

# FORT BEND ISD

**FBISD**  
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PTO/BOOSTER CLUB  
MANUAL

**2021-2022**

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## Preface

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The Business & Finance Department of Fort Bend Independent School District prepared the *Parent Organization/Booster Club Guidelines* to assist Parent Organization/Booster Clubs in meeting District, University Interscholastic League (UIL), state, and federal requirements. Therefore, it includes checklists, laws, regulations, policies, suggestions, and examples for Parent Organization/Booster Clubs to follow.

The *Guidelines* include some items that must be followed by all Parent Organizations/Booster Clubs, such as District policies and guidelines, UIL guidelines, and state and federal regulations. Other items include suggestions for improving your organization related to day-to-day activities.

***Important:*** *The Business & Finance Department is not an authority on specific accounting situations or tax-related issues concerning individual Parent Organization/Booster Clubs; therefore, Parent Organization/Booster Clubs should obtain competent independent counsel on accounting, legal, and tax matters related to their specific circumstances.*

## Introduction

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Parent Organizations/Booster Clubs are parent organizations established to promote school programs or complement student groups or activities. A Parent Organization's/Booster Club's purpose may be to support a student group or program at a particular school or various student groups or programs at various schools. Students enrich their education and expand their horizons when they participate in school activities and programs. Therefore, the District greatly appreciates the time, effort, and financial support that the Parent Organizations/Booster Clubs provide to our students.

Even though a Parent Organization/Booster Club works very closely with the District, it is a separate entity from the District. However, the formation of a Parent Organization/Booster Club must be approved by an appropriate District Principal or Administrator. In addition, a Parent Organization/Booster Club must adhere to various District policies and guidelines, University Interscholastic League (UIL) guidelines, and state and federal regulatory guidelines.

Parent Organizations/Booster Clubs support a particular student group or program through a Sponsor. The Sponsor is a District employee who serves as the liaison between the Parent Organization/Booster Club and the District. In addition, the pertinent Principal or other appropriate Administrator must approve various activities of both the student group and the related Parent Organization/Booster Club. The main responsibilities of a Parent Organization/Booster Club, a Sponsor, and a Principal or Administrator are indicated below:

**Parent Organization/Booster Club** - A Parent Organization/Booster Club is responsible for supporting a student group, activity, or program. Support may be as simple as providing support at games or an event as complex as raising money for an out-of-state competition. The Parent Organization/Booster Club works through the Sponsor to provide assistance for the planned activities of the student group. The Parent Organization/Booster Club decides the type and amount of assistance they will provide; however, the Parent Organization/Booster Club does not have the authority to decide the activities or trips in which the student group will participate. The parents and the Parent Organization/Booster Club may provide suggestions about particular activities; however, the Sponsor is responsible for the final decision with the Principal's or Administrator's approval.

**Sponsor** - A designated Sponsor of a student group serves as the liaison between the Parent Organization/Booster Club and the District, under the supervision of the Principal or Administrator. The Sponsor is responsible for determining the various activities and trips in which the student group will participate with the approval of the Principal or Administrator. The Sponsor does not have the authority to control the amount of support a Parent Organization/Booster Club provides.

**Principal or Administrator** – The Principal or Administrator is responsible for approving the activities of the student group and some activities of the related Parent Organization/Booster Club. In addition, the Principal or Administrator should approve the constitution and bylaws of the Parent Organization/Booster Club.

The information in this handbook is provided to assist Parent Organizations/Booster Clubs in following pertinent policies and regulations and to provide suggestions for their organization.



## Contact List

### FBISD Business & Finance Dept.

Fax: 281-327-2812

Serenity Lemond, Internal Auditor	Serenity.Lemond@fortbendisd.com	281-634-2812
PTO/Booster Club Documentation	Parent.Org@fortbendisd.com	

### Other Important Phone Numbers

#### District

Dena Scott, Director of Athletics	281-634-1901
James Drew, Director of Fine Arts	281-634-1123
Matthew Antignolo, Director of Child Nutrition	281-634-1189
Payal Pandit Talati, Executive Director of Collaborative Communities	281-634-1112

#### State

<b>Office of the Texas Attorney General</b> <a href="http://www.oag.state.tx.us">www.oag.state.tx.us</a>	512-463-2100
Consumer Protection Division	713-223-5886 1-800-621-0508
Public Information & Assistance	512-463-2007 1-800-252-8011
<b>Texas Secretary of State</b> <a href="http://www.sos.state.tx.us">www.sos.state.tx.us</a>	512-463-5600
<b>Texas State Comptroller's Office</b> <a href="http://www.window.state.tx.u">www.window.state.tx.u</a>	
Web File help	1-800-531-5441
Sales and Use Taxes	1-800-252-5555
<b>University Interscholastic League (UIL)</b> <a href="http://www.uiltexas.org">www.uiltexas.org</a>	512-471-5883

<b>Other Important Phone Numbers</b>	
<b>Federal</b>	
<b>Internal Revenue Service (IRS)</b>	
Main Information	1-800-829-1040
Tax-exempt Organizations <a href="http://www.irs.gov">www.irs.gov</a> (Select Charities & Non-Profits under Contents)	1-877-829-5500 (toll free)
Tax Forms & Publications <a href="http://www.irs.gov">www.irs.gov</a> (Select Forms and Publications under Resources)	1-800-829-3676

# FBISD Elementary Schools

2021-2022



Armstrong Elementary  
Nancy Sanchez - Principal  
3440 Independence Blvd.  
Missouri City 77459  
634-9410 Fax: 327-9409

Austin Parkway Elementary  
Audrey Macklin – Principal  
4400 Austin Parkway  
Sugar Land, 77479  
634-4001 Fax: 634-4014

Barrington Place Elementary  
Ruth Riha – Principal  
2100 Squire Dobbins Drive  
Sugar Land, 77478  
634-4040 Fax: 634-4057

Blue Ridge Elementary  
Sonya Evans-Williams– Principal  
6241 McHard Road (FM 2234)  
Houston, 77053  
634-4520 Fax: 634-4533

Brazos Bend Elementary  
Stephanie Viado – Principal  
621 Cunningham Creek Blvd.  
Sugar Land, 77479  
634-5180 Fax: 634-5200

Briargate Elementary  
Dr. Latoya Garrett– Principal  
15817 Blue Ridge Road  
Missouri City, 77489  
634-4560 Fax: 634-4576

Burton Elementary  
Lakisha Anthony– Principal  
1625 Hunter Green Lane  
Fresno, 77545  
634-5080 Fax: 634-5094

Colony Bend Elementary  
Stacy Brown – Principal  
2720 Planters Street  
Sugar Land, 77479  
634-4080 Fax: 634-4092

Colony Meadows Elementary  
Melissa Bolding – Principal  
4510 Sweetwater Blvd. Sugar  
Land, 77479  
634-4120 Fax: 634-4136

Commonwealth Elementary  
Dr. Latecha Bogle – Principal  
4909 Commonwealth Blvd.  
Sugar Land, 77479  
634-5120 Fax: 634-5140

Cornerstone Elementary  
Margaret Murphy – Principal  
1800 Chatham Ave. Sugar  
Land, 77479  
634-6400 Fax: 327-6400

Drabek Elementary  
April Marsters – Principal  
11325 Lake Woodbridge Drive  
Sugar Land, 77498  
634-6570 Fax: 634-6572

Dulles Elementary  
Kyella Anderson-Griffin – Principal  
630 Dulles Avenue  
Sugar Land, 77478  
634-5830 Fax: 634-5843

E.A. Jones Elementary  
Carlo Leiva – Principal  
302 Martin Lane  
Missouri City, 77489  
634-4960 Fax: 634-4974

Fleming Elementary  
Porsha Dudley - Principal  
14850 Bissonnet  
Houston, 77083  
634-4600 Fax: 634-4615

Glover Elementary  
Nikki Roberts – Principal  
1510 Columbia Blue Drive  
Missouri City, 77489  
634-4920 Fax: 634-4934

Goodman Elementary  
Dr. Felicia Bolden- Principal  
1100 West Sycamore  
Fresno, 77545  
634-5985 Fax: 634-6000

Heritage Rose Elementary  
Gabriella Marie Garza - Principal  
636 Glendale Lakes Drive  
Rosharon, 77583  
327-5400 Fax: 327-5401

Highlands Elementary  
Angela Dow – Principal  
2022 Colonist Park Drive  
Sugar Land, 77478  
634-4160 Fax: 634-4176

Holley Elementary  
Laureen Sanford – Principal  
16655 Bissonnet  
Houston, 77083  
634-3850 Fax: 634-3856

Hunters Glen Elementary  
Lavanta Williams– Principal  
695 Independence Blvd.  
Missouri City, 77489  
634-4640 Fax: 634-4656

Jordan Elementary  
Kimberly Charles – Principal  
17800 West Oaks Village Dr.  
Richmond, 77407  
634-2800 Fax: 634-2801

Lakeview Elementary  
Alena McClanahan – Principal  
314 Lakeview Drive  
Sugar Land, 77498  
634-4200 Fax: 634-4214

Lantern Lane Elementary  
Justin Kowrach – Principal  
3323 Mission Valley Drive  
Missouri City, 77459  
634-4680 Fax: 634-4694

Leonetti Elementary  
Joy Schwinger–Principal  
1757 Waters Lake Blvd  
Missouri City, 77459  
327-3190 Fax: 327-3191

Lexington Creek Elementary  
Christina Hopkins – Principal  
2335 Dulles Avenue  
Missouri City, 77459  
634-5000 Fax: 634-5014

Madden Elementary  
Kristi Durham – Principal  
17727 Abermore Lane  
Richmond, 77407  
327-2740 Fax:327-2742

Malala Elementary  
Lisa Langston- Principal  
11770 W. Aliana Trace Dr  
Richmond, 77407  
327-5700 Fax:

Meadows Elementary  
Courtney Dickey – Principal  
12037 Pender Lane  
Meadows Place, 77477  
634-4720 Fax: 634-4734

Mission Bend Elementary  
Robin Gray– Principal  
16200 Beechnut  
Houston, 77083  
634-4240 Fax: 634-4250

Mission Glen Elementary  
Jacob Nichols – Principal  
16053 Mission Glen  
Houston, 77083  
634-4280 Fax: 634-4296

Mission West Elementary  
Jorge Pena–Principal 7325  
Clodine-Reddick Road  
Houston, 77083  
634-4320 Fax: 634-4334

Neill Elementary  
Lori Hoeffken- Principal  
3830 Harvest Corner Dr.  
Richmond, 77406  
327-3760 Fax 327-3761

Oakland Elementary  
Nancy Hummel – Principal  
4455 Waterside Estates Drive  
Richmond, 77406 634-3730  
Fax: 634-3738

Oyster Creek Elementary  
Deanna Olson– Principal  
16425 Mellow Oaks Lane  
Sugar Land, 77498  
634-5910 Fax: 634-5925

Palmer Elementary  
Kellie Clay – Principal 4208  
Crow Valley Drive Missouri  
City, 77459  
634-4760 Fax: 634-4773

Parks Elementary  
Amber Kent – Principal  
19101 Chimney Rock Road  
Fresno, 77545  
634-6390 Fax: 327-6390

Patterson Elementary Angela  
Wallace- Principal 18702  
Beechnut St. Richmond,  
77407  
327-4260 Fax:327-4261

Pecan Grove Elementary  
Kari Bruhn – Principal  
3330 Old South Drive  
Richmond, 77406  
634-4800 Fax: 634-4814

Quail Valley Elementary  
Carla Patton– Principal  
3500 Quail Village Drive  
Missouri City, 77459  
634-5040 Fax: 634-5054

Ridgegate Elementary  
Marta Rivas- Principal  
6015 West Ridgescreek  
Houston, 77053  
634-4840 Fax: 634-4855

Ridgemont Elementary  
Framy Diaz- Principal  
4910 Raven Ridge Rd.  
Houston, 77053  
634-4880 Fax: 634-4896

Scanlan Oaks Elementary  
Lori Craig- Principal  
9000 Camp Sienna Trail  
Missouri City, 77459  
634-3950 Fax: 634-3915

Schiff Elementary  
Lucretia Deffora – Principal  
7400 Discovery Lane  
Missouri City, 77459  
634-9450 Fax: 327-9449

Seguin Elementary  
Dr Fidel Wells– Principal  
7817 Grand Mission Blvd.  
Richmond, 77407  
634-9850 Fax: 327-7029

Settlers Way Elementary  
Danny Emery – Principal  
3015 Settlers Way Blvd.  
Sugar Land, 77479  
634-4360 Fax: 634-4376

Sienna Crossing Elementary  
Rachel Rosier – Principal  
10011 Steep Bank Trace  
Missouri City, 77459  
634-3680 Fax: 634-3799

Sugar Mill Elementary  
Jamie Geis – Principal  
13707 Jess Pirtle Blvd.  
Sugar Land, 77498  
634-4440 Fax: 634-4459

Sullivan Elementary  
Donna Whisonant– Principal  
17828 Winding Waters Lane  
Sugar Land, 77479  
327-2860 Fax: 327-2861

Townewest Elementary  
Erika Edmond – Principal  
13927 Old Richmond Road  
Sugar Land, 77498  
634-4480 Fax: 634-4494

Walker Station Elementary  
Kathryn Kargbo- Principal  
6200 Homeward Way Blvd.  
Sugar Land, 77479  
634-4400 Fax: 634-4413

\* All phone and fax numbers  
have a 281 area code

## Middle Schools

Baines Middle School  
Elizabeth Williams – Principal  
9000 Sienna Ranch Road  
Missouri City, 77459  
634-6870 Fax: 634-6880

McAuliffe Middle School  
Cozette Church Gaston– Principal  
16650 South Post Oak  
Houston, 77053  
634-3360 Fax: 634-3393

Bowie Middle School  
James Shillingburg – Principal  
700 Plantation Drive Richmond,  
77406  
327-6200 Fax: 327-6201

Missouri City Middle School  
Tasha Hamilton – Principal  
202 Martin Lane  
Missouri City, 77489  
634-3440 Fax: 634-3473

Crockett Middle School  
Tonya Curtis – Principal  
19001 Beechnut  
Richmond, 77407  
634-6380 Fax: 327-6380

Quail Valley Middle School  
Jeffrey Post – Principal  
3019 FM 1092  
Missouri City, 77459  
634-3600 Fax: 634-3632

Dulles Middle School  
Reginald Brown – Principal  
500 Dulles Avenue  
Sugar Land, 77478  
634-5750 Fax: 634-5781

Sartartia Middle School  
Cholly Oglesby– Principal  
8125 Homeward Way  
Sugar Land, 77479  
634-6310 Fax: 634-6373

First Colony Middle School  
Courtney Muceus– Principal  
3225 Austin Parkway  
Sugar Land, 77479  
634-3240 Fax: 634-3267

Sugar Land Middle School  
Keith Fickel– Principal  
321 Seventh Street  
Sugar Land, 77498  
634-3080 Fax: 634-3108

Fort Settlement Middle School  
Michael Hejducek – Principal  
5440 Elkins Road  
Sugar Land, 77479  
634-6440 Fax: 634-6456

Thornton Middle School  
Jennifer Petru- Principal  
1909 Waters Lake Blvd  
Missouri City, 77459  
327-3870 Fax: 327-3871

Garcia Middle School  
Cory Collins– Principal  
18550 Old Richmond Road  
Sugar Land, 77498  
634-3160 Fax: 634-3166

Hodges Bend Middle School  
Brandi Brooks – Principal  
16510 Bissonnet  
Houston, 77083  
634-3000 Fax: 634-3028

Lake Olympia Middle School  
Courtney Clark– Principal  
3100 Lake Olympia Parkway  
Missouri City, 77459  
634-3520 Fax: 634-3549

## High Schools

Austin High School  
Rachel Cortez –Principal  
3434 Pheasant Creek  
Drive Sugar Land, 77498  
634-2000 Fax: 634-2074

Kempner High School  
Lori Oliver– Principal  
14777 Voss Road  
Sugar Land, 77498  
634-2300 Fax: 634-2378

Bush High School  
Felicia James – Principal  
6707 FM 1464  
Richmond, 77407  
634-6060 Fax: 634-6066

Marshall High School  
Dr. Ogechi Uwaga-Sanders –  
Principal  
1220 Buffalo Run  
Missouri City, 77489  
634-6630 Fax: 634-6650

Clements High School  
David Yaffie– Principal  
4200 Elkins Drive  
Sugar Land, 77479  
634-2150 Fax: 634-2168

Ridge Point High School  
Leonard Brogan – Principal  
500 Waters Lake Blvd.  
Missouri City, 77459  
327-5200 Fax: 327-5201

Dulles High School  
Corey Stewart – Principal  
550 Dulles Avenue  
Sugar Land, 77478  
634-5600 Fax: 634-5681

Travis High School  
Sarah Laberge – Principal  
11111 Harlem Road  
Richmond, 77406  
634-7000 Fax: 634-7010

Elkins High School  
Cynthia Ward- Principal  
7007 Knights Court  
Missouri City, 77459  
634-2600 Fax: 634-2674

Willowridge High School  
Terence Hayden – Principal  
16301 Chimney Rock Road  
Houston, 77053  
634-2450 Fax: 634-2513

Hightower High School  
Andre Roberson – Principal  
3333 Hurricane Lane  
Missouri City, 77459  
634-5240 Fax: 634-5333

## Specialized Schools

Hunters Glen Early Literacy  
Center  
Venitra Senegal- Instructional  
Officer  
695 Independence Blvd  
Missouri City, 77489  
634-5671

