

Appendix B

Plan Restructuring— This Appendix B provides clarification of the plan restructuring of the School District No. 1J, Multnomah County, Oregon ("Portland Public Schools") FSA:

As per IRS regulations, a Flexible Spending Account (FSA) may provide disparate benefits (e.g. differences in maximum benefits, waiting periods, or contributions) if it is "restructured" into separate plans for nondiscrimination testing purposes so long as each "restructured" plan can separately pass both the Eligibility Test and the Benefits Test or Contribution and Benefits Test (as applicable to the components offered). All other applicable nondiscrimination tests will be performed as one plan. The FSA will remain under a single plan document; however, this appendix designates the plans to be considered separately and the applicable provisions of each.

The FSA has been "restructured" into two separate plans for nondiscrimination testing purposes as follows:

- Class I: All Trust Employees (except Substitute Teachers) and OEGB Non-represented Employees
- Class II: OEGB Union
- Class III: Substitute Teachers

All provisions within the FSA shall be the same except for the Entry Requirements:

- Class I Employees are eligible to participate first of the month following 15 days of half-time status.
- Class II Employees are eligible to participate first of the month following 60 days of full-time status.
- Class III Employees are eligible to participate first of the month following 15 days of employment.

In addition, all testing for School District No. 1J, Multnomah County, Oregon ("Portland Public Schools")'s Plan Year 10/1/2022 through 9/30/2023 is combined with PORTLAND PUBLIC SCHOOLS TRUST's Plan Year 1/1/2022 through 12/31/2022.

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