

AMENDMENT
TO THE
SYRACUSE CITY SCHOOL DISTRICT FLEXIBLE SPENDING ACCOUNT

Syracuse City School District (the "Employer") maintains the Syracuse City School District Flexible Spending Account (the "Plan") for the benefit of its eligible employees and their dependents and expressly reserves the right to amend the Plan at any time. As such, the Employer desires to amend the Plan to reflect recent changes in applicable law. The "Outbreak Period" provision under the Plan is deleted and replaced, effective as of March 1, 2020, with the following "Temporary Tolling of Certain Timeframes" provision:

Temporary Tolling of Certain Timeframes. Effective as of March 1, 2020, with respect to the Health Care Expense Account component of the Plan, the Plan will disregard days occurring during the "Outbreak Period" (as defined below), for purposes of determining the date by which an individual (e.g., a Participant, claimant, Spouse, Dependent, qualified beneficiary) has to:

- a. elect to initially enroll in COBRA continuation coverage if the 60-day initial election period otherwise would include any day of the Outbreak Period;
- b. make an initial or any subsequent COBRA premium payment if the time period (including the grace period) for making the COBRA premium payment otherwise would include any day of the Outbreak Period;
- c. provide a required notice to the Plan of a COBRA qualifying event, if the time period for providing the notice otherwise would include any day of the Outbreak Period;
- d. file an initial claim for benefits under the Plan if the timely filing period otherwise would include any day of the Outbreak Period; or
- e. file an internal appeal in response to an adverse benefit determination if the time period for filing an internal appeal otherwise would include any day of the Outbreak Period.

In all cases where a time period referred to in (a)-(e) above began before March 1, 2020, in determining the extended time period based on the above rule, any period of time prior to March 1, 2020 will be subtracted from the time period that would apply without the extension to determine the remaining time frame in which a covered person has to act after the end of the Outbreak Period. For example, for a special enrollment request that is subject to a 60-day initial election period, if the initial election period started on February 15, 2020, (i) the period from February 15 through February 29 will count as the first 14 days of the 60-day period (leaving 46 days in the initial election period), (ii) the entire Outbreak Period (March 1, 2020 through February 28, 2021) will be disregarded and (iii) the initial election period will end 46 days after the end of the Outbreak Period, on April 15, 2021.

Coverage with respect to (a), (b) and (c) above, may be retroactive to the date of the qualifying event; provided the covered person makes any required premium payments prior to the end of the extended time period provided for above.

For purposes of this section, the "Outbreak Period" is the period beginning on the later of (1) March 1, 2020 or (2) the "Applicable Event Date" (as defined below) and ending on the earlier of (A) one year from the Applicable Event Date or (B) 60 days after the announced end of the "National Emergency"

SUMMARY OF MATERIAL MODIFICATION (SMM)
TO THE SYRACUSE CITY SCHOOL DISTRICT FLEXIBLE SPENDING ACCOUNT

This document is intended to notify you of important plan changes to the Syracuse City School District Flexible Spending Account (the "Plan") as a result of recent changes in applicable law. This SMM supplements the Syracuse City School District Flexible Spending Account Summary Plan Description ("SPD").

Effective as of March 1, 2020, the "Outbreak Period" provision under the SPD is deleted and replaced with the "Temporary Tolling of Certain Timeframes" provision below:

Temporary Tolling of Certain Timeframes. Effective as of March 1, 2020, with respect to the health care Expense account component of the Plan, the Plan will disregard days occurring during the "Outbreak Period" (as defined below), for purposes of determining the date by which an individual (e.g., a Participant, claimant, Spouse, Dependent, qualified beneficiary) has to:

- a. elect to initially enroll in COBRA continuation coverage if the 60-day initial election period otherwise would include any day of the Outbreak Period;
- b. make an initial or any subsequent COBRA premium payment if the time period (including the grace period) for making the COBRA premium payment otherwise would include any day of the Outbreak Period;
- c. provide a required notice to the Plan of a COBRA qualifying event, if the time period for providing the notice otherwise would include any day of the Outbreak Period;
- d. file an initial claim for benefits under the Plan if the timely filing period otherwise would include any day of the Outbreak Period; or
- e. file an internal appeal in response to an adverse benefit determination if the time period for filing an internal appeal otherwise would include any day of the Outbreak Period.

In all cases where a time period referred to in (a)-(e) above began before March 1, 2020, in determining the extended time period based on the above rule, any period of time prior to March 1, 2020 will be subtracted from the time period that would apply without the extension to determine the remaining time frame in which a covered person has to act after the end of the Outbreak Period. For example, for a special enrollment request that is subject to a 60-day initial election period, if the initial election period started on February 15, 2020, (i) the period from February 15 through February 29 will count as the first 14 days of the 60-day period (leaving 46 days in the initial election period), (ii) the entire Outbreak Period (March 1, 2020 through February 28, 2021) will be disregarded and (iii) the initial election period will end 46 days after the end of the Outbreak Period, on April 15, 2021.

Coverage with respect to (a), (b) and (c) above, may be retroactive to the date of the qualifying event; provided the covered person makes any required premium payments prior to the end of the extended time period provided for above.