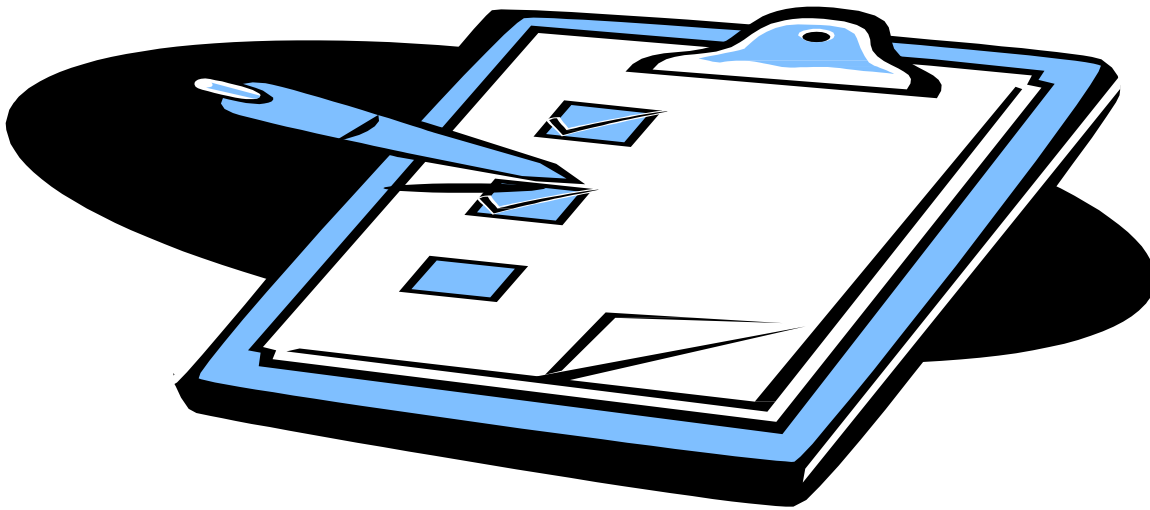
Ferndell Henry Center for  
Learning  
Trevor Lemon – Principal  
7447 FM 521 Road Rosharon,  
77583  
327-6000 Fax: 327-6001

Ridgemont Early Literacy Center  
Yvette Mendoza- Instructional  
Officer  
5353 Ridge Creek Cir.  
Houston, 77053  
634-9810

Progressive High School  
Lisa Jones –Principal  
1555 Independence Blvd.  
Missouri City, 77489  
634-2900 Fax: 634-2913

Reese Career & Technical  
Center  
Julia Erdie- Instructional Officer  
Sugar Land, 77478  
634-1700

# Parent Organization/Booster Club Checklist



## **Included in this section:**

- ❏ **Flowchart that shows the steps for the FIRST YEAR of starting your Parent Organization/Booster Club**
- ❏ **A comprehensive checklist that all Parent Organizations/Booster Clubs should complete.**

# STEPS TO STARTING YOUR OWN PTO/BOOSTER CLUB



## **Parent Organization/Booster Club Checklist**

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The following checklist serves as a guide to help ensure that your Parent Organization/Booster Club has complied with the District's Board Policies and guidelines and federal and state regulations governing Parent Organizations/Booster Clubs. In addition, information you document here will help future officers continue your compliance efforts.

Page  
Reference

### **General**

- |   |                 |
|---|-----------------|
| 1. Provide the District's Business & Finance Dept. and the School Principal or Administrator with a list of the Parent Organization/Booster Club officers at the beginning of each school year and as officers change. The list should include: | 5.3<br>7.3– 7.5 |
| - Name  |                 |
| - Office Held   |                 |
| - Mailing Address (cannot be FBISD school address)  |                 |
| - Home Phone Number   |                 |
| - Work Phone Number   |                 |
| 2. Provide the School Principal or Administrator with the Parent Organization's/Booster Club's constitution, bylaws, and operating procedures when they are originated. In addition, provide updated copies as changes are made.                | 5.3             |
| 3. The Parent Organization's/Booster Club's official mailing address is:  | 7.3             |

Official Name \_\_\_\_\_

PO Box / Street \_\_\_\_\_

City, State and Zip Code \_\_\_\_\_

### **Fund-raisers**

- |   |                  |
|---|------------------|
| 4. Provide the Sponsor and the School Principal or Administrator with a list of fund-raisers planned for the current year by the date established by the School Principal or Administrator or at least 30 days prior to any fund-raisers being held. <i>Fund-raiser Request Form can now be completed online for approval by School Principal or Administrator at least 30 days prior to any fund-raiser being held. See Online Fund-raiser Request Process</i> | 5.3<br>7.25-7.26 |
|---|------------------|

Page  
Reference

- 5. Provide the Sponsor with detailed fund-raising information at least 30 days prior to the fund-raising event.

5.3  
7.25-7.26

The detailed fund-raising information should include:

- Purpose of the fund-raiser,
- Type of fund-raising activity (i.e., candy sale, carnival)
- Date(s), time(s), and place(s) of the activity,
- Name of the sponsoring organization,
- Name and phone number of organization’s representative,
- Name and phone number of person(s) in charge of the fund-raiser, and
- Name and phone number of the person(s) who will be handling the money for the fund-raiser.

- 6. If your Parent Organization/Booster Club has received a limited tax-exemption from the Texas State Comptroller’s Office, your organization is entitled to two (2) “one-day, tax-free” sales/auction days per calendar year. (See Checklist item #15&16.)

6.6

If you are entitled to the two “one-day, tax-free” sales days, indicate the “one-day, tax-free” sales/auction that have been used or that are planned:

Calendar Year \_\_\_\_\_

Date / Fund-raiser \_\_\_\_\_

Date / Fund-raiser \_\_\_\_\_

Calendar Year \_\_\_\_\_

Date / Fund-raiser \_\_\_\_\_

Date / Fund-raiser \_\_\_\_\_

- 7. The Parent Organization/Booster Club cannot require members or students to fund-raise or raise a certain amount. For example, a student’s ability to attend a trip cannot be based on raising a certain amount of money. If your Club is currently requiring fund-raising, discontinue this requirement.

5.2  
7.26-7.27



Page Reference

- 8. The Parent Organization/Booster Club may not use individual accounts to credit an individual for funds raised. If your Club is using individual accounts currently, this practice should be discontinued.

5.2  
7.27

Fund-raising is an opportunity to generate revenue for the Parent Organization/Booster Club as a group, not individuals. Therefore, revenues should be recorded in a group account where all members or students have the same opportunity to **benefit equally** from the revenues.

One member or student should not receive a larger benefit from fund-raising than another. In addition, if a member or student chooses not to participate in the fundraiser, that person still **receives an equal benefit** from the revenues generated.

**Financial Matters**

General

- 9. The bank accounts used by the Parent Organization/Booster Club include:

<u>Bank Name</u>	<u>Account Number</u>
_____	_____
_____	_____
_____	_____
_____	_____

- 10. Determine the identification number used for the bank accounts. The Parent Organization's/Booster Club's Employee Identification Number (EIN) should be used. Do not use an individual's social security number, and **do not use the District's EIN.**

5.2  
6.1

The identification number used for the bank accounts is as follows:

\_\_\_\_\_

Page Reference

- 11. Update the authorized signers on your bank accounts as officers change. 5.3  
7.21

The current authorized signers include the following Parent Organization/Booster Club officers:

	<u>Name of Person</u>	<u>Officer Position Held / District Employee?</u>
Example:	June Bugg	President
	_____	_____
	_____	_____
	_____	_____
	_____	_____

**VERY IMPORTANT**

**GE-R – Parent Organizations**

**District employees may not serve in a financial capacity for a parent or booster organization. Financial capacity is defined as treasurer, fund-raising chair, or check signer, (refer to pages 5.2-5.5)**

- 12. Provide a copy of the written Parent Organization/Booster Club Financial Report for the applicable school year to the School Principal or Administrator and to the Business & Finance Dept. by September 1, of each year. For example, a report for the 2020-21 school year should be submitted by September 1, 2021. 5.3  
7.6-7.18
- 13. Provide a copy of the Parent Organization/Booster Club Review Committee Report that indicates the results of the review of the organization’s financial information, including the Financial Report, to the School Principal or Administrator and to Business & Finance by September 1, of each year along with the Financial Report. 7.12-7.18

State Regulatory Information

6.3-6.10

*The following items need to be done only once since the origination of the Parent Organization/Booster Club.*

14. Determine whether your organization has obtained a Texas Sales Tax Permit.

The Parent Organization's/Booster Club's sales tax permit number is:

\_\_\_\_\_

15. Determine whether your organization has obtained a limited tax-exemption from the Texas State Comptroller's Office.

The Parent Organization/Booster Club has received a limited tax-exemption from the Texas State Comptroller's Office:

- Yes
- No

**Reminder:** Only those organizations with a limited tax-exemption from the Texas State Comptroller's Office are entitled to the two (2) "one-day, tax-free" sales/auction days.

16. If the Parent Organization/Booster Club is incorporated, determine whether your organization has obtained an exemption from Texas franchise tax from the Texas State Comptroller's Office.

The Parent Organization/Booster Club is incorporated:

- Yes
- No

If the Parent Organization/Booster Club is incorporated, an exemption from Texas franchise tax was obtained from the Texas State Comptroller's Office:

- Yes
- No

*The following item is applicable each school year or calendar year.*

- 17. File the Parent Organization’s/Booster Club’s Texas State Sales Tax Reports as required.

*The Texas State Comptroller’s Office determines whether the report needs to be filed quarterly or annually and is subject to change.*

The Parent Organization/Booster Club files its Texas State Sales Tax Report:

- Quarterly or
- Annually.

Federal Regulatory Information

6.1 -6.20

*The following items need to be done only once since the origination of the Parent Organization/Booster Club.*

- 18. Obtain an Employer Identification Number (EIN) from the Internal Revenue Service (IRS).

The EIN for the Parent Organization/Booster Club is: \_\_\_\_\_

- 19. Determine whether the Parent Organization/Booster Club has received tax-exempt status as a public 501(c)(3) organization from the IRS. If the IRS has approved the Clubs’ tax-exempt status, a Determination Letter would have been received from the IRS.

The Parent Organization/Booster Club received its tax-exempt status as a public 501(c)(3) organization from the IRS:

- Yes
- No

**Note: If you have not applied for the tax-exempt status, complete the IRS Form 1023, Application for Recognition of Exemption, and the Form 8718, User Fee for Tax-exempt Organization Determination Letter Request. Submit these forms and the applicable fee to the IRS.**

**If you have applied for the tax-exempt status but you have not received your Determination Letter, you should receive an Acknowledgment of Your Request. Call the IRS to determine the status of your application.**

20. If you have received a Determination Letter from the IRS approving your Parent Organization/Booster Club as a public 501(c)(3) organization, remit a copy to the Business & Finance department.

*The following items may be applicable during each school year or calendar year.*

21. Determine whether your organization is in good standing with the IRS by calling the Exempt Organization Section of the IRS. 2.2
22. Annually file the IRS Form 990-N, 990-EZ or 990 Return of Organization Exempt from Income Tax. The return is typically due by the 15th day of the 5<sup>th</sup> month after the organization's accounting period ends (due 4 1/2 months after your official year-end).

*Official Year-end:* \_\_\_\_/\_\_\_\_/\_\_\_\_

23. Issue 1099 forms to applicable individuals or businesses by January 31, of each year. If 1099 forms are issued, send information to the IRS by February 28, of each year.

Parent Organization /Booster Club Guidelines

24. **As your Parent Organization/Booster Club President or Treasurer changes, give the applicable *Parent Organization/Booster Club Guidelines* handbook to the new officer(s).**

If you have any questions concerning the above items, please refer to the applicable sections of this handbook.

# Do I Really Want To Do This?



**Included in this section:**

- ❏ **Questions to Answer Before You Commit**
- ❏ **Parent Organization/Booster Club Registration & Approval Form**

## Questions to Answer Before You Commit

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Parent Organizations/Booster Clubs provide an important support function to student groups; however, they also require a strong commitment from members to work properly. Therefore, deciding whether or not to form a Parent Organization/Booster Club is a difficult decision that requires careful consideration of the pros and cons of formation. Interested parents should discuss these issues with each other as well as the Sponsor of the student group and the School Principal or Administrator. **The appropriate School Principal must approve, in writing, the formation of a Parent Organization/Booster Club before the Club takes any further action to create a unique identity.**

It is important to remember that parents do not have to form a Parent Organization/Booster Club to support a student group. Parents may still support a student group as parents through fundraisers and other activities in which the students are involved if the student group has a Student (agency) Activity Fund set up through the District. All money generated would be considered the student group's money and would benefit only that group of students. In addition, the District would be responsible for all of the accounting and legal responsibilities of the Student Activity Fund.

The following are some questions to consider when deciding whether or not to form a Parent Organization/Booster Club:

1. Why do I want a Parent Organization/Booster Club?
2. What can a Parent Organization/Booster Club accomplish that cannot be achieved through the use of a Student Activity Fund?
3. Do I have time to commit to a Parent Organization/Booster Club?
4. Are there enough parents with time to commit to a Parent Organization/Booster Club?
5. Am I willing to perform the necessary research, training, and paperwork to be in compliance with all District, UIL, state, and federal regulations?
6. Have I read or will I read the rest of this handbook to discover my responsibilities once a Parent Organization/Booster Club is formed?
7. Have I spoken with other similar Parent Organizations/Booster Clubs to determine what benefits/problems they have experienced?
8. Have I spoken with the Sponsor or Principal to obtain support for the formation of a Parent Organization/Booster Club?

Once you have decided to form a Parent Organization/Booster Club,

1. You must then obtain the written approval of the School Principal or Administrator before proceeding with any other steps to create your identity as a Parent Organization/Booster Club. (*See Parent Organization/Booster Club Registration & Approval Form in this section.*)
2. Send a copy of the written approval to Business & Finance to notify us of the new Parent Organization/Booster Club.
3. Establish the Parent Organization's/Booster Club's mailing address. (You will have to list an official mailing address on several state and federal forms when creating your identity as a Parent Organization/Booster Club; therefore, it is better to get this step done first.) The IRS and the Texas State Comptroller's Office recommend that each Parent Organization/Booster Club obtain a post office box (PO Box) or private mailing box (PMB) to use as the official mailing address of the Parent Organization/Booster Club. The address and box keys can be given easily to the new officers at the beginning of each new year.  
Please understand the importance of maintaining a consistent mailing address for the Parent Organization/Booster Club. First, you will save time since you will not have to update your address each year to the District, the Texas Secretary of State, the Texas State Comptroller's Office, the IRS, and your bank as you would if you used someone's home address.  
Second, Parent Organizations/Booster Clubs receive several important documents from these agencies throughout the year, and if the address changes frequently, some of these documents could be lost or misplaced. The IRS mails forms and other correspondence to Parent Organizations/Booster Clubs periodically. If these forms are not completed and returned to the IRS within a specific time period, a Parent Organization/Booster Club could lose their tax-exempt status, thereby also losing their limited tax-exemption with the State of Texas and possibly face fines and penalties.  
**The District does not allow campus mailing address to be used by the Parent Organization/Booster Club.**
4. Begin the process of creating your own identity with the State of Texas and the Internal Revenue Service.



**Fort Bend Independent School District  
Parent Organization/Booster Club  
Registration & Approval Form**

**To:** \_\_\_\_\_ **Location:** \_\_\_\_\_  
 (Principal's or Administrator's Name) (School's or Department's Name)

Name of Organization: \_\_\_\_\_

Purpose of Organization: \_\_\_\_\_

Student Group to be Supported: \_\_\_\_\_

Faculty Sponsor for Club: (if applicable) \_\_\_\_\_

Current Number of Parent Supporters: \_\_\_\_\_

I agree with the following statements:

- I have spoken with the faculty member who will serve as the Sponsor of the Parent Organization/Booster Club and have received their permission to submit this registration form.
- I have contacted the Business & Finance Department to obtain a copy of the *Parent Organization/Booster Club Guidelines*.
- I have read the *Parent Organization/Booster Club Guidelines* thoroughly and agree to abide by the rules and guidelines it contains.
- I understand that noncompliance with any District policy or criteria may result in the disbanding of the Parent Organization/Booster Club by the Principal or the Administrator.
- I have included a current list of officers or representatives with names, titles, mailing addresses, and phone numbers with this registration form.

**Submitted by:**

_____ / / (President/Representative #1) Date	_____ / / (Vice-President/Representative #2) Date
_____ / / (Treasurer/Representative #3) Date	_____ / / (Sponsor) Date

**For District Use Only**

<b>Received by:</b> _____	<b>Date Received:</b> / /
---------------------------	---------------------------

**Fort Bend Independent School District  
Parent Organization/Booster Club  
Registration & Approval Form**

**APPROVAL OF BOOSTER CLUB:** I, \_\_\_\_\_,  
(Principal's or Administrator's Name)  
\_\_\_\_\_  
(Position) at \_\_\_\_\_  
(School's or Department's Name)  
authorize \_\_\_\_\_ to conduct student and  
(Parent Organization/Booster Club Name)  
organizational related activities for the benefit of \_\_\_\_\_  
(Student Group)  
This registration approval is effective for the school year beginning \_\_\_\_\_ and  
(School Year)  
will continue until such time as the Parent Organization/Booster Club no longer exists.

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Principal's or Administrator's Signature                      Date

**DISAPPROVAL OF CLUB/GROUP:** I, \_\_\_\_\_,  
(Principal's or Administrator's Name)  
\_\_\_\_\_  
(Position) at \_\_\_\_\_  
(School's or Department's Name)  
**do not authorize** \_\_\_\_\_ to become a Club/Group.  
(Parent Organization/Booster Club Name)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Principal's or Administrator's Signature      Date

- **The original form should be sent to a representative of the Parent Organization/Booster Club shown on the front of this form.**
- **Please make copies of BOTH SIDES of this form for:**
  - The Principal or Administrator
  - Business & Finance Dept, Fort Bend Administration Bldg
  - The Sponsor

# Following the Rules...



## **Included in this section:**

- ❏ **Authoritative Guidelines Overview**
- ❏ **District Administrative Procedure GE-R**
- ❏ **District Board Policy GKD (Local)**
- ❏ **District Administrative Procedure GKD-R**
- ❏ **University Interscholastic League (UIL) Booster Club Guidelines**
- ❏ **State & Federal Regulatory Summary**

## Authoritative Guidelines Overview

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Parent Organizations/Booster Clubs are governed by various entities. The School District has Board Policies and guidelines that **must be followed** by Parent Organizations/Booster Clubs, as well as guidelines that the School Principal or Administrator may implement. Also, the Parent Organizations/Booster Clubs must follow the guidelines of the University Interscholastic League (UIL); the State of Texas; and the federal government, through the Internal Revenue Service (IRS). Some state regulations relate to state sales tax while other regulations involve becoming incorporated or involve the holding of a raffle.

