

## SUMMARY OF MATERIAL MODIFICATION

for the

### LAFAYETTE COLLEGE RETIREMENT PLAN

**General.** This is a Summary of Material Modifications regarding the Lafayette College Retirement Plan (the “Plan”). This Summary of Material Modifications supplements the Plan’s Summary Plan Description (the “SPD”) and is intended to replace and supersede any conflicting information contained in the SPD. You should retain this document with your copy of the SPD.

**Summary Description of Modification.** The Plan has been amended by replacing Section G (Withdrawals) of the SPD in its entirety to read:

#### **G. WITHDRAWALS**

1. May I withdraw money from my accounts before I terminate my employment?

Generally, you are not permitted to make withdrawals or receive benefits while you are employed by the College. The Plan is intended to provide you with a retirement benefit, so you are not permitted to withdraw any money from the Plan until you terminate employment with the College. However, withdrawals on account of financial hardship (see Part G, Questions 2, 3 and 4) or after reaching age 59½ (see Part G, Question 5) are permitted.

2. What is a “hardship withdrawal”?

A hardship withdrawal is a withdrawal from your account made because of an immediate and heavy financial need, limited to the amount necessary to satisfy that financial need.

3. What is “immediate and heavy financial need”?

You will be deemed to have an immediate and heavy financial need if you request a hardship withdrawal on account of any of the following circumstances:

- Certain medical expenses as described in Code section 213(d) that are incurred by you, your spouse, or your dependents, or that are necessary to obtain such medical care;
- Costs directly related to the purchase (excluding mortgage payments) of your principal residence;
- Tuition payments and related educational fees for the next 12 months of post-secondary education for you, your spouse, children, or dependents;
- To prevent eviction from your principal residence or foreclosure on the mortgage of your principal residence;
- Payments for burial or funeral expenses for your parent, spouse, children or dependents;
- Expenses for the repair of certain damage to your principal residence; and
- Other circumstances that may be prescribed by the Secretary of the Treasury and approved by the Administrator on a uniform and nondiscriminatory basis.

4. What must I do to qualify for a hardship withdrawal?

You may qualify for a hardship withdrawal if you represent in writing, by electronic means or other form, that you have insufficient cash or other liquid assets to meet a heavy and immediate financial need. In order to take a hardship withdrawal, you must also obtain all other currently available distributions under the Plan and any other plans of deferred compensation (other than a hardship distribution or any loan), whether qualified or nonqualified, maintained by the College and, if you are married, you must receive the consent of your spouse.

5. Do any other rules apply?

The amount of a hardship withdrawal will always be limited to the amount required to meet your immediate and heavy financial need and to pay the federal, state, and local taxes and penalties that will result from the withdrawal.

Even in the case of hardship, you will not be allowed to withdraw more than the aggregate balances in your rollover account and your Voluntary Tax-Deferred Contributions account, minus investment earnings on the Voluntary Tax-Deferred Contributions that have been credited to your account since December 31, 1988.

6. Can I make a withdrawal after reaching age 59½?

When you have reached the age of 59½, with the approval of the Plan Administrator and, if you are married, the consent of your spouse, you may elect to withdraw, at any time, any whole percentage up to 100% of the balances in your rollover account and your voluntary tax-deferred contribution account.

**This document is a Summary of Material Modification made to the Plan. It is not intended to cover all matters addressed in the Plan, but instead is designed to provide affected participants a summary of the modifications made to the Plan since the distribution of the Summary Plan Description. If a provision of this Summary of Material Modification is inconsistent with the formal text of the Plan, the formal text of the Plan will control in all instances. A copy of the Plan document is available for your inspection during regular business hours. Please retain this Summary of Material Modification with the Summary Plan Description of the Plan previously distributed to you.**

**For additional information on the Plan's withdrawal rules, you may contact the Plan sponsor through the Office of Human Resources at the address and telephone number below:**

**Office of Human Resources  
Lafayette College  
Markle Hall  
Easton, Pennsylvania 18042  
Telephone: (610) 330-5060**