







KENTUCKY  
Education Savings Plan Trust

## Withdrawal Guidelines

The Plan does not require you to provide substantiation before processing your withdrawal request. However, it is the Account Owner's responsibility to substantiate withdrawals if the IRS or any state or local taxing authority requires you to do so. You should retain receipts, invoices, relevant documents and any other information deemed adequate to substantiate that a particular expense is a qualified higher education expense or that a particular withdrawal was made on account of the death or disability of, or scholarship award to, the Beneficiary, or was due to the Beneficiary's attendance at a United States Military Academy.

**A discussion of the tax implications, if any, of taking a withdrawal from the Plan appears in the *Disclosure Booklet*. You can download a copy at [www.kysaves.com](http://www.kysaves.com) or request a copy by calling the Plan at 1-877-598-7878.**

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### ➤ Qualified Withdrawals

**Qualified expenses include** the costs of tuition, fees, books, supplies and equipment required for enrollment or attendance at an Eligible Educational Institution. Certain room and board expenses of a Beneficiary at an Eligible Educational Institution are also included, as described below.

**Non-qualified expenses include** commuting/travel expenses, clothing, incidental items, computer equipment and software *unless explicitly required* by the Eligible Educational Institution for the Beneficiary's course of study.

**An Eligible Educational Institution** is generally an accredited postsecondary educational or vocational school that is eligible to participate in federal financial aid programs under Title IV of the Higher Education Act of 1965. Contact your school to determine if it is an Eligible Educational Institution.

**Room and board expenses** may be qualified if the Beneficiary is enrolled in a degree or certificate-program at least half-time. *For students living on campus in institutionally owned or operated housing*, the actual amount paid for room and board will be treated as a qualified expense. *For students living at home with parents and students not living in institutionally owned or operated housing*, the Eligible Educational Institution's "Cost of Attendance" allowance for federal financial aid purposes limits the amount of room and board that may be treated as a qualified expense. Contact your school directly for its "Cost of Attendance".

**Refunds** If an Eligible Educational Institution refunds any part of the Qualified Withdrawal to the Account Owner or Beneficiary, the earnings portion of the withdrawal may be considered a Non-Qualified Withdrawal unless:

- the refund is used for other Qualified Higher Education Expenses of the Beneficiary.
  - the refund was made due to the death or disability of, or receipt of a scholarship award by, the Beneficiary or was due to the Beneficiary's attendance at a United States Military Academy.
  - the refund is deposited as a contribution to a Qualified Tuition Program Account for a "member of the family" of the Beneficiary within 60 days of the withdrawal.
  - the refund was paid to the beneficiary of, or the estate of, the Beneficiary on or after the Beneficiary's death.
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### ➤ Non-Qualified Withdrawals

**Non-Qualified Withdrawals** are withdrawals that are not used to pay Qualified Higher Education Expenses and are not due to the death or disability of, or receipt of a scholarship award by, the Beneficiary nor due to the Beneficiary's attendance at a United States Military Academy; nor paid to the beneficiary of, or the estate of, the Beneficiary on or after the Beneficiary's death. You should consult the *Disclosure Booklet* about the federal and Kentucky tax consequences of taking a Non-Qualified Withdrawal.

**A note about Custodial Accounts (UGMA/UTMA):** Withdrawals from Custodial accounts must be for a purpose permissible under the Uniform Gifts to Minors Act (UGMA) or the Uniform Transfers to Minors Act (UTMA), respectively.

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### ➤ Other Withdrawals

**Other withdrawals** are withdrawals due to the death, disability of or scholarship award to the Beneficiary, or due to the Beneficiary's attendance at a United States Military Academy. You should consult the *Disclosure Booklet* about the federal and Kentucky tax consequences of taking a Non-Qualified Withdrawal.

**Keep all receipts and other documents to substantiate your expenses.**



## List of Approved Documents for Substantiation by Entity Account Owners

Substantiation is required from an entity Account Owner when opening a Plan Account or when conducting a transaction for that Account. Such documentation must include the following:

- the legal status of the entity;
- authorization by the entity to open the Account or conduct the transaction; and
- authorization by the entity for the signer of the form to open the Account or conduct the transaction.

The same document may provide substantiation of all three required elements.

The documents set forth below meet these substantiation requirements and must be original or certified documents, dated no more than 60 days prior to receipt by the Plan.

1. A corporate by-law extract or corporate resolution certified by an officer of the corporation (other than an individual authorized thereby to act as signer for the corporation's Account), with raised seal if in use by the corporation;
2. A certificate signed by the owner of a sole proprietorship;
3. A certificate signed by a general partner of a partnership (other than an individual authorized by the certificate to act as signer for the partnership's Account);
4. A certificate signed by an officer of a limited liability company, other company or association (other than an individual authorized by the certificate to act as signer for the Account of the limited liability company, other company or association);
5. A certificate signed by the chief executive officer of a state or local government agency;
6. A certified copy of a court order establishing an estate and naming a legal representative of the estate that is authorized to act as a signer of the Account of the estate;
7. A certificate signed by the trustee of a trust, a court order, or a certified copy of the portion(s) of a trust instrument, that confirms the creation of the trust and the identity of the trustee, and provides authorization for the trustee to act as a signer for the Account of the trust;
8. A letter or memorandum from the Internal Revenue Service indicating that the entity is an organization described in Section 501(c)(3) of the Internal Revenue Code;
9. An original memorandum exhibiting the appropriate letterhead and containing the holographic signature of any one of the following: (a) the chief executive officer of a corporation or limited liability company; (b) the general partner of a partnership; (c) the owner of a sole proprietorship; or (d) the chief executive officer of a state or local government agency; or
10. If the entity Account Owner is unable to provide substantiation in any of the foregoing forms, the entity Account Owner may propose an alternate form of substantiation to the Plan administrator's designee for consideration. The Plan administrator's designee must review the alternate form of substantiation for authenticity and completeness and must accept or reject it.
  - ***If judged authentic and complete***, the Plan administrator's designee must act on the alternate form of substantiation within 30 business days of so determining.
  - ***If judged inauthentic or incomplete***, the Plan administrator's designee must notify the Account Owner of the rejection of the alternate form of substantiation and set forth the reason for such determination in writing within 30 business days of so determining.

**Please retain a copy of this notice with your records.**