The following information is included in this section:

District Board Policy GE (Local), *Relations with Parents or Parents' Organizations*

District Administrative Procedure GE-R, *Parent Organizations*

District Board Policy GKD (Local), *Nonschool Use of School Facilities*

District Administrative Procedure GKD-R, *Community Use of School Facilities*

UIL Booster Club Guidelines

State and Federal Regulations Summary

The UIL Booster Club Guidelines do not necessarily include all rules that may apply to your organization. For specific questions, you should contact the UIL directly.

The state and federal regulatory information included in this section does not include all laws or rules that may apply to your particular situation. This information is provided by the District's Business & Finance Department; however, Business & Finance is not an authority on specific accounting situations or tax-related issues concerning individual Parent Organizations/Booster Clubs. Therefore, Parent Organizations/Booster Clubs should obtain competent independent counsel, such as a Certified Public Accountant (CPA) or an attorney, to address accounting and tax matters related to their specific circumstances. The cost of these services would be the Parent Organization's/Booster Club's responsibility. In addition, the IRS and the Texas State Comptroller's Office may be contacted for questions related to your organization's specific situation.

### **IMPORTANT**

**Parent Organization/Booster Club officers are solely responsible for ensuring that their Parent Organization/Booster Club is in compliance with District policies and guidelines, UIL guidelines, and state and federal regulations.**

**Therefore, the District, including any District employee, is not responsible for a Parent Organization/Booster Club not complying with the various policies, guidelines, and regulations.**

**PARENT ORGANIZATIONS**

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**ORGANIZATION**

The district encourages full participation and involvement in the education of students through the involvement of voluntary parent organizations that may be formed to promote the school program or to complement a particular student group or activity.

The formation of each organization is subject to the approval of the Superintendent.

Each organization shall operate under a constitution and/or by-laws approved by the principal of the school with which the organization is associated. Current by-laws and constitutions shall be submitted to the Superintendent or designee each September.

A current listing of officers for each parent organization shall remain on file in the principal's office at all times.

Parent organizations operate autonomously of the district, even though they generally exist solely to support school activities.

**LIAISON**

The campus principal shall serve as district liaison with any parent organization affiliated with the school. If an organization is affiliated with a specific student group, the faculty sponsor of such student group may be designated, by the principal, to serve as liaison.

**FUND-RAISING**

Parent organizations may conduct fund-raising activities to benefit student groups and activities.

By August 1 and January 1 of each year, each campus principal must submit a semi-annual campus fund-raising plan to the assistant superintendent. The plan shall list the organizations that will engage in fund-raising activities and the proposed use of funds raised during the semester. Campus fund-raising plans shall be approved by the superintendent or designee. (See Exhibit GE-E-1)

Fund-raising activities not included in the semi-annual fund-raising plan will be reviewed on a case-by-case basis. Proposals for such activities must be submitted to the assistant superintendent 30 days prior to the date of the proposed activity. Emergency requests will be considered on a case-by-case basis. Proposals submitted shall include the following information (See Exhibit GE-E-2):

1. Name of the sponsoring organization(s) and representative(s) responsible or coordinating the activity

**PARENT ORGANIZATIONS**

2. Type of fund-raising activity
3. Date(s) and time(s) the activity is to be held
4. Location where activity is to be held
5. Proposed use of funds raised
6. Proposed budget for activity projecting net benefit to school or student group

Fund-raising activities may be held using district facilities. Facilities desired for use shall be scheduled through the campus principal. Requests for facility use are subject to approval by the superintendent or designee. Organizations using district facilities shall provide evidence of adequate insurance coverage for activities conducted on district premises. The district shall not provide insurance coverage for parent organizations.

The board is charged with the responsibility for the proper safekeeping and expenditure of funds raised at the campus level. Therefore, funds raised by student organizations shall be maintained in the campus activity fund. Funds raised by parent organizations shall be maintained by the organization that initiated and executed the fund-raising activity.

There are state laws governing the use of “raffles” as fund-raising activities. A raffle is defined as the awarding of one (1) or more prizes by chance at a single occasion among a pool or group of persons who have paid or promised a thing of value for a ticket that presents a chance to win a prize. Parent organizations desiring to conduct a raffle must meet the following qualification:

1. The organization does not distribute any of its income to its members, officers, or governing body, other than as reasonable compensation for services.
2. The organization has existed for the three (3) preceding years and during those years has had a governing body or officers elected by a vote of its members, or a vote of delegates elected by its members, or has been affiliated with a state or national organization to perform the same purposes.
3. The organization does not devote a substantial part of its activities to attempting to influence legislation and does not participate or influence in any political campaign on behalf of any candidate for public office.

**PARENT ORGANIZATIONS**

4. The organization qualifies for and has obtained an exemption from federal income tax under Section 501(c) of the IRS Code. If food sales or service is part of the fund-raising activity, the sponsor must submit a Request for Food Sales or Service form (Exhibit GE-E-4) at least 30 days prior to the event. An approved copy must be received by the sponsor before the sale/service of food may occur on campus.

**DONATIONS**

The district welcomes the donation of funds or tangible property to schools and student organizations. It is preferable that funds be donated, as opposed to tangible property, thereby allowing the recipient organization to maximize the value of the gift by taking advantage of the savings power and tax free status enjoyed by the district. (See also CDC-R)

**FINANCIAL MANAGEMENT**

Parent organizations are not permitted to use the district's federal identification number or sales tax permit number.

Parent organizations are fully responsible for all taxes, debts, and other financial commitments incurred by the organization.

Parent organizations do not have the authority to commit or to represent that the district is responsible for its financial or contractual obligations.

Assets accounted for by parent organizations are not agency funds and are, therefore, not subject to bookkeeping by district employees. The bookkeeping responsibilities for such funds are to be handled by officers of the organization.

Officers of parent organizations are responsible for the opening and maintenance of bank accounts for the organization.

Parent organizations shall annually audit their records. Audits are to be performed by an audit committee composed of at least three (3) qualified members of the organization who are not signatories on the organization's bank account. (See Exhibit GE-E-3) Audits shall be performed on the following occasions:

1. Fiscal year end
2. Mid-year resignation of the financial officer
3. Any other occasion deemed necessary by the organization

The audit committee shall submit two (2) copies of the organization's audit report to the principal, who shall forward one (1) to the assistant superintendent.

**PARENT ORGANIZATIONS**

District employees may not serve in a financial capacity of a parent or booster organization. Financial capacity is defined as treasurer, fund raising chair, or check signer.

**GENERAL INFORMATION**

Parent organizations may use district facilities to conduct their activities; however, prior approval by the superintendent or designee is required.

Parent organizations shall not be involved in decision-making or policymaking activities of student groups.

Parent organizations shall have no authority in directing or influencing district employees in the administration of their duties.

Parent organizations shall comply with board policy and administrative procedures when offering money or gifts to the district.

Parent organizations shall assume liability for any and all personal injuries or property damage arising from their activities.

**INTERNAL AUDIT**

Every September 1, parent organizations need to submit the following information to the district's Internal Audit Department:

- A list of officers for the current school year;
- The previous year's financial report;
- The previous year's audit committee report;
- The Bylaws or Articles of Incorporation; and
- The IRS Determination Letter.



COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

USE BY FOR-PROFIT  
ORGANIZATIONS

For-profit organizations, alone or in collaboration with nonprofit organizations, shall not use District buildings and equipment, except where such use is directly related to the provision of services benefiting students or staff, as determined by the administration on a case-by-case basis with Board approval. Any such use shall be governed by separate agreement, upon such terms and conditions as may be approved by the Board.

EXCEPTIONS

The following exceptions shall apply:

1. For-profit local dance studios may use District facilities once a year during the month of June, at regular fees, provided no admission is charged. At least 60 percent of the participants shall be District residents, with names and addresses of the participants provided by the studio at the time of application.
2. Sporting organizations that conduct tournaments or competitions, with team members who do not reside in the District, shall be permitted to use District facilities, as long as the hosting organization complies with the 60 percent District membership requirement applicable to nonprofit organizations and the organization is participating in the competition. [See USE BY NONPROFIT ORGANIZATIONS, below]

USE BY NONPROFIT  
ORGANIZATIONS

Nonprofit organizations shall be permitted to use areas of a campus or facility listed in the District's facility use schedule for non-school-sponsored purposes only if at least one of the following criteria is satisfied:

1. The activity is for the exclusive benefit of the students in the District.
2. The activity relates to a regional or sectional meeting of a recognized group (e.g., Farm Bureau, Dairymen's Association) with a local organization within the District.
3. When at least 60 percent of an organization's membership resides within the District, and the organization is in the process of obtaining a permanent facility within the District's boundaries. Such organizations shall be permitted to use District facilities for up to five years, regardless of whether the organization is renamed or has otherwise reorganized. Names and addresses of the members of the group shall be provided at the time of application, as well as the group's written plans. In permitting organizations to use District facilities repeatedly, the District reserves the right to periodically review the progress of such plans and to request updated versions of the plans.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

4. The organization is a campus booster club or campus parent organization established in accordance with GE(LOCAL).

CONTRACT  
APPLICATION

Contract applications shall be obtained through the operations section of the facilities department, 13600 Murphy Road, Stafford, TX. All requests for contracts shall be initiated at least 30 days prior to the requested date of use. Failure to provide the required documentation with the application will delay the application process.

INSURANCE

Applications shall be accompanied by proof of liability insurance with limits of \$100,000 per occurrence and general liability insurance with per occurrence limits of at least \$1 million. The District must be named as a coinsured or loss payee on this coverage. The insurer must carry an A.M. Best Rating of "A-VII" or greater.

Access to a facility shall not be permitted until the application and insurance have been screened and approved. Cancellation of insurance shall also cancel the rental contract until proof of insurance can be provided to the District.

Each insurance policy must require that the insurer send notice to the District, as follows:

30-day notice of cancellation.

60-day notice of nonrenewal.

30-day notice of material change.

A roster of personnel, with addresses, in the organization to verify eligibility.

All applications shall be made and signed by an authorized individual or an officer of the organization.

APPROVAL OF  
APPLICATION

After the application has been approved and signed by the appropriate District officials and representatives of the organization, it shall become a binding contract upon the individual, group, or organization. Should a campus find it necessary to cancel a rental agreement, notice of cancellation shall be provided at least 48 hours in advance, except in the case of an emergency.

Use of District buildings or equipment shall constitute acknowledgment that the person or organization shall be responsible to the District, its Board members, employees, or agents for all damages to the building or equipment and shall indemnify and hold harmless the District, its Board members, employees, or agents from any claim whatsoever resulting from or arising out of the use of the building or any part of it.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

Requests to use District-owned equipment in conjunction with the rental of a facility shall have the advance approval of the principal and appropriate District administrator. Only District personnel who are certified as lighting and sound technicians by the fine arts department shall be employed to operate the auditorium lighting and sound systems.

A request to use the grounds surrounding a facility shall be approved by both the principal of the individual campus and the appropriate District administrator. When a request affects athletic facilities, cafeteria facilities, or food preparation and serving areas, the request shall also be approved by the appropriate athletic or program director as well as the principal or designated representative.

Violation of any term of this policy or District procedures regarding the use of facilities may result in immediate termination of the rental contract.

FEES FOR USE

Fees for the use of District buildings shall be based on the Board-adopted rental fee schedule. The appropriate rental fees and deposit shall be submitted with the application. The deposit required for an organization with multi-use contracts is equal to one month's rent. Multi-use contracts shall require one month's fee in advance and shall be billed for usage on a monthly basis. Local government organizations that have an interlocal agreement with the District shall be exempt from making a payment in advance. Fees shall be paid within ten days of receipt of invoice. Users that are 45 or more days in arrears shall be prohibited from further use of District facilities for the remainder of the school year. Such a group may reapply to use District facilities at the beginning of the next school year if the bills have been paid in full and the group meets all required criteria.

Users who exceed the ending time specified in the agreement shall be assessed an additional fee based on the adopted rental fee schedule. Any part of an hour shall be billed as a whole hour. Users who frequently exceed the ending time specified in their agreement may have the rental agreement canceled for the remainder of the current school year. Termination shall occur only with the approval of the chief auxiliary services officer.

Any person, group, or organization that contracts to use District facilities but fails to show for the event shall be charged a fee equivalent to a minimum of two hours' use of the facility and any other expenses incurred by the District in preparing the facility for the renter.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

RULES FOR USE

The following rules shall apply:

1. Classrooms, libraries, extended-day facilities, office areas and any area not on the District schedule of fees for facility use shall not be available to rent. Hallways shall not be used for any purpose except the ingress and egress of occupants.
2. The Boy Scouts, Girl Scouts, 4-H Clubs, and other community-based youth groups dedicated to educational and recreational purposes with open programs shall be permitted to use District facilities without charge if only a small area is needed, the group will meet immediately after school, and no extra utilities, custodial services, or setup are required. The activity shall end by 8:00 p.m. The fee for regularly scheduled meetings ending after 8:00 p.m. shall be \$15 per occurrence. Fees for special activities (i.e., banquets) shall be assessed at \$25 plus appropriate set-up fees if the activity ends by 10:00 p.m. and is conducted on a school night.
3. Campus booster clubs and campus parent organizations established in accordance with GE(LOCAL) shall not be charged rental fees for scheduled events but shall complete a "Contract for Use of School Facilities".
4. A nonprofit organization shall have the right to charge an admission fee if the original application for rental of the facility explained that a fee will be charged and the disposition of the proceeds.
5. Persons or organizations using District buildings shall comply with all federal, state, and local laws, including rules of local police and fire departments.
6. All decorations used within District buildings shall be subject to the approval of District officials. No open flame decorations or devices shall be permitted.
7. Tobacco use and alcoholic beverages are prohibited on District property.
8. Food and drinks shall be confined to the foyers of District auditoriums and food courts. No food or drinks are allowed inside District auditoriums. Any person or organization using a District auditorium shall be responsible for enforcing this regulation.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

9. The District shall provide caretaker service. The building and/or equipment shall be under the jurisdiction of the caretaker. The caretaker shall normally be the custodial staff; however, in the event that they are unavailable, the campus is responsible to provide adequate and qualified caretakers to oversee the property and monitor adherence to these policies. All organizations shall give the caretaker the name of the person in charge of the meeting or group activity.
10. The organization shall be responsible for furnishing any additional help that may be needed, including but not limited to ushers, ticket-takers, parking attendants, or law enforcement officers for traffic control. District police officers shall be hired to provide crowd control for recreational activities having more than 50 attendees, including spectators.
11. The District reserves the right to require any additional personnel deemed necessary for the safe and proper use of its facilities and equipment.
12. Campus facility rentals shall end at 10:00 p.m.
13. District personnel may not use District facilities for organizations to which they belong without first submitting a rental application in accordance with this policy.
14. Any exception to this policy shall be approved by the Superintendent.
15. Principals and/or appropriate District administrators shall have final authority for approval of their facility being used.
16. Private music tutorials, as part of the music enrichment program, shall be allowed under the guidance of the campus music director, campus administration, and the department of fine arts. These tutorials shall be limited to the music rooms of the corresponding campus. All private instructors shall be required to show proof of professional liability insurance with limits of at least \$1 million and the insurance policy must extend coverage for sexual misconduct. The insurer must carry an A.M. Best Rating of "A-VII" or greater. All rental fees and the requirements for general and auto liability coverage shall be waived. An annual administrative fee, as set by the District, shall be assessed to each instructor. Scheduling shall be coordinated with the campus and the department of facilities.
17. Rental of a campus in its initial year of operation shall not be permitted.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

18. Rental of campus facilities shall not be allowed on the following days:

New Year's Eve	Labor Day
New Year's Day	Thanksgiving Day
Memorial Day	Christmas Eve
Fourth of July	Christmas Day

If the day falls on a Sunday, normal church services shall be permitted. Special sunrise services for Easter may be granted with sufficient advance request time (30 days).

PROHIBITED  
ACTIVITIES

No activity shall be scheduled in a school building or on school grounds that interferes with individual school operations.

Specific prohibited activities include:

1. Any use of District facilities, buildings, or grounds without prior written consent of the District. However, this policy shall not prohibit individual use of playgrounds.
2. Any activity that may damage the buildings, grounds, or equipment or that may be deemed a nuisance to residents living nearby.
3. Any activity that conflicts with school activities or scheduled District maintenance activities.
4. Fund-raising campaigns except as permitted by Board policy or special action of the Board.

COMMUNITY EVENTS

Elected officials' requests to utilize facilities shall be assessed a \$25 per day fee only if the use is for the purpose of conducting town hall meetings, is conducted Monday through Friday, and ends before 10:00 p.m.

## COMMUNITY USE OF SCHOOL FACILITIES

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All requests for rentals of buildings or usage of grounds will be initiated through the Office of Operations of the Facilities Department. Refer to Board Policy GKD(LOCAL), which sets priorities and gives rules and regulations.

The following steps should be taken to initiate the rental process:

1. Determine if the requester qualifies for use.
2. Determine if the facility is available on the requested date and the requested areas are allowed according to Board Policy GKD(LOCAL). Arrangements should be made 30 days in advance.
3. Have the person requesting the facility fill out the contract completely and sign as the "Maker," making sure that the applicant's name and address are clear on the application.
4. Compute the rate per schedule and insert into contract.  
**NOTE:** The Boy Scouts, Girl Scouts, 4 H Clubs, and other community-based youth groups dedicated solely to educational and recreational purposes with open programs shall be permitted to use the facilities without charge if only a small area is needed immediately after school and no extra utilities or custodial services are required. The activity must end by 8:00 p.m. The fee for regularly scheduled meetings ending after 8:00 pm. is \$15.00. Fees for special activities (i.e., banquets) are assessed at \$25.00 plus appropriate set-up fee if activity ends by 10:00 p.m. and is conducted on a school night.
5. Have the maker of the contract prepare a check payable to Fort Bend Independent School District for the full amount of the estimated charges for facility usage.
6. If a multi-use contract is executed, the check must be for the full amount of estimated charges for the first full calendar month of usage, plus any part of current month's usage, and a deposit of one month's rent.
7. Makers using a multi-use contract will pay rent charges in advance of the month of usage. Adjustments based on usage will be billed in the following month.
8. Makers with outstanding charges of more than 45 days in arrears, or not paying deposit and first month's rent prior to the date of usage, will not be permitted access to the building.

**COMMUNITY USE OF SCHOOL FACILITIES**

9. Maker must provide a certificate of general liability insurance with per occurrence limits of at least one million dollars and with the district as co-insured party.
10. Forward the contract to the campus principal or his/her designee for approval.
11. If the request is for an athletic facility, route the request to the Office of the Director of Athletics and the campus principal or their designee for approval to use their campus.
12. If the kitchen is requested, route the request to the Office of the Director of Child Nutrition and the campus principal or their designee for approval to use their campus. The Office of Operations should notify the applicant that costs for kitchen facilities are not included in the estimates.
13. The campus will return signed contract to the Office of Operations.
14. The Office of Operations will forward a signed copy of the contract with payment attached, to the Business Office. Additionally, the Office of Operations is responsible for making distribution for all contracts as per the instructions at the bottom of the rental contract
15. Operations will issue one copy of Board Policy GKD(LOCAL) and current fee schedule to each applicant

**NOTE:** If the organization requests set-up that involves movement of equipment and/or furniture that under normal circumstances would not be displaced, a set-up fee will be assessed with the rental fee.

**DATE ISSUED: 07/1988**

**DATE REVISED: 07/2009**

**GKD(R)**





# Booster Club Guidelines

Updated July 2016

## ROLE OF BOOSTER CLUBS

Neighborhood patrons form booster clubs to help enrich the school's participation in extracurricular activities. The fundraising role of booster clubs is particularly crucial in today's economic climate. Positive and direct communication can prevent most problems. Keep the superintendent informed of all activities.

- Have a chain of command for communication with the administration.
- Clear all activities through your administration.
- The superintendent or a designee who does not coach or direct a UIL contest but has approval authority over booster clubs should be invited to all meetings. All meetings should be open to the public.
- Booster clubs should apprise school administrators of all club activities. Make sure your local administration has a copy of all booster club publications. Invite administrators to all booster club meetings. Have an officer meet with the school administration regularly.
- School administration should apprise booster clubs of all school activities.
- Booster clubs do not have authority to direct the duties of a school district employee. The scheduling of contests, rules for participation, methods of earning letters and all other criteria dealing with inter-school programs are under the jurisdiction of the local school administration.
- Minutes should be taken at each meeting and kept on file at the school.
- Periodic financial statements itemizing all receipts and expenditures should be made to the general club membership and kept on file at the school.

## WRITTEN POLICIES

Booster clubs should develop and annually review policies to cover:

- how to obtain administrative approval before beginning projects;
- how to plan and publicize meetings;
- bookkeeping and fund administration including process to obtain superintendent's approval prior to raising or spending funds;
- election of officers (suggestion: one president; one secretary; one treasurer; and three vice-presidents: one vice-president to oversee fall, winter and spring sports);
- taking, distributing and filing minutes;
- public communication;
- proper interaction with music and theatre directors and academic and athletic coaches through the lines of authority as established by the school board;
- a sportsmanship code governing behavior of booster club members and fans at contests, treatment of officials, guests, judges, etc.; and
- plans to support the school regardless of success in competition, keeping the educational goals of competition at the forefront of all policies.

## ROLE OF THE SUPERINTENDENT

Member schools make UIL rules and determine policies regarding penalties to schools, school district personnel and student participants. The superintendent is solely responsible for the entire UIL program. All school activities, organizations (including the booster club), events and personnel are under the jurisdiction of the superintendent. Booster clubs must recognize this authority and work within a framework prescribed by the school administration.

## PARENTS

- Remember: The classroom comes first!
- Help conduct fair and equitable competition: adhere to rules, uphold the law and respect authority.
- Remember that officials are human. Respect their decisions.
- Delegate authority to the school, and then support its decisions.
- Set standards by which you expect children to conduct themselves, and live by those standards yourself.
- Be aware of capabilities and limitations of young people. Don't have unrealistic expectations.
- Allow your children to live their own lives.
- Be involved in areas in which your own child is not involved, thus contributing to school unity and spirit.
- Show respect to the opponents of your children.
- Praise. Don't criticize. Urge others to do the same.
- Help your children and their friends develop integrity through the intensity of competitive activity.

## COACHES AND DIRECTORS

- Be sure your booster club wish list has been approved by your supervisor before it goes to the booster club.
- Work with your administration to determine what your club can provide.
- Make your request to the club benefit as many students as possible.
- Attend the booster club meetings and/or know what the club is doing.
- Understand that your advisory role to the boosters is without vote.
- Support other programs within your district.
- Meet with parents regularly and make them aware of relevant rules.
- Involve your staff with your booster club. Let the booster club know who your staff is and what duties they perform.

## CLUB FINANCES

*Fundraising | Spending | Stipends | Gifts to Coaches*

Fund-raising projects maybe subject to state law. Be sure that your club is in compliance with applicable law. For example, Texas has a law governing raffles. Also, consider seeking nonprofit or tax-exempt status. Consult the Texas Secretary of State's website as well as the IRS to determine if seeking designation as a non-profit that is tax exempt is appropriate for your booster club. [http://www.sos.state.tx.us/corp/nonprofit\\_org.shtml](http://www.sos.state.tx.us/corp/nonprofit_org.shtml)

Generally speaking, earnings by a properly organized booster club may not benefit any private shareholder or individual.

- Community-wide sales campaigns should be coordinated through the school administration to minimize simultaneous sales campaigns.
- Sales campaigns should be planned carefully to insure that the projects provide dollar value for items sold, and that most of the money raised stays at home. Otherwise donations are often more rewarding than letting the major part of the money go to outside promoters.
- Fund-raising activities should support the educational goals of the school and should not exploit students. Activities and projects should be investigated carefully before committing the school's support.
- Individuals who actively coach or direct a UIL activity should serve in an advisory capacity only to the booster club and should not have control or signature authority over booster club funds, including petty cash or miscellaneous discretionary funds.
- Coach's wish lists should have received prior approval from school administration before submission to boosters.
- Coaches and directors of UIL academics, athletics and fine arts may not accept more than \$500 in money, product or service from any source in recognition of or appreciation for coaching, directing or sponsoring UIL activities. The \$500 limit is cumulative for a calendar year and is not specific to any one particular gift. See Section 481, *UIL Constitution and Contest Rules*.
- Schools shall not pay to coaches, and coaches shall not accept, funds gathered by a high school booster club or other sources within the school district. See Section 1202(b), *UIL Constitution and Contest Rules*.
- Funds are to be used to support school activities. To provide such funding for non-school activities could violate UIL rules and the public trust through which funds are earned.

## ATHLETIC BOOSTERS

Individuals should be informed of the seriousness of violating the athletic amateur rule found in Section 441 and the awards rule found in Section 480 of the *UIL Constitution and Contest Rules*. Check with school administrators before giving anything to a student, school sponsor or coach. The penalty to a student-athlete is forfeiture of varsity athletic eligibility in the sport for which the violation occurred for one calendar year from the date of the violation. If a team violates the amateur rule, the penalty shall be assessed against the team and not against each individual. See Section 441(d), *UIL Constitution and Contest Rules*. All fans, not just members of the booster club, should be aware of these rules. It affects the entire community.

- Athletic booster club funds shall not be used to support athletic camps, clinics, private instruction or any activity outside of the school.
- The local school district determines when, how and from whom student athletes can receive meals and snacks. See Section 441(b)(9), *UIL Constitution and Contest Rules*.
- Schools must give prior approval for any banquet or get-together given for students.
- Students may not accept money or other valuable consideration from school booster club funds for any non-school purpose. See Section 441(A)(3), *UIL Constitution and Contest Rules*.
- Student athletes are prohibited from accepting valuable consideration for participation in school athletics - anything that is not given or offered to the entire student body on the same basis that it is given or offered to an athlete. See Section 441(a), *UIL Constitution and Contest Rules*. *Valuable consideration is defined as tangible or intangible property or service including anything that is usable, wearable, salable or consumable.*
- Booster groups or individuals may donate money or merchandise to the school with prior approval of the administration. These kinds of donations are often made to cover the cost of commercial transportation and to cover costs for meals. It would be a violation for booster groups or individuals to pay for such costs directly, without prior approval from the local school administration. See Section 441(b)(9) and Section 840 (a)(2)(A)(iv).
- Student athletes may accept small "goodie bags" consisting of cookies, candy and symbolic gifts from their classmates, if allowed by local school policy. See Section 441(B)(7), *UIL Constitution and Contest Rules*.



## ACADEMIC BOOSTERS

We encourage academic booster clubs, whether they cover UIL academic competition in general or specific programs such as theatre, speech/debate, journalism or math/ science. A great need exists for parental involvement and support.

The rules for athletics are different than the rules for academics and music. Athletes are restricted by the athletic amateur rule, which states that athletes cannot accept money or valuable consideration for participating in a UIL sport or for allowing their names to be used in promoting a product, plan or service related to a UIL contest. Academics has no amateur rule. Journalism participants may work for a newspaper and be paid. Actors may work summer stock and be paid. Students may win calculators and software for participating in invitational math contests.

UIL academic students are restricted by the awards rule. See Section 480, *UIL Constitution and Contest Rules*. So, as a general practice, booster clubs should not give gifts or awards to students for their participation in UIL contests that count toward district, region or state standing without prior school district approval. School booster clubs may raise money to purchase letter jackets, provided the funds are given to the school without designation to buy jackets for particular students and the school determines criteria for awarding the jackets. Parents may purchase jackets for their own children provided the school designates the student as being qualified to receive the jacket.

Booster Clubs may raise money to provide an annual banquet for academic participants and coaches.

### EXAMPLES OF ACADEMIC BOOSTER CLUB CONTRIBUTIONS THAT ARE NOT PROHIBITED BY UIL RULE, WITH LOCAL ADMINISTRATIVE APPROVAL, ARE:

- Purchase equipment for programs such as computers or software for yearbook or computer science.
- Organize and chaperone trips and assist with expenses for travel to academic competitions or educational trips such as journalism conventions or speech tournaments. Booster club funds may be used to provide food and refreshments for students on these trips. A purely recreational trip would not meet the definition of an educational field trip and could be considered a violation of the Awards Rule. See Section 480(2)(d), *UIL Constitution and Contest Rules*.
- Run tournaments, organize fund-raising efforts, recruit corporate donors, raise money for scholarships and arrange for tutors and professional trainers to work with students.
- Fund academic workshop scholarships provided selection of the recipients is not based solely on their success in interscholastic competition. Selection could be based on grade point average or the student's selection of high school courses. All students meeting the conditions for scholarship assistance should be notified and eligible for financial assistance. Funds should be monitored to ensure that they are expended for camp or workshop purposes.

## MUSIC BOOSTERS

In addition to the general procedures outlined, the following guidelines apply to Music Booster Club activities.

- Be mindful of the fact that there is no Music Amateur Rule. Therefore, limitations established in athletics intended to ensure compliance with the Athletic Amateur Rule do not apply to music programs and related activities.
- Some music booster clubs assist with expenses for travel to various music-related activities such as UIL contests and performances at away athletic events. Such financial support violates no UIL rules provided that it is approved and coordinated by the local school district.
- Many music groups schedule educational field trips with the approval of the local school administration and under local school district policies. For such trips, specific educational components must be included such as performing for a music festival, an adjudicated contest or a concert tour. Marching performances such as the Macy's Thanksgiving Day Parade, the Rose Bowl Parade or other similar ceremonial appearances also qualify. However, educational components need not be limited to performances. Concert attendance, visiting university/conservatory music facilities and other music related, non-performing opportunities would also be appropriate if approved by the local school district.
- A recreational trip, on the other hand, would not meet the definition of an educational field trip as provided in Section 480(f) of the *UIL Constitution and Contest Rules*. Students receiving the benefits of a purely recreational trip would likely be in violation of the Awards Rule.
- Booster Clubs may also fund scholarships for private lessons and summer music camps provided the selection of the recipients is not based on success in interscholastic competition. Funds for such activities should be carefully monitored to ensure that they are expended for educational rather than recreational activities.
- The awarding of patches, T-shirts or other items for achievement in interscholastic competition would be subject to the UIL Awards Rule. See Section 480(2)(A), *UIL Constitution and Contest Rules*. In order to protect all music students' eligibility, such awards should be approved and administrated by the local school district in accordance with school district policies.



## State & Federal Regulatory Summary

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State and federal regulatory agencies such as the Texas State Comptroller's Office, the Texas Secretary of State, and the Internal Revenue Service (IRS) also govern Parent Organizations/ Booster Clubs. New and existing Parent Organizations/ Booster Clubs must abide by the regulations and guidelines set by these agencies. Parent Organizations/ Booster Clubs should also maintain a current level of knowledge regarding law changes that affect them.

The next section contains information related to state and federal regulations that is current as of the date this handbook was published. Business & Finance strives to keep the Parent Organizations/ Booster Clubs aware of new changes; however, it is the Parent Organization's/Booster Club's responsibility to remain updated on any recent law changes.

In addition, the Appendix of the *Guidelines* contains important and helpful information downloaded from the Texas Secretary of State, the Texas State Comptroller's Office, and the IRS. Please review this information in detail in addition to the next section for a more complete coverage of the various issues related to 501(c)(3) organizations and parent organizations/booster clubs in general.

# FORT BEND INDEPENDENT SCHOOL DISTRICT

## INVITES YOU TO BECOME A VOLUNTEER

### Collaborative Communities

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Become a school volunteer by completing the FBISD Volunteer Criminal History Application and contacting the Campus or by calling [Collaborative Communities](#) at 281-634-1109.

### Volunteer Guidelines

#### Becoming a Volunteer

You must be over 18 years of age and complete the following steps:

1. Complete a [Volunteer Criminal History Application](#) each school year (after July 1st).
2. Contact your campus of choice to seek volunteer opportunities and / or Collaborative Communities for a specific volunteer project. You will be given a school tour and informed of basic school procedures (e.g., sign-in, schedules, parking and emergency procedures) by a Volunteers in Public Schools (VIPS) Campus Coordinator or designated staff.
3. Report Volunteer Hours

#### Procedures for ALL Volunteers

- Sign-in at the front office and through the volunteer tracking system (also known as Raptor).
  - Wear identification badge provided by the school staff at all times while on campus.
  - Understand that instruction, supervision, grading, and disciplining students are school staff responsibilities.
  - Work in collaboration with school staff and Volunteers in Public Schools (VIPS) Campus Coordinator to plan and participate in volunteer activities.
  - Communicate with school staff to understand clear expectations, task assignments and feedback on volunteer activity.
- Note: For safety, children are not allowed on the campus unless there is a designated Parent Center. Please check with the VIPS Campus Coordinator to ask if this provision for children is available.*

#### Volunteer Code of Ethics

- **Dependability**-A volunteer shall be responsible for his/her scheduled times and must notify the VIPS Campus Coordinator and/or school staff immediately if not able to meet this commitment.
- **Respect for Authority**-A volunteer shall respect the authority of the school staff and the school administration.
- **Confidentiality**-A volunteer shall not discuss school matters or information concerning students outside the classroom with anyone but the designated school staff. If you need help with a student, discuss the matter professionally with the teacher, counselor, assistant principal or principal.

- **Impartiality**-A volunteer shall favor no one side or party more than another in all school situations.
- **Objectivity**-A volunteer shall not let his/her personal feelings enter into his/her work as a volunteer.
- **Appearance**-A volunteer shall dress appropriately, always remembering that he/she is setting an example for the students.

## Guidelines for Working With Students

These volunteer guidelines are designed to protect students from harm and to prevent even the appearance of impropriety on the part of the individual mentors, volunteers, students and schools participating in the FBISD VIPS Program.

### Meeting with Students

All meetings and/or activities with students must take place on the school campus, or as part of a school-sponsored field trip.

All activities with a student or students must take place in a room with an open door or on the school grounds in sight of school staff representatives.

Off campus contact is strictly prohibited unless under the direct supervision of school officials.

Never give a student your home phone number, address, or email address.

### Transportation

Transporting a student in your personal car is prohibited.

Students must be transported in a school district vehicle (field trips), in a school official's vehicle or in a parent or legal guardian's vehicle.

Do not put yourself in the position of being alone with any student in any vehicle.

### Physical Contact

Physical contact should be limited to holding a hand, giving a soft pat on the back or sharing a hug in full view of other school officials. Remember that what you see as simple, friendly affection between you and the student may be viewed as something entirely different by someone else.

### Confidentiality

All information you are told about a student is confidential and sharing that information with others may be a violation of the law.

Although the student is free to share confidential information with you, there are certain things that you are required by law to tell a campus administrator:

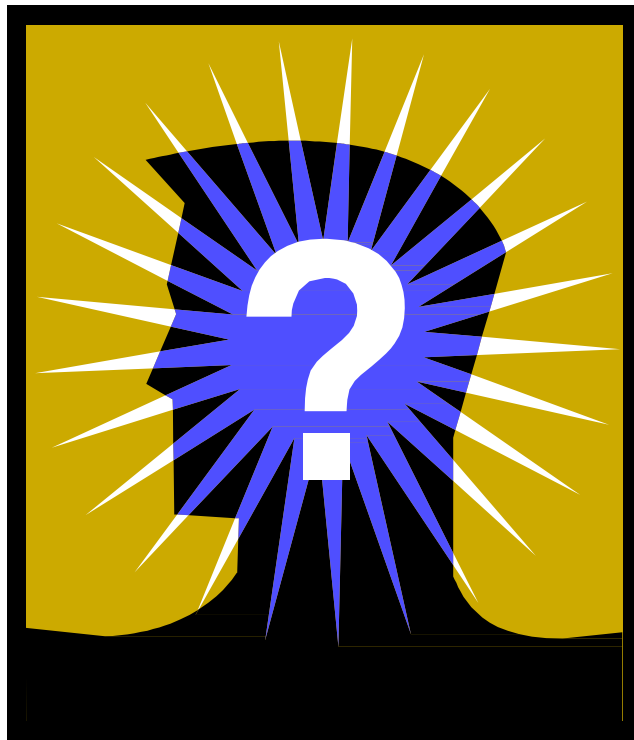
- If a student confides that he or she is the victim of sexual, emotional, chemical or physical abuse, or is considering homicide or suicide, or is involved in any illegal activity, you must notify the student's principal immediately.
- Document the information that was reported and to whom it was given.

- Remember, this information is extremely personal and capable of damaging lives, so do not share it with anyone except the campus administrator.

Please know that we appreciate your participation in the VIPS Program and that we appreciate you adhering to these guidelines. If you have additional questions, ask your school principal, VIPS Campus Coordinator or contact the [Collaborative Communities](#).

# Creating Your Own Identity

and more rules to follow...



**Included in this section:**

- ☐ **Creating Your Own Identity Overview**
- ☐ **State Regulatory Information**
- ☐ **Federal Regulatory Information**

**For new and  
existing  
Parent  
Organizations/  
Booster Clubs!**



## Creating Your Own Identity Overview

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The next three sections of the *Guidelines* provide detailed information related to applying for permits and exemptions you will need. As a supplement to these pages, the following short summary lists the necessary steps in the order in which they should be completed. Some blank forms and examples of completed forms and other information are included in the Appendix to assist you in completing the steps.

1. Decide if your Parent Organization/Booster Club will be an association or a corporation and prepare the necessary organizing document.

An association will prepare and sign an “Articles of Association” as an organizing document; however, this document **will not be filed** with the Texas Secretary of State. The date the final document is signed by at least two officers or board members is considered the beginning date of the organization.

A corporation will prepare and sign an “Articles of Incorporation” as an organizing document **to be filed** with the Texas Secretary of State. The date the Articles of Incorporation is filed by the state is considered the beginning date of the organization. You should receive a copy of your Articles of Incorporation from the Texas Secretary of State showing the state’s “filed” stamp and/or you will receive a Certificate of Filing.

Both the IRS and State of Texas require that each Parent Organization/Booster Club have an organizing document to establish the official formation of the organization. You will submit this document along with the appropriate forms when applying for federal tax exemption as a public 501(c)(3) organization and when applying for state sales, use, and franchise tax exemptions.

### Benefits of Incorporation:

- Formalize organization and provide standardized operating procedures through Articles of Incorporation and Bylaws.
- Helps shield the individuals governing and operating the nonprofit organization from liabilities incurred by the organization, unless the individuals are negligent in their duties.

2. If Association, skip to Step 4. If Corporation, go to Step 3.
3. For a corporation, file for incorporation with the Texas Secretary of State before proceeding with Step 4. **For all Texas Secretary of State forms and filing instructions, go to [www.sos.state.tx.us](http://www.sos.state.tx.us)**
4. Apply for an Employer Identification Number (EIN) with the IRS.

**Read “Top Ten Reasons for Delays in Processing Exempt Organization Applications” in the Appendix before you submit your application!!**

5. Apply for a Sales Tax Permit with the Texas State Comptroller’s Office.
6. Apply for federal tax-exemption as a **public 501(c)(3)** organization with the IRS.
7. Receive a Letter of Acknowledgement from the IRS indicating receipt of your application and payment.
8. May correspond with the IRS if your bylaws need to be modified or if the IRS needs additional information to complete your approval process.
9. Receive a Determination Letter (approximately 2 – 4 months later) stating you are a public 501(c)(3) tax-exempt organization.
10. Send a copy of the Determination Letter to the Internal Auditor’s Office.
11. Apply for a limited exemption from Texas sales, excise, and use tax with the Texas State Comptroller’s Office.
12. If you are incorporated, file for franchise tax-exemption with the Texas State Comptroller’s Office.
13. Put all of the documents related to these steps in a “Permanent File” in a safe place to be forwarded to the new officers each year.
14. **Pat yourself on the back for a job well done!!**

## State Regulatory Information

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This section has been prepared to provide general, not specific or all-inclusive, information to Parent Organizations/Booster Clubs regarding state tax regulations. Steps have been documented to aid a Parent Organization/Booster Club in abiding by the regulations; however, these steps are only general guidelines and do **not** ensure that a Parent Organization/Booster Club will remain in compliance with all state tax regulations.

Each Parent Organization/Booster Club should strive to remain in good standing with all state agencies. **Therefore, each Parent Organization/Booster Club is responsible for obtaining its own competent independent counsel on accounting and tax matters related to its specific circumstances.** This counsel may include a Certified Public Accountant (CPA) or an attorney. The cost of these services will be the Parent Organization's/Booster Club's responsibility.

<b>General State Regulatory Information</b>
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Parent Organization/Booster Club officers are solely responsible for ensuring that their Parent Organization/Booster Club is in compliance with all state regulations. Therefore, the District, including any District employee, is not responsible for a Parent Organization/Booster Club not being in good standing with all state agencies. However, the District has provided the following information that includes detailed steps Parent Organizations/ Booster Clubs should take to comply with state tax regulations.

This information is organized as follows:

	<u>Page</u>
Obtaining an Employer Identification Number .....	6.4
Obtaining a Texas Sales Tax Permit.....	6.4
Qualifying for Exemption from Texas Limited Sales, Excise, and Use Tax.	6.4
Booster Clubs with the Limited Exemption.....	6.6
Booster Clubs with No Exemption .....	6.7
“Tax-exempt” Organizations .....	6.7
Reporting Requirements .....	6.7
Franchise Tax.....	6.8
Change in Address .....	6.9
Further Questions? .....	6.10

### Obtaining an Employer Identification Number Chapter 1

To sell any taxable items within the State of Texas, a company, organization, or person must apply for a Sales Tax Permit. Before obtaining a Sales Tax Permit, a Parent Organization/Booster Club must **first** obtain an Employer Identification Number (EIN) from the Internal Revenue Service (IRS) to establish its identity as an organization.

### Obtaining a Texas Sales Tax Permit

Parent Organizations/Booster Clubs should obtain a Texas Sales Tax Permit if you intend to sell goods or taxable services in Texas. The sale of goods **does include** fund-raisers, such as catalog sales, candy sales, and sales of other items. In addition, some Parent Organizations/Booster Clubs sell services that may be taxable.

Parent Organizations/Booster Clubs may obtain a Texas Sales Tax Permit by submitting the completed applications to the Texas State Comptroller's Office.

**Note:** *An example of the Texas Application for Sales Tax Permit is included in the Appendix*

A Texas Sales Tax Permit will be issued to the Parent Organization/Booster Club along with a Sales Tax Permit Number. The Texas Sales Tax Permit Number has 11 digits and begins with a 1, 2, or 3. The permit numbers beginning with a "1" are based on an entity's EIN. Those permit numbers beginning with a "2" are based on a person's social security number. The permit numbers beginning with a "3" are assigned by the Texas State Comptroller's Office.

**Parent Organizations/Booster Clubs should not use the District's Sales Tax Permit Number.**

### Qualifying for Exemption from Texas Limited Sales, Excise, and Use Tax

The Texas limited sales, excise, and use tax exemption allows approved organizations an exemption from sales tax when purchasing items to further the organization's exempt purpose. Therefore, this limited exemption allows the approved Parent Organization/Booster Club to make sales tax-exempt purchases of items intended for resale for a fund-raiser. **This exemption process is separate and in addition to applying for federal tax-exemption from the IRS.**

Only those Parent Organizations/Booster Clubs that have obtained tax-exempt status from the IRS may apply for the state exemption from Texas limited sales, excise, and use tax.

**IMPORTANT**

If the IRS considers a Parent Organization/Booster Club a **taxable organization**, the Parent Organization/Booster Club **CANNOT** receive an exemption from the Texas limited sales, excise, and use tax.

Parent Organizations/Booster Clubs may request exemption from the Texas limited sales, excise, and use tax by submitting the following to the Texas State Comptroller's Office:

1. Cover letter with the organization's name, mailing address, and Sales Tax Permit Number. Specifically request an exemption from "sales and use tax." Include the name and daytime phone number of the organization's contact person in case the Texas State Comptroller's Office has any questions.
2. Written statement detailing the nature of the activities conducted or to be conducted.
3. Copy of the bylaws.
4. Copy of the Articles of Incorporation, if the Parent Organization/Booster Club is incorporated.
5. Copy of the Determination Letter from the IRS granting the Parent Organization/Booster Club tax-exempt status.
6. Copy of the Parent Organization's/Booster Club's constitution or any applicable trust agreement.

The Texas State Comptroller's Office may require a Parent Organization/Booster Club to furnish additional information including, but not limited to, documentation showing

1. all services performed by the organization and
2. all income, assets, and liabilities of the organization.

**Note:** No fee is required to apply for this exemption. In addition, exemption from franchise tax may be requested within this letter.

**See Appendix for additional information from Texas State Comptroller's Office.**

The information should be mailed to:

Exempt Organizations  
PO Box 13528  
Austin, TX 78711

**IMPORTANT**

**Do not use “Texas State Comptroller’s Office” in this address, per their instructions, due to the mail routing system. Please use the address as listed above.**

After a review of the information, the Texas State Comptroller’s Office will notify the Parent Organization/ Booster Club in writing if the organization qualifies for the exemption. This review process may take about 2 to 3 weeks.

**IMPORTANT**

If a Parent Organization/Booster Club loses its federal tax-exempt status, the IRS notifies the Texas State Comptroller’s Office. Upon notification, the Texas State Comptroller’s Office will immediately revoke the exemption from the Texas limited sales, excise, and use tax. **Therefore, all subsequent purchases by the Parent Organization/Booster Club would be taxable.** In addition, the Parent Organization/Booster Club must notify its vendors of the loss of exempt status concerning the Texas limited sales, excise, and use tax.

**Parent Organizations/Booster Clubs with the Limited Exemption**

The exemption from the Texas limited sales, excise, and use tax (limited exemption) allows the approved Parent Organizations/Booster Clubs to make tax-exempt purchases of items intended for resale for a fund-raiser. The Parent Organization/Booster Club must present the vendor with a Texas Resale Certificate in order to purchase the items for resale tax-free. In addition, the certificate must state the Parent Organization’s/Booster Club's Sales Tax Permit Number to be valid. Parent Organizations/Booster Clubs may request the Texas Resale Certificate from the Texas State Comptroller’s Office.

**VERY IMPORTANT – Please Note:**

The Parent Organizations/Booster Clubs with the limited exemption are entitled to two (2) “one-day, tax-free” sales or auctions per calendar year. A fund-raiser qualifies for the “one-day, tax-free” sale/auction if all items are to be delivered on one day. Each "one-day" sale/auction may not exceed 24 consecutive hours.

**Remember: You must be granted the limited exemption first to be entitled to the two(2) “one-day, tax free” sales or auctions per calendar year.**

Sales of items such as T-shirts, candles, cups, etc. are subject to sales tax when sold on days other than the two (2) “one-day, tax-free” sale/auction days.

**Parent Organizations/Booster Clubs with No Exemption**

Parent Organizations/Booster Clubs that are taxable organizations or Parent Organizations/Booster Clubs that have not received approval for the limited exemption from the Texas State Comptroller’s Office must pay sales tax on all applicable purchases and must collect sales taxes on all taxable items sold.

*Parent Organizations/Booster Clubs that do not have an exemption are not entitled to any "one-day, tax-free" sales/auctions.*

**“Tax-exempt” Organizations**

Some organizations may be extended a "tax-exempt" status by the Texas State Comptroller’s Office. The organizations receiving this status may buy, lease, or rent taxable items without paying sales and use tax if those items are necessary to their function as a tax-exempt organization.

**Historically, the Texas State Comptroller’s Office has not extended "tax-exempt" status to Parent Organizations/Booster Clubs.**

**Reporting Requirements**

The Texas State Comptroller’s Office requires that Parent Organizations/Booster Clubs file at least one sales tax report per calendar year. The frequency of filing the sales tax report is determined by the Texas State Comptroller’s Office. The amount of anticipated sales tax payments affects the frequency of reporting as follows:

- ◆ If projected yearly sales tax payments are \$1,000 or less, sales tax reports are filed annually.

- ◆ If projected yearly sales tax payments are more than \$1,000, sales tax reports are usually filed monthly or quarterly.

Since sales tax payments may vary from year to year, the frequency of reporting can also change. The Texas State Comptroller's Office will generally communicate changes in filing requirements to the Parent Organizations/Booster Clubs in writing. In addition, the Texas State Comptroller's Office will generally mail the required reporting form and information to organizations that have obtained a Sales Tax Permit.

### Franchise Tax

The franchise tax serves as Texas' primary business tax. The tax is levied on corporations, including bank corporations, and limited liability companies that are chartered in Texas for the privilege of doing business in Texas. Non-corporate organizations, such as partnerships, associations, and proprietorships are excluded from the tax. Therefore, if a Parent Organization/Booster Club is incorporated, they are subject to franchise tax.

However, Parent Organizations/Booster Clubs that have received their Determination Letter from the IRS granting 501(c)(3) tax exemption may also request exemption from the Texas franchise tax through the Texas State Comptroller's Office.

Although a nonprofit corporation that is exempt from federal income tax under Internal Revenue Code 501(c)(3) is exempt from franchise tax, the exemption is **not automatically granted**. Parent Organizations/Booster Clubs must write to the Texas State Comptroller's Office requesting franchise tax exemption by submitting the following:

1. Cover letter with the organization's name, mailing address, and Sales Tax Permit Number. Specifically request an exemption from "franchise tax." Include the name and daytime phone number of the organization's contact person in case the Texas State Comptroller's Office has any questions.
2. Written statement detailing the nature of the activities conducted or to be conducted.
3. Copy of the bylaws.
4. Copy of the Articles of Incorporation, if the Parent Organization/Booster Club is incorporated.
5. Copy of the Determination Letter from the IRS granting the Parent Organization/Booster Club tax-exempt status.
6. Copy of the Parent Organization's/Booster Club's constitution or any applicable trust agreement.



The Texas State Comptroller’s Office may require a Parent Organization/Booster Club to furnish additional information including, but not limited to, documentation showing

1. All services performed by the organization and
2. All income, assets, and liabilities of the organization.

**Note:** No fee is required to apply for this exemption. In addition, exemption from sales and use tax can be requested within the same letter.

**See Appendix for additional information from Texas State Comptroller’s Office.**

The information should be mailed to:

Exempt Organizations  
PO Box 13528  
Austin, TX 78711

**IMPORTANT**  
**Do not use “Texas State Comptroller’s Office” in this address, per their instructions, due to the mail routing system. Please use the address as listed above.**

**Change in Address**

If the mailing address for the Parent Organization/Booster Club changes, immediately notify the Texas State Comptroller’s Office. Failure to do so may result in important correspondence being lost. To avoid frequent mailing address changes, the Texas State Comptroller’s Office recommends that each Parent Organization/Booster Club obtain its own post office box (PO Box) or private mailing box (PMB) to be used for official Parent Organization/Booster Club mail. In addition, the post office box address and keys can be given easily to the new officers at the beginning of each new year. The District’s campus mailing address cannot be used by the Parent Organizations/Booster Clubs.

**Further Questions?**

If you have additional questions regarding the information discussed, you may contact:

**Texas State Comptroller's Office**

Houston Office

713-426-8200

Austin Office

1 -800-252-5555 (toll-free)

WebFile Help

1-800-531-5441

**Website addresses**

Texas State Comptroller's Office

*[www.window.state.tx.us](http://www.window.state.tx.us)*

Sales Tax Information

*[www.window.state.tx.us/taxinfo/salestax.html](http://www.window.state.tx.us/taxinfo/salestax.html)*

## Federal Regulatory Information

This section has been prepared to provide general, not specific or all-inclusive, information to Parent Organizations/Booster Clubs regarding federal tax regulations. Steps have been documented to aid a Parent Organization/Booster Club in abiding by the regulations; however, these steps are only general guidelines and do **not** ensure that a Parent Organization/Booster Club will remain in compliance with all federal tax regulations.

Each Parent Organization/Booster Club should strive to remain in good standing with all federal agencies, including the Internal Revenue Service (IRS). **Therefore, each Parent Organization/Booster Club is responsible for obtaining its own competent independent counsel on accounting and tax matters related to its specific circumstances.** This counsel may include a Certified Public Accountant (CPA) or an attorney. The cost of these services would be the Parent Organization's/Booster Club's responsibility.

### General Federal Regulatory Information

Parent Organization/Booster Club officers are solely responsible for ensuring that their Parent Organization/Booster Club is in compliance with all federal regulations. Therefore, the District, including any District employee, is not responsible for a Parent Organization/Booster Club not being in good standing with all federal agencies. However, the District has provided the following information that includes detailed steps Parent Organizations/Booster Clubs should take to comply with federal tax regulations.

This information is organized as follows:

	<u>Page</u>
Obtaining an Employer Identification Number.....	6.12
Why Do I Want To Be Tax-exempt? .....	6.13
Why Do I Want To Be a Public 501(c)(3)? .....	6.14
Becoming a Public 501(c)(3) Tax-exempt Organization .....	6.15
Applying for Public 501(c)(3) Tax-exempt Status .....	6.15
Obtaining Tax-exemption through National Affiliation .....	6.17
Advance Ruling Period (Temporary Tax-exempt Status) .....	6.18
Filing Requirements for Tax-exempt Organizations .....	6.18
Taxable Organizations.....	6.19
Change in Address .....	6.19
Further Questions? .....	6.20

**Obtaining an Employer Identification Number**

The IRS requires that **all organizations** obtain a unique Employer Identification Number (EIN) for identifying itself as a unique entity. The IRS prohibits Parent Organizations/ Booster Clubs from using their central organization's EIN; therefore, **Parent Organizations/Booster Clubs should not use the District's EIN.**

**IMPORTANT**

An organization is **not** automatically considered tax-exempt by acquiring an EIN. All organizations must first apply for an EIN to be recognized as a unique entity and then apply for tax-exempt status. Likewise, the mere fact that an entity is organized as a non-profit organization does **not** indicate that it is exempt from federal tax. “Non-profit” is a state law concept and is **not** recognized by the IRS.

Parent Organizations/Booster Clubs may obtain an EIN by:

Completing IRS Form SS-4 (Application for Employer Identification Number)

The online application can be located at:

**<http://www.irs.gov/businesses/small/article/0,,id=102767,00.html>**

**Note: No fee is required for obtaining an EIN.**

After receiving your EIN, you may use it to then open a bank account and obtain a State Sales Tax Permit. **Parent Organizations/Booster Clubs should not use an individual's social security number to conduct the business of the organization.**

Copies of the completed SS-4 form and the IRS response documenting the assigned EIN number should be kept in the Parent Organization's/Booster Club's permanent records from year to year.

### Why Do I Want To Be Tax - exempt?

The IRS Tax Code provides for special treatment of certain organizations identified as "tax-exempt." Some benefits to becoming tax-exempt as a public 501(c)(3) organizations include:

1. Taxes are not paid to the IRS for revenues raised,
2. Contributions to certain tax-exempt organizations [501(c)(3)] are tax-deductible by the contributor, and

However, the following are restrictions placed on tax-exempt organizations that Parent Organizations/Booster Clubs **must follow** to receive tax-exempt status and to retain that status:

- ◆ **Tax-exempt organizations must benefit a group as a whole instead of benefiting individual members of a group.** Since Parent Organizations/Booster Clubs usually assist student groups, all members of the student group sponsored are to be treated equally and receive the same opportunity to benefit from the Parent Organization's/Booster Club's assistance. Therefore, one student cannot receive a greater benefit than another unless the criteria for financial need discussed below is met.

In some instances, individuals may not be able to afford to pay the amount owed to participate in a particular event. The IRS has indicated that a group or club may establish criteria that could be used to determine if a person is in financial need. If the criteria are met, the group or club could provide the necessary funds to allow the individual to participate. The criteria should be established in writing prior to a particular situation arising. In addition, the criteria should be used consistently for all people, and the criteria should not change every year.

- ◆ **Tax-exempt organizations cannot use individual accounts.** "Individual accounts" are those accounts used by a Parent Organization/Booster Club to credit an individual with revenues raised. The Parent Organizations/Booster Clubs would use these accounts to benefit the individual by offsetting that individual's expenses with the amount credited to that individual from the revenues raised.

Please note that individual accounts do not refer to bank accounts.

The purpose of a tax-exempt organization is to benefit an entity as a whole instead of benefiting individuals. Therefore, the use of individual accounts could result in denial of the application for tax-exempt status by the IRS or the loss of existing tax-exempt status. In addition, the individual benefits received by people would result in taxable income to them.

- ◆ **Tax-exempt organizations cannot require a person to participate in fund-raising activities.** Normally, Parent Organizations/Booster Clubs raise funds for a student group through the efforts of the Parent Organizations/Booster Club members; however, sometimes the students of the group being assisted participate in the fund-raising activities. A Parent Organization/Booster Club cannot require its members or the students in the related student group to participate in a fund-raiser. Furthermore, members of the student group who do not participate in fund-raising activities would receive the same opportunity to benefit as those members of the student group who participated.
  
- ◆ **Tax-exempt organizations cannot require that a certain amount be raised or sold per person.** For example, a Parent Organization/Booster Club cannot require that each Parent Organization/Booster Club member or student of the assisted group sell \$20 worth of candy or sell 10 candy bars in a fund-raiser.

The following is an illustration of the above concepts:

*A dance team is attending a summer dance camp that costs \$2,000 for its 10 members (\$200 each). The Dance Team Booster Club decides to have a catalog fund-raiser to help defray some of the cost of the summer dance camp. The catalog sale generates a total of \$200 of revenue. Of the 10 total members of the dance team, only 2 participate in the catalog sale that generates the \$200, which is deposited into the Dance Team Booster Club's bank account.*

*Since revenues from the catalog sale were to be used to defray some of the dance camp expense, the tax-exempt Dance Team Booster Club must give all 10 dance team members an equal opportunity to benefit from the catalog sale, even though only 2 members participated. This means that **each member's cost** would be reduced by \$20 ( $\$200 / 10$  members). Therefore, each member's cost for attending the summer camp would be \$180 ( $\$200$  cost -  $\$20$  fund-raiser benefit).*

### Why Do I Want To Be a Public 501(c)(3)?

When applying for tax-exempt status with the IRS, Parent Organizations/Booster Clubs should apply for the **public 501(c)(3) tax-exemption**. This type of exemption means that the organization is tax-exempt; the majority of its income is from the public; and all donations, subject to certain individual restrictions, are deductible on the contributor's tax return. In addition, 501(c)(3) organizations are eligible for state tax benefits (*See the State Regulatory Information.*) and reduced postal rates.

The IRS has several other tax-exempt categories; however, the 501(c)(3) status is the **ONLY** category that allows any donations to be deductible on the contributor's tax return. All other categories allow for tax-exemption, but do not allow for deductible donations under any circumstances.

With a 501(c)(3) tax-exempt status, an organization may be public or private. A private 501(c)(3) organization has additional requirements and constraints that a public 501(c)(3) organization does not have.

**Therefore, all Parent Organizations/Booster Clubs should apply for tax-exempt status as a public 501(c)(3) organization.**

**Becoming a Public 501(c)(3) Tax-exempt Organization**

Tax-exempt status is not automatic once an EIN has been issued; **organizations must apply for tax-exempt status.** According to the IRS, an organization is either a taxable organization or a tax-exempt organization. Furthermore, organizations may **not** represent themselves as tax-exempt until they have obtained notification from the IRS stating they are a tax-exempt entity.

According to Board Policy GE (Local), **all Parent Organizations/Booster Clubs should seek tax-exempt status with the IRS as a public 501(c)(3) organization.** The Parent Organization/Booster Club officers should take the necessary steps to ensure they follow the regulations regarding that type of entity.

**Applying for Public 501(c)(3) Tax-exempt Status**

1. Complete IRS Package 1023 (Application for Recognition of Exemption) seeking tax-exempt status as a **public 501(c)(3)** organization.
2. Complete IRS Form 8718 (User Fee for Tax-exempt Organization Determination Letter Request) and pay the required fee of \$400 or \$850.
3. Mail Package 1023, Form 8718, and a check for the filing fee to:

Internal Revenue Service  
PO Box 12192  
Covington, KY 41012-0192

**The filing fee is \$400** if your annual gross receipts averaged **no more than \$10,000** during the last 4 years or if you are a new organization that does not anticipate annual gross receipts exceeding \$10,000 during your first 4 years.

**The filing fee is \$850** if your annual gross receipts averaged **more than \$10,000** during the last 4 years or if you are a new organization that anticipates annual gross receipts exceeding \$10,000 during your first 4 years.

**Annual gross receipts:** The total amount of revenue collected by an organization during its reporting year from any source. Sources may include, but are not limited to, membership fees, donations, fund-raising revenues, amounts collected for the payment of expenses (e.g., uniforms, trips), and any other amounts received.

**To determine annual gross receipts:**

- **Add** all deposits made to the Parent Organization's/Booster Club's bank account(s),
- **Add** cash on hand that was not deposited by the end of its reporting year,
- **Less** transfers from one bank account to another, and
- **Add** expenses paid with money collected that was not deposited in the Parent Organization's/Booster Club's bank account(s).

When completing the IRS Package 1023, Parent Organizations/Booster Clubs will establish their fiscal year-end (*also known as the accounting period year-end or official year-end*). Once this date is established, the IRS does not easily allow an organization to change it. Changes are usually only allowed for extreme circumstances. The date established will determine when the Parent Organization/Booster Club has to file their informational return (Form 990) to the IRS. The return is due 4 ½ months after the end of a fiscal year (*the 15<sup>th</sup> day of the 5<sup>th</sup> month after the organization's accounting period ends*).

When considering a fiscal year-end date, you may wish to align your year-end with the district's year-end date of June 30. This way, the financial activity of the Club can relate easily to a given school year. Second, the current officers can prepare the annual Financial Report and have it audited before the new school year begins. Third, the Club's Form 990 would not be due to the IRS until November 15; therefore, the new officers would have time to prepare it after beginning the new school year.

The IRS approval process for tax-exempt status usually takes several months.

**Read "The Top Ten Reasons for Delays in Processing Exempt Organization Applications" in the Appendix before you submit your application!!**



The IRS will send the organization an Acknowledgement of Your Request letter that indicates your application and fee were received and are being processed.

Upon approval by the IRS of the tax-exempt status, the organization will receive a Determination Letter stating that the organization is considered to be tax-exempt as of a certain date. Only then can the organization represent itself as a federally tax-exempt organization.

Likewise, donations to the organization are only deductible on the contributor's tax return as of the effective date on the Determination Letter received by the Parent Organization/Booster Club granting 501(c)(3) tax-exempt status and within set guidelines that apply to 501(c)(3) organizations.

If the Parent Organization/Booster Club does not obtain the appropriate qualifying status, advertisements should clearly state that donations to the organization are **“not tax-deductible”** so that a contributor is not misled and does not incur penalties levied by the IRS for taking the deduction erroneously.

If the IRS does not grant tax-exempt status, the organization will receive a Letter of Denial stating the organization is not considered tax-exempt.

**Send a copy of the Acknowledgement of Your Request and a copy of the Determination Letter to the District's Business & Finance Dept. when each is received.**

**Examples of an Acknowledgment of Your Request and a Determination Letter have been included in the Appendix.**

### **Obtaining Tax-Exemption through National Affiliation**

Some organizations may become affiliated with a national organization that has already received tax-exempt status as a public 501(c)(3) organization from the IRS (e.g., PTAs). The national organization may have a Group Exemption Number (GEN) assigned to it by the IRS. The GEN may be used by local affiliates to avoid having to file their own Form 1023.

**Each local affiliate, however, must obtain an Employer Identification Number (EIN).**

**Advance Ruling Period – As of September 2008, the Advance Ruling Period was eliminated. See next page for more information.**

### **Elimination of the Advance Ruling Process**

On September 9, 2008, the IRS issued [temporary Income Tax Regulations](#), which eliminate the advance ruling process for a section 501(c)(3) organization. Under the new regulations, a new 501(c)(3) organization will be classified as a [publicly supported charity](#), and not a private foundation, if it can show that it reasonably can be expected to be publicly supported when it applies for tax-exempt status.

Under the old regulations, an organization that wanted to be recognized by the IRS as a publicly supported charity instead of a private foundation had to go through an extended two-step process. First, the organization had to declare that it expected to be publicly supported on an on-going basis. Then, after five years, it had to file [Form 8734, Support Schedule for Advance Ruling Period](#), showing the IRS that it actually met the public support test. If it didn't meet the test, it was designated a tax-exempt private foundation and would be [subject to stricter rules](#).

The new rules no longer require the organization to file Form 8734 after completing its first five tax years. Moreover, the organization retains its public charity status for its first five years regardless of the public support actually received during that time. Instead, beginning with the organization's sixth taxable year, it must establish that it meets the public support test by showing that it is publicly supported on its [Schedule A to Form 990, Return of Organization Exempt From Income Tax](#). [Transition rules](#) apply to organizations that have previously received advance rulings.

### **Filing Requirements for Tax-exempt Organizations**

The IRS requires that either Form 990 (Return of Organization Exempt from Income Tax) or Form 990-EZ (Short Form of Return of Organization Exempt from Income Tax) **be filed annually** for public organizations recognized as tax-exempt with gross receipts of more than \$50,000. (*See definition of "annual gross receipts" in this section.*)

**Contact the IRS at 1-800-829-3676 to order forms.**

**The return is due by the 15<sup>th</sup> day of the 5<sup>th</sup> month after the accounting period ends** (due 4½ months after the Parent Organization's/Booster Club's official or fiscal year-end). Please refer to your Determination Letter for confirmation of your accounting period year-end.

Most small tax-exempt organizations whose annual gross receipts are normally \$50,000 or less are required to electronically submit Form 990-N, also known as the e-Postcard, unless they choose to file a complete Form 990 or Form 990-EZ instead. See [www.irs.gov](http://www.irs.gov) for filing deadlines.

>>Parent Organizations/Booster Clubs must use Form 990-EZ (or 990) if:

1. Gross receipts are more than \$50,000 but less than \$200,000 **AND**
2. Total assets are less than \$500,000 at year-end.

>>Parent Organizations/Booster Clubs must use Form 990 if:

1. Gross receipts are \$200,000 or more **OR**
2. Total assets are \$500,000 or more at year-end.

Failure to file for three consecutive years will result in the organization's loss of 501(c) (3) status.

**Taxable Organizations**

If a Parent Organization/Booster Club has not obtained tax-exempt status from the IRS, that Parent Organization/Booster Club is a taxable entity. Taxable organizations operate under different guidelines than tax-exempt organizations and are required to submit Form 1120 (U.S. Corporation Tax Return) annually. Form 1120 must be filed each year no matter the amount of the gross receipts.

**Since the District Parent Organization/Booster Clubs should be public 501(c)(3) organizations**, the IRS guidelines concerning taxable organizations are not included in this handbook. Taxable organizations should obtain their own competent independent counsel, such as a CPA, on accounting and tax matters related to their specific circumstances. The cost of the counsel would be the Parent Organization's/Booster Club's responsibility.

**Change in Address**

Immediately notify the IRS if the Parent Organization's/Booster Club's mailing address changes. Failure to do so may result in important correspondence being lost. To avoid frequent mailing address changes, the IRS recommends that each Parent Organization/Booster Club obtain its own post office box (PO Box) or private mailing box (PMB) to be used for official Parent Organization/Booster Club mail. In addition, this address and box keys can be given easily to the new officers at the beginning of each new year. The District does not allow campus addresses to be used by a Parent Organization/Booster Club.

**Further Questions?**

If you have additional questions regarding the information discussed above, you may contact:

**Internal Revenue Service**

Main Number	1-800-829-1040 (toll-free)
Tax-exempt Organizations	1-877-829-5500 (toll-free)
Tax Forms & Publications	1-800-829-3676 (toll-free)

**Website addresses**

IRS Home Page	<i>www.irs.gov</i>
Tax-exempt Information	<i>www.irs.gov/charities/index.html</i>
Tax Forms & Publications	<i>www.irs.gov/formspubs/index.html</i>

**Additional information downloaded from the IRS' website is included in the Appendix.**

# Taking Care of Business



## **Included in this section:**

- ☐ **Taking Care of Business Overview**
- ☐ **Parent Organization/Booster Club Information Sheet**
- ☐ **List of Officers**
- ☐ **Financial Report Information & Formats**
- ☐ **Review Committee Report Information & Formats**
- ☐ **Day-to-Day Responsibilities**

## Taking Care of Business Overview

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Parent Organizations/Booster Clubs have many responsibilities to the federal government, the state, the District, and to the students they support. Part of this responsibility is to keep accurate and updated records so that the organization may complete the necessary filing requirements with the state and the IRS. In addition, these records will help you prepare your annual Financial Report and Review Committee Report due to the Principal and the Business & Finance Dept. by September 1, of each year.

With this in mind, this section has been prepared to assist you in establishing a general record-keeping system, a general system of internal controls, and to guide you in preparing the Financial Report and related Review Committee Report. Establishing a good record-keeping system is an essential step in creating a successful organization.

Most of the reporting requirements of a Parent Organization/Booster Club are dependent on the financial records kept; therefore, the office of Parent Organization/Booster Club Treasurer is an extremely important and vital position that should not be taken lightly. Even though the Treasurer may assign certain duties to another person (i.e., Fund-raiser Chairperson – Catalog Sales), the Treasurer is ultimately responsible for assuring that all financial records are maintained accurately for the Parent Organization/Booster Club.

Parent Organization/Booster Club officers also have day-to-day responsibilities to the club, as well as the students they support. Some of these responsibilities include:

- Setting up a bank account properly,
- Accounting properly for fund-raiser income and expenses,
- Analyzing the outcome of each fund-raiser to determine its financial success/failure,
- Establishing and maintaining money handling procedures, and
- Becoming knowledgeable of District policies concerning using District buildings.

In addition, Parent Organizations/Booster Clubs should submit certain information to Business & Finance and to the Principal as soon as the information changes. This information is included on the following **Parent Organization/Booster Club Information Sheet pg 7.3**.

# Parent Organization/Booster Club Tax-exempt Status For the \_\_\_\_\_ School Year

**Send an updated copy of this form to Business & Finance by September 1 of each year or as information changes.**

## Federal Tax-exempt Status:

- Determination Letter* from IRS granting 501(c)(3) status is already on file with the Business & Finance Department. *(Must complete this step every 3 years.)*
- Received *Determination Letter* from IRS granting 501(c)(3) status. *(Send a copy of the Determination Letter to Business & Finance with this form.)*
- Received *Acknowledgement of Your Request* from IRS stating approval in progress. *(Send a copy of the Acknowledgement of Your Request to Business & Finance with this form.)*
- Mailed completed Form 1023 & payment to IRS on \_\_\_\_/\_\_\_\_/\_\_\_\_, but have not received any documentation from them yet.
- Currently completing Form 1023 and will mail to IRS by \_\_\_\_/\_\_\_\_/\_\_\_\_.

Contact person for further information on status is:

Printed Name: \_\_\_\_\_

Phone Number: \_\_\_\_\_

- Have not started the federal tax-exempt process.

## Submitted by:

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Officer Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Parent Organization/Booster Club Information Sheet

**Send an updated copy of this form to Business & Finance and to your School Principal or Administrator as new officers are elected or as information changes.**

1. **Official Parent Organization/Booster Club Name:** \_\_\_\_\_
2. **School Name:** \_\_\_\_\_
3. **Employer Identification Number (EIN):** \_\_\_\_\_
4. **Official Mailing Address:** DO NOT USE THE CAMPUS ADDRESS  
 PO Box / Street Address: \_\_\_\_\_  
 \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_
5. **Date of Change:** \_\_\_\_/\_\_\_\_/\_\_\_\_
6. **Current Parent Org./Booster Club Officers for the \_\_\_\_\_ School Year:**

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		



## Parent Organization/Booster Club Information Sheet

**Send an updated copy of this form to Business & Finance and to your School Principal or Administrator as new officers are elected or as information changes.**

★ *By law, information on this page is public information and must be released to the public at such requests.* ★

### 6. Current Parent Organization/Booster Club Officers (Continued)

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

## Parent Organization/Booster Club Information Sheet

**Send an updated copy of this form to Business & Finance and to your School Principal or Administrator as new officers are elected or as information changes.**

★ *By law, information on this page is public information and must be released to the public at such requests.* ★

### 6. Current Parent Organization/Booster Club Officers (Continued)

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

Office Held:		
Printed Name:		
Mailing Address:		
Phone Numbers:	Home:	Work:
E-mail Address:		

## Financial Report Information & Formats

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Each year Parent Organizations/Booster Clubs are required to submit a written report of actual revenues and expenditures (Financial Report) for that school year to the School Principal and to the District's Business & Finance Dept. by September 1, of the following year.

The Treasurer of the Parent Organization/Booster Club should prepare the Financial Report and should ensure that the Financial Report includes:

- Name of school, name of Parent Organization/Booster Club, and the time period covered in the report.
- Actual revenues and expenditures for the applicable school year. The current year report should start at the point in time where the prior year report ended. For example, if the 2019-20 report ended on June 30, 2020, then the 2020-21 report will begin as of July 1, 2020.  
Since clubs may start their new year at various times, the time period used for reporting actual revenues and expenditures may vary from club to club; however, the individual Parent Organizations/Booster Clubs should try to be consistent in the time period they use from year to year.
- Name, title, and signature of person who prepared the report.
- Date the report was prepared.

The Parent Organization/Booster Club may want the time period used for reporting purposes to coincide with the election of new officers. If new officers normally come into office May 1, of each year, the time period for the Financial Report may be from May 1, to April 30, of the following year.

The following examples of Financial Reports are included in this handbook:

- **Type 1** - This example is a cash basis financial report that includes the beginning and ending cash balances for the year. Money received is usually shown as income and money paid is usually shown as an expense.

*The beginning cash balance for the current year should agree to the ending cash balance from the prior year.*

★ *Type 1 report format is the simplest to prepare.* ★

## Financial Report Information & Formats

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- **Type 2** - This example is an accrual basis financial report that includes assets, liabilities, equity, income, and expenses. This report would include the cash transactions, but would also show amounts to be received or amounts to be paid in which money has not yet been exchanged, prepayments of expenses that have not yet been incurred, or receipt of amounts in which income is not yet recognized.

*The retained earnings amount should agree to the total equity amount from the prior year.*

**XYZ High School Spirit Booster Club  
CASH BASIS FINANCIAL REPORT  
From July 1, 202X through June 30, 202X**

Beginning Cash Balance as of July 1, 202X \$5,235.46

**INCOME**

Concession Stand Sales	\$3,569.50	
Fall Dance	\$2,875.00	
Membership Dues (225 members)	\$5,625.00	
Program Ad Sales	\$9,502.25	
Uniform Income (212 new uniforms ordered)	<u>\$9,540.00</u>	
Total Income		\$31,111.75

**EXPENSES**

Competition Trip Expense	\$8,320.03	
Concession Stand Supplies	\$1,355.77	
Fall Dance Expense	\$2,589.10	
Miscellaneous Supplies	\$ 650.77	
Postage	\$ 236.29	
Program Ad Expenses	\$1,242.88	
Donations made - Cash	\$4,328.00	
Donations made - Property	<u>\$9,540.00</u>	
Total Expenses		<u>\$28,262.84</u>

Net Income (Loss) for Current Year \$2,848.91

**Ending Cash Balance as of June 30, 202X \$8,084.37**

**Cash Basis Financial Report prepared by:**

Printed Name	Title
	/ /
Signature	Date

**XYZ High School Spirit Booster Club**  
**BALANCE SHEET**  
**As of June 30, 202X**

**ASSETS**

BankOne Checking Account	\$2,154.25
BankOne Savings Account	\$5,112.77
Accounts Receivable	\$3,458.00
Prepaid Storage Rent	\$ <u>300.00</u>

**TOTAL ASSETS** **\$11,025.02**

**LIABILITIES & EQUITY**

Liabilities

Accounts Payable	\$3,524.75
Deferred Membership Income	\$ 500.00
Scholarship Payable	<u>\$1,000.00</u>

Total Liabilities \$ 5,024.75

Equity

Retained Earnings	\$3,151.36
Net Income (Loss) From Current Year	<u>\$2,848.91</u>

Total Equity \$ 6,000.27

**TOTAL LIABILITIES & EQUITY** **\$11,025.02**

**Balance Sheet and Income Statement prepared by:**

Printed Name	Title
Signature	Date

**XYZ High School Spirit Booster Club**  
**INCOME STATEMENT**  
**For the Period of July 1, 202X through June 30, 202X**

**INCOME**

Catalog Sales	\$9,129.18	
Donations	\$2,300.00	
Interest Income	\$ 38.00	
Membership Dues (100 members)	\$2,000.00	
Uniform Income (22 new uniforms ordered)	<u>\$ 770.00</u>	
Total Income		\$14,237.18

**EXPENSES**

Banquet	\$1,388.13	
Catalog Sale Expense	\$3,752.68	
Postage	\$ 32.66	
Scholarships	\$2,500.00	
Storage Rental	\$ 600.00	
Donations – Cash	\$ 328.56	
Donations - Property	<u>\$ 770.00</u>	
Total Expenses		\$ <u>9,372.03</u>

**Net Income (Loss) For Current Year** **\$ 4,865.15**

## Review Committee Report Information & Formats

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Each Parent Organization/Booster Club is required to have an organizational committee conduct an annual review of the organization's Financial Report and the related financial activity for the school year. The review committee may be two types: internal or external. An internal review committee includes officers and club members; however, the committee should have at least one non-officer member review the information. A CPA or other legal counsel may perform an external review at the Club's expense. The organizational review committee, whether internal or external, must prepare a written Review Committee Report that communicates the results of the review to the organization.

### IMPORTANT

- The Treasurer(s) [and Assistant Treasurer(s), if applicable] **should not** be on the Review Committee. **Since they are reviewees, they cannot also be the reviewers.** However, they may meet with the committee or external reviewer to explain their records or answer questions.
- The Sponsor, Sponsor's spouse, or Officer's spouse cannot be the designated "non-officer" member of the Review Committee. They may be part of the Review Committee; however, they would not be considered non-officers for the purpose of the review.

An Internal Review Committee should use the examples of Review Committee Reports included on the next few pages. However, an external party should show the results of the review in their own report format with their signature and date included. Although the examples included show space for four (4) members, the Club may have more or fewer committee members. However, the same information must be documented for **each committee member** (*as opposed to the group as a whole*), regardless of the size of the committee.

The Parent Organization/Booster Club Review Committee Report examples include:

- **Option A - Review was performed with no exceptions noted;** therefore, the Financial Report appears proper and correct.
- **Option B - Review was performed with immaterial exception(s) being noted.** The Financial Report was either corrected or exceptions did not have a material effect. Except for these minor exceptions, the Financial Report appears proper and correct.
- **Option C - Review was performed with material exception(s) being noted.** Because of the material exception(s), the Financial Report is not proper and correct.

In some instances, due to material exception(s), the committee may not be able to determine whether the Financial Report is proper and correct. When this situation occurs, the committee may state that the status of the Financial Report could not be determined because of material exception(s).



**The Review Committee Report along with the Financial Report should be submitted to the School Principal and to the District's Business & Finance Dept. by September 1 of each year.**

### **Suggested Review Committee Guidelines**

The following suggested guidelines are designed to assist the Parent Organization/Booster Club Review Committee in conducting a thorough review of the Parent Organization's/Booster Club's Financial Report and the financial activity for the applicable school year.

- Have the Treasurer prepare the written report of revenues and expenditures (Financial Report) for your Parent Organization/Booster Club. The report should include information for the **full applicable year**.
- The review must cover the period beginning with the reconciled cash balance from the previous written Financial Report and ending with the reconciled cash balance from the last day of the time period reported by the Parent Organization/Booster Club. If the Club is using a retained earnings account, then the beginning retained earnings should equal the prior year's ending retained earnings balance plus/(minus) net income/(loss).
- Review the reconciled bank statements and canceled checks to determine that:
  1. Disbursements have been properly documented with an invoice or receipt,
  2. Disbursements have been properly approved,
  3. Checks have been properly signed,
  4. Checks have been deposited or cashed by the payee indicated and that no information on the face of the check has been altered, and
  5. Checks have been accounted for in the proper sequence (no missing checks).
- Check addition and subtraction on cash receipts and deposits.
- Compare cash receipts and deposits to the bank statement.
- Verify that receipts and disbursements were recorded to the correct account category.
- Review the Treasurer's monthly reports and check them for accuracy. Review the beginning and ending balances on reports to verify that correct ending balances were carried forward as beginning balances on subsequent reports.
- Determine that only applicable Parent Organization/Booster Club officers are authorized signers on the bank account(s). Former officers should not remain on the account(s) as authorized signers.

**Additionally, per the District Administrative Code GE-R, District employees may not serve in a financial capacity of a parent or booster organization. Financial capacity is defined as treasurer, fund raising chair, or check signer.**

- Determine that the coaches and directors of UIL academics, athletics, and fine arts were not given more than \$500 in money, product(s), or service(s) in recognition for coaching, directing, or sponsoring UIL activities during a calendar year.
- Obtain proof that all applicable sales tax reports were submitted to the Texas State Comptroller's Office and that the related taxes were paid.
- Determine which two fund-raisers were chosen to be the "one-day, tax-free" sales/auctions, if applicable. **Only Parent Organizations/Booster Clubs that have received a limited exemption from the Texas State Comptroller's Office are allowed two (2) "one-day, tax-free" sales/auctions per calendar year.**
- Review the tax-exempt status of the Parent Organization/Booster Club to determine that the Club has received and maintained its federal tax-exempt status as a public 501(c)(3) charitable organization or other tax-exempt status deemed by the IRS.
- Determine that either
  - (1) Form 990-N, Form 990 or 990-EZ has been filed properly with the IRS for the prior school year if the Club is a tax-exempt charitable organization, or
  - (2) Form 1120 has been filed properly with the IRS for the prior school year if the Club is not tax-exempt.
- Determine that a tax-exempt Parent Organization/Booster Club has not used individual accounts, which credit funds raised to individual students or parents.
- Verify that 1099s were issued, if applicable. In general, you may have to issue a 1099-MISC (Miscellaneous Income) for each person to whom you have paid at least \$600 in rents, services, prizes & awards, attorney fees, and other similar situations **within a calendar year.**

***Example:*** High-Kick Drill Team Booster Club hires a consultant during the Spring of the 2019-20 school year for a \$300 fee. The consultant is hired again in the Fall of 2020-21 for a \$300 fee. The Parent Organization/Booster Club should issue a 1099-MISC form to this person since the total paid within the 2020 calendar year is \$600.

After the review is complete, prepare the applicable Review Committee Report (**only one** report type may be used per review):

<b>Option A</b>	No Exceptions (i.e., errors, irregularities)	Financial Report appears proper and correct
<b>Option B</b>	Immaterial Exceptions	Financial Report appears proper and correct, except for some immaterial exceptions  Financial Report does not appear proper and correct because of material  or
<b>Option C</b>	Material Exceptions	Financial Report status cannot be determined because of material exception(s)

- If exceptions are noted during the review, consult with the organization's Treasurer and President (if necessary) to resolve the exception(s). The Treasurer is responsible for making any corrections to the records, checkbook, and Financial Report.
- If material exceptions have been noted, prepare recommendations to prevent the future occurrence of these exceptions.
- The organization's Treasurer and President are responsible for acting upon the recommendations made by the Parent Organization/Booster Club Review Committee.
- Retain the **original** written Parent Organization/Booster Club Financial Report and the **original** Parent Organization/Booster Club Review Committee Report on file with the Treasurer of the Parent Organization/Booster Club.
- Submit one **copy** of your Parent Organization/Booster Club Financial Report along with the Review Committee Report to the School Principal and another **copy** of these items to the District's Business & Finance Department.

*Option A*  
*Page 1 of 1*

(proper & correct with no exceptions)

**XYZ High School Spirit Booster Club  
REVIEW COMMITTEE REPORT  
FOR THE TIME PERIOD  
July 1, 202X through June 30, 202X**

The Review Committee members named below have reviewed the attached Financial Report and related financial activity for the time period of July 1, 202X through June 30, 202X , in detail. These members agree that the Financial Report and the related financial activity are proper and correct to the best of their knowledge. **No exceptions were noted during the review.**

_____	_____	_____	____/____/____
Printed Name	Officer Title/Member	Signature	Date
_____	_____	_____	____/____/____
Printed Name	Officer Title/Member	Signature	Date
_____	_____	_____	____/____/____
Printed Name	Officer Title/Member	Signature	Date
_____	_____	_____	____/____/____
Printed Name	Officer Title/Member	Signature	Date

**Note: If a reviewer is a non-officer, their title (second column) should be “Member”.**

*Option B*  
*Page 1 of 1*

(proper & correct with immaterial exceptions)

**XYZ High School Spirit Booster Club  
REVIEW COMMITTEE REPORT  
FOR THE TIME PERIOD  
July 1, 202X through June 30, 202X**

The Review Committee members named below have reviewed the attached Financial Report and the related financial activity for the time period of July 1, 202X through June 30, 202X, in detail. These members agree that the Financial Report and the related financial activity are proper and correct, except for the following exceptions:

- Check #12586 cleared the bank for \$25.20 instead of \$2.52.
- Check #12688 did not have 2 authorized signatures as required by the Parent Organization/Booster Club bylaws. The check only contained 1 authorized signature.
- The Program Ad Expense account contains six expenses that did not have the related invoices as documentation for the expense. The undocumented expenses totaled \$42.87.

Printed Name	Officer Title/Member	Signature	/ / Date
Printed Name	Officer Title/Member	Signature	/ / Date
Printed Name	Officer Title/Member	Signature	/ / Date
Printed Name	Officer Title/Member	Signature	/ / Date

**Note: If a reviewer is a non-officer, their title (second column) should be "Member".**

*Option C*  
*Page 1 of 2*

(not proper or correct due to material exceptions)

**XYZ High School Spirit Booster Club  
REVIEW COMMITTEE REPORT  
FOR THE TIME PERIOD  
July 1, 202X through June 30, 202X**

The Review Committee members named below have reviewed the attached Financial Report and related financial activity for the time period of July 1, 202X through June 30, 202X, in detail. These members agree that the Financial Report and the related financial activity are not proper and correct, due to the following material exceptions:

- No documentation of cost existed for the 100 new uniforms purchased.
- Checking and savings accounts were not reconciled during the year.
- Only one (1) authorized signature appeared on all checks written instead of the two (2) required authorized signatures as indicated in the Parent Organization/Booster Club bylaws.
- No documentation exists showing sales for the Christmas Cards sold to determine whether the amount recorded in the Financial Report is correct.

To prevent the above exceptions from occurring in the future, the following steps should be taken:

- Documentation of all expenses, such as an invoice, should be received prior to payment of expense. Documentation should be kept with the other Parent Organization/Booster Club records.
- All bank accounts should be reconciled on a monthly basis.
- All checks issued should be signed by at least two authorized officers.
- For all fund-raisers, a record should be kept of the sales and the money deposited.

*Option C*  
*Page 2 of 2*

(not proper or correct due to material exceptions)

**XYZ High School Spirit Booster Club  
REVIEW COMMITTEE REPORT  
FOR THE TIME PERIOD  
July 1, 202X through June 30, 202X**

_____ Printed Name _____	_____ Officer Title/Member _____	_____ Signature _____	_____/_____/_____ _____ Date _____
_____ Printed Name _____	_____ Officer Title/Member _____	_____ Signature _____	_____/_____/_____ _____ Date _____
_____ Printed Name _____	_____ Officer Title/Member _____	_____ Signature _____	_____/_____/_____ _____ Date _____
_____ Printed Name _____	_____ Officer Title/Member _____	_____ Signature _____	_____/_____/_____ _____ Date _____

*Note: If a reviewer is a non-officer, their title (second column) should be "Member".*

## Day-to-Day Responsibilities

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So far, we've covered various aspects of the major decisions that Parent Organizations/Booster Clubs have to make regarding incorporation, tax-exemption, financial reporting, and other District requirements. Therefore, this section is dedicated to the many day-to-day issues that face a Parent Organization/Booster Club such as fund-raising, money-handling, and internal controls. These topics are covered alphabetically as follows:

- 1) Accounting Procedures
- 2) Bank Accounts
- 3) Building Use
- 4) Contributions
  - a) Received
  - b) Quid Pro Quo Contributions Received
  - c) Given
- 5) Financial Aid Guidelines
- 6) Child Nutrition
- 7) Fund-raising
  - a) Board Policy
  - b) IRS Regulations
  - c) Analysis of Fund-Raiser
- 8) Mailing Address
- 9) Membership Dues
- 10) Money-Handling Procedures
  - a) Receiving Money
  - b) Recording and Depositing Money
  - c) Disbursing Money
  - d) Safeguarding Money
  - e) Carry-over Money
- 11) Raffles
- 12) Scholarships
- 13) Record Retention
- 14) Student Fines and Fees List
- 15) Volunteer Hours



### **Accounting Procedures**

- Parent Organizations/Booster Clubs should include written instructions on the recording of accounting transactions in their bylaws, such as accounting method (cash vs. accrual), number of authorized signers on the bank account(s) and number of authorized signatures required for each check.
- All transactions should be recorded in the Parent Organization's/Booster Club's financial records.
- The Parent Organization/Booster Club books and bank accounts should be reconciled monthly.
- Parent Organizations/Booster Clubs may provide support to their student group in two manners:
  - a.) Parent Organization/Booster Club members raise funds for a student group. Funds are deposited into the Club's bank account. The Club writes a check to the school where the student group is located. The school deposits the funds into the student group's activity fund. The funds then belong to the members of the student group, to be spent at their discretion (under the supervision of the Sponsor). All accounting and safeguarding of the funds is the responsibility of the school, once the school has received the funds.

*The IRS prefers that 501(c)(3) organizations use this method*, since it provides the "cleanest" procedure to track how the Parent Organization/Booster Club spends its revenues. Using this method, the Parent Organization's/Booster Club's Financial Report would show a clear path of revenues generated and expended exclusively for its purpose, to support a student group. In addition, this method reduces the amount of paperwork and responsibility for the Parent Organization/Booster Club related to the accounting for the revenues and expenses of the student group.

- b.) Parent Organization/Booster Club members raise funds for a student group. Funds are deposited into the Club's bank account. The Club writes checks to the individual vendors for the expenses related to the student group through their bank account. In addition, they collect amounts due from the students for each event/competition/trip in which the student group participates. In addition, the Club tracks who has paid and who still owes money for each event and ensures that all balances are paid in full before the event occurs. All accounting and safeguarding of the funds is the responsibility of the Parent Organization/Booster Club.

### **Bank Accounts**

- Parent Organizations/Booster Clubs should set up a bank account with the Parent Organization's/Booster Club's EIN number only. A person's social security number or the District's EIN number should not be used to set up a bank account.

**See the Federal Regulatory Information section for further information.**

- "No district employee can be an authorized signer for the bank account(s) of parent organizations/booster clubs.
- The District recommends that at least two authorized signatures be required for each check written to assist in establishing good internal controls over check disbursements. If a Parent Organization/Booster Club requires two signatures for check disbursements, the bank account(s) should have at least three authorized signers to allow at least one back-up signer if one of the regular signers is not available.
- Bank account(s) should be reconciled monthly.

### **Building Use**

According to Board Policy GKD (Local), Parent Organizations / Booster Clubs should contact the Coordinator for Facilities Use to make arrangements to use the school facilities. Parent Organizations / Booster Clubs must provide a copy of their Determination Letter to prove their tax-exempt status, proof of insurance of not less than \$100,000, and a roster of personnel, with addresses, in the organization to verify eligibility before approval for use of any school facilities is granted.

**See Board Policy GKD (Local) and the Application for Building Use in the Appendix.**

**Contributions/Donations****a) Received**

Parent Organizations/Booster Clubs may receive monetary or non-monetary contributions from individuals or businesses. In addition, those Parent Organizations/Booster Clubs that have received a Determination Letter from the IRS granting **501(c)(3)** tax exemption are allowed to receive **tax-deductible contributions** in accordance with IRS Regulation 170. To allow the individuals or businesses to deduct these contributions on their tax returns, the Parent Organization/Booster Club must send them a copy of the Club's Determination Letter indicating that the Parent Organization/Booster Club is a 501(c)(3) organization.

**If your Parent Organization/Booster Club is not a 501(c)(3) organization, contributions or donations, with a few exceptions, are not tax-deductible. In addition, you must inform the individual or business that the contributions or donations are not tax-deductible.**

For contributions received, the Parent Organization/Booster Club may want to send a thank you note along with a copy of the Determination Letter. The thank you note may indicate what was contributed or donated. If the gift is monetary, you may indicate the dollar amount. If the gift is **not** monetary, the estimated value should not be included in the thank you note. It is the responsibility of the individual or business that provided the gift to determine the value that they would report on their tax return.

Even though contributions or donations received will ultimately support the student group at a school, the gift is still considered to be a gift to the Parent Organization/Booster Club and not to the school or to the District

## b) Quid Pro Quo Contributions Received

According to the IRS, a charitable organization, such as a Parent Organization/Booster Club that is a 501(c)(3) organization, must provide a written disclosure statement to donors who make a payment, described as a “quid pro quo contribution,” in excess of \$75.

A quid pro quo contribution is a payment made partly as a contribution and partly for goods or services provided to the donor by the charitable organization. An example of a quid pro quo contribution is where the donor gives a Parent Organization/Booster Club \$100 in consideration for a concert ticket valued at \$40. In this example, \$60 would be deductible. Because the donor’s payment (quid pro quo contribution) exceeds \$75, the disclosure statement must be furnished, even though the deductible amount does not exceed \$75.

The required written disclosure statement must:

- 1) inform the donor that the amount of the contribution that is deductible for federal income tax purposes is limited to the excess of any money (and the value of any property other than money) contributed by the donor over the value of goods or services provided by the charitable organization, and
- 2) provide the donor with a good-faith estimate of the value of the goods or services that the donor received.

The charitable organization (Parent Organization/Booster Club) must furnish the statement in connection with either the solicitation or the receipt of the quid pro quo contribution. If the disclosure statement is furnished in connection with a particular solicitation, it is not necessary for the organization to provide another statement when the associated contribution is actually received.

A penalty is imposed on charitable organizations that do not meet the disclosure requirements. For failure to make the required disclosure in connection with a quid pro quo contribution of more than \$75, there is a penalty of \$10 per contribution, not to exceed \$5,000 per fund-raising event or mailing.

For complete details, including exceptions to the disclosure requirement discussed above, please visit the IRS website at the following link:  
**<http://www.irs.gov/Charities-&-Non-Profits/Substantiating-Charitable-Contributions>**

c) **Given**

When the Parent Organization/Booster Club contributes directly to the student group, the Club should receive a Tax-exempt Status/Donation Acknowledgment Form from either the school or the District. A District employee should complete the form and give the original copy to the Parent Organization/Booster Club for their records.

***Example:*** *Yippee Booster Club is funding a portion of a student group's trip for a competition. The trip costs \$50,000, and the Booster Club has agreed to pay \$35,000 of the expense. Therefore, the students must pay the remaining \$15,000. The \$35,000 that the Booster Club donated is considered a contribution to that particular District student group and should be documented on the Tax-exempt Status/Donation Acknowledgment Form.*

The school may request that a Parent Organization/Booster Club provide a list of contributions made to the student group or school. The Tax-exempt Status/Donation Acknowledgment Form may reference this list; thus, eliminating the need to have a form completed for each contribution. The schools are required to report contributions received at the end of each quarter; therefore, your school may request the list of contributions made from Parent Organizations/Booster Clubs.

The Tax-exempt Status/Donation Acknowledgment Form should be kept with the Parent Organization's/Booster Club's financial records. The form can be used as substantiation to the IRS that the Parent Organization/Booster Club is using the funds raised in the manner approved by the IRS as a 501(c)(3) organization.

The District tracks contributions received from individuals and entities such as Parent Organizations/Booster Clubs. This information may assist the District in receiving a more favorable bond rating and in receiving grants. Public support of the District is very important in these areas.

**For more information on contributions, see the IRS information in the Appendix.**

**Financial Aid Guidelines**

Tax-exempt organizations must benefit a group as a whole instead of benefiting individual members of a group. Since Parent Organizations/Booster Clubs usually assist student groups, all members of the student group sponsored are to be treated equally and receive the same opportunity to benefit from the Parent Organization's/Booster Club's

assistance. Therefore, one student cannot receive a greater benefit than another unless the criteria for financial need discussed below is met.

In some instances, individuals may not be able to afford to pay the amount owed to participate in a particular event. The IRS has indicated that a group or club may establish criteria that could be used to determine if a person is in financial need. If the criteria are met, the group or club could provide the necessary funds to allow the individual to participate. The criteria should be established in writing prior to a particular situation arising. In addition, the criteria should be used consistently for all people, and the criteria should not change every year.

An example of Financial Aid Guidelines is included in the Appendix.

### **Child Nutrition**

High Schools may not provide access to Foods of Minimal Nutritional Value during meal periods in areas where school meals are served and consumed. Middle Schools and Junior High Schools may not provide access to Foods of Minimal Nutritional Value until after the last lunch period. Elementary Schools may not provide Foods of Minimal Nutritional Value to students at any time during the school day. For more information see the appendix under “Texas Public School Nutrition Policy.”

***Note:*** *Certain exemptions are allowed for school nurses, students with special needs and up to three schoolwide events pre-approved by school officials.*

### **Fund-raising**

Before any fund-raising activity occurs, Parent Organizations/Booster Clubs should decide whether a fund-raiser is a Parent Organization/Booster Club fund-raiser (money is deposited directly into the *Parent Organization’s/Booster Club’s* bank account) **or** whether it is a school fund-raiser (money is deposited directly into the *District’s student activity fund account* for that student group). If the activity is a Parent Organization/Booster Club fund-raiser, the Parent Organization/Booster Club is responsible for handling any and all money from the fund-raiser. Likewise, if the activity is a school fund-raiser, the school is responsible for all money collected and deposited from the fund-raiser.

#### **a.) Board Policy**

- Board Policy GKB (Local) discusses fund-raising regulations.

- Parent Organizations/Boosters Club should request approval of fund-raiser via Online Fund-raiser Project Request Form prior to fundraising activity. **Each fund-raiser will be approved in advance by the principal and assistant superintendent.** Information required on the Online Fund-raiser Project Request Form include:

1. Purpose of the fund-raiser,
2. Type of fund-raising activity (i.e., candy sale, carnival),
3. Date(s), time(s) and place(s) of the activity,
4. Name of the sponsoring organization,
5. Name and phone number of the organization's representative,
6. Name and phone number of the person(s) in charge of the fund-raiser,
7. Name and phone number of the person(s) who will be handling the money for the fund-raiser.

**b) IRS Regulations**

- The IRS prohibits tax-exempt organizations from **requiring** people to participate in fund-raisers. Likewise, Parent Organizations/Booster Clubs **may not** require an amount be "donated" in lieu of participating in the fund-raiser. People **may choose** whether or not to participate in a fund-raiser and may choose whether or not to donate to the Parent Organization/Booster Club. Furthermore, if a person decides not to participate, that person cannot be excluded from having the opportunity to benefit from the fund-raiser and cannot be penalized for choosing not to participate in the fund-raiser.

Furthermore, benefits given by a tax-exempt organization **cannot** be based on participation in a fund-raiser or based on revenues raised individually. Therefore, regardless if a person participates in a fund-raiser and regardless of the amount of revenue raised, that person cannot be denied the opportunity to receive an equal benefit.

**Example:** *High Spirit Booster Club is having a car wash fund-raiser to help reduce the cost of a trip to Florida for a competition. The cost of the trip is \$20,000 for 20 people. Therefore, each person's cost for the trip before the fund-raiser is \$1,000.*

*Of the 20 people participating in the trip, only 10 people participate in the fund-raiser and raise a total of \$600.*

*The \$600 must be split equally among the 20 people going on the trip, even though only 10 people participated in the fund-raiser.*

*Therefore, each person receives a benefit of \$30 (\$600 / 20). Now, each person's cost for the trip is \$970 (\$1,000 - \$30)*

- The IRS discourages the use of individual accounts by Parent Organizations/Booster Clubs. Parent Organizations/Booster Clubs must benefit the group as a whole, not its individual members.  
(See example above.)

**"Individual accounts" are those accounts used by a Parent Organization/Booster Club to credit an individual with revenues raised. The Parent Organizations/Booster Clubs would use these accounts to benefit the individual by offsetting that individual's expenses with the amount credited to that individual from the revenues raised.**

#### c) Analysis of Fund-raiser

Parent Organizations/Booster Clubs should use the online Fund-raising Proposal form to determine the anticipated amount to be raised by a fund-raiser. The Organization should also perform a profit analysis to determine if the fund-raiser was a success or failure. This type of analysis will help a Parent Organization/Booster Club decide whether or not to repeat a particular fund-raiser.

### Mailing Address

If the mailing address for the Parent Organization/Booster Club changes, immediately notify the District, the Texas Secretary of State, the Texas State Comptroller's Office, and the IRS. To avoid frequent mailing address changes, the IRS and the Texas State Comptroller's Office recommend that each Parent Organization/Booster Club obtain its own post office box (PO Box) or private mailing box (PMB) to be used for official Parent Organization/Booster Club mail. This address and box keys can be given easily to the new officers at the beginning of the year.

Please understand the importance of maintaining a consistent mailing address for the Parent Organization/Booster Club. First, you will save time since you will not have to update your address each year to the District, the Texas Secretary of State, the Texas State Comptroller's Office, the IRS, and your bank as you would if you used someone's home address. The District does not allow the use of campus addresses for Parent Organizations/Booster Clubs.

Second, Parent Organizations/Booster Clubs receive several important documents from these agencies throughout the year, and if the address changes frequently, some of these documents could be lost or misplaced. The IRS mails forms and other correspondence to Parent Organizations/Booster Clubs periodically.



If these forms are not completed and returned to the IRS within a specific time period, a Parent Organization/Booster Club could lose their tax-exempt status, thereby also losing their limited tax-exemption with the State of Texas and possibly face fines and penalties. The District does not recommend using a home address since officers change frequently.

For your convenience, IRS FORM 8822 for change of address can be located at

<https://www.irs.gov/pub/irs-pdf/f8822.pdf>

### **Membership Dues**

Parent Organizations/Booster Clubs may charge dues to their members (the parents); however, parents **do not** have to be members of the Parent Organization/Booster Club for their child(ren) to participate in the student group that receives benefits from Parent Organization/Booster Club activities. **Membership dues are separate from the expenses incurred by sponsoring a student group (i.e., trip expense, costume expense).** Membership dues are associated with the parents being part of the Parent Organization/Booster Club and are in **no way** associated with the expenses related to that parent's child.

### **Money-Handling Procedures**

Money refers to cash, checks, money orders, or cashier's checks. The following are suggestions related to handling money to assist in ensuring proper accountability.

#### **a) Receiving Money**

- The person receiving the money **while in the presence of the person turning in the money** should count all money received.
- The person receiving the money should give a receipt to the person delivering the money (both parties should retain their copy of the receipt).
- Any checks received should be restrictively endorsed immediately.
- Post-dated checks **should not be accepted** from any source.
- Receipts should indicate whether cash, check, money order, or cashier's check was received; date of the receipt; and signature of person receiving the money,

**IMPORTANT**

**If a money order or cashier's check is received, the receipt should indicate the total check amount; brand name of the money order or the issuing bank's name of the cashier's check; and the complete check or money order number.**

**If a copy of the money order or cashier's check is made, the inclusion of this additional information on the receipt is not necessary.**

- Copies or a list of checks, money orders, and cashier's checks received should be made to assist in recovery of money if these items are lost, stolen, or returned due to insufficient funds.

**b) Recording and Depositing Money**

- Prior to depositing money, at least two people should count the money.
- All money should be delivered to the Parent Organization/Booster Club Treasurer to deposit funds daily.
- Receipts should be reconciled with all money turned in and deposited.
- Money received should only be deposited in the Parent Organization's/Booster Club's account(s).
- Deposit slips should be retained and reconciled monthly to the account.

**c) Disbursing Money**

- Require **two** signatures on each check.
- Do **NOT** sign blank checks.

**d) Safeguarding Money**

- Have people that handle money bonded. This may protect against theft, including embezzlement, depending on the type of bond purchased.
- Do not keep any money in an unlocked drawer, unlocked filing cabinet, vehicle, or other unsecured place.
- Do not store the records of the money received (i.e., receipts, copies of checks) in the same place as the money. If records and money are stored together and a theft occurs, the record of the money may be taken along with the money. Subsequently, determination and recovery of losses would be more difficult.

- Money received and not yet deposited should not be used for purchases, check cashing, loans, advances, reimbursements, or for any other purpose.
- All unused checks should be kept safe and secure at all times.
- "Blank" checks should never be issued and checks should never be pre-signed.

The sequence of check numbers should be accounted for when reconciling the bank statement to the Parent Organization's/Booster Club's books.

- **Issuing checks payable to "Cash" or to the "Sponsor" should be avoided.** The IRS may examine these transactions in more detail than other transactions. If a check must be payable to "Cash" or to the "Sponsor," keep detailed documentation of the expense or use of the funds.

**e) Carry-over Money**

- Any funds not used by the organization in a year merely carry over to begin the next year, however, all efforts should be made so that money fund-raised for students should be used for those students.
- The carry-over amount should only be enough to "begin business".

**Raffles** *(The following raffle information was downloaded in July 2019 from the Texas Attorney General's website at <https://www.texasattorneygeneral.gov/divisions/financial-litigation/charitable-trusts/charitable-raffles-and-casinopoker-nights>)*

*"The Charitable Raffle Enabling Act ("CREA"), permits "qualified organizations" to hold up to two raffles per calendar year