), as effective January 1, 2009, is amended pursuant to Section 8.2 of the Plan, as follows:

1. A new Section 5.6 is added to the Plan to be and read as follows:

Effective January 1, 2009, for 2009, unless otherwise provided in the Funding Vehicle, the minimum required distribution requirements set forth in Section 5.2 of the Plan shall be satisfied as provided in either subsection (i) or (ii) below, as determined by the Vendor responsible for the Participant's required minimum distribution and in accordance with the Funding Vehicle:

(i) A Participant or Beneficiary who would have been required to receive required minimum distributions for 2009 but for Code Section 401(a)(9)(H) ("2009 RMDs"), and who would have satisfied that requirement by receiving distributions that are (i) equal to the 2009 RMDs or (ii) one or more payments in a series of substantially equal distributions (that include the 2009 RMDs) made at least annually and expected to last for the life (or life expectancy) of the Participant, the joint lives (or joint life expectancy) of the Participant and the Participant's designated Beneficiary, or for a period of at least ten years ("extended 2009 RMDs") will receive those distributions for 2009 unless the Participant or Beneficiary chooses not to receive such distributions. Participants and Beneficiaries described in the preceding sentence will be given the opportunity to elect to stop receiving the distributions described in the preceding sentence.

(ii) A Participant or Beneficiary who would have been required to receive 2009 RMDs, and who would have satisfied that requirement by receiving distributions that are (i) equal to the 2009 RMDs or (ii) Extended 2009 RMDs, will not receive those distributions for 2009 unless the Participant or Beneficiary chooses to receive such distributions. Participants and Beneficiaries described in the preceding sentence will be given the opportunity to elect to receive the distributions described in the preceding sentence.

Further, subject to the Funding Vehicles, the 2009 RMDs and Extended 2009 RMDs will be treated as eligible rollover distributions in 2009.

2. In all other respects, the Plan shall be and remain unchanged.

IN WITNESS WHEREOF, Milwaukee Public Schools has caused this Amendment to be  
duly executed as of the date executed.

**MILWAUKEE PUBLIC SCHOOLS**

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Signature

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Printed

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Title

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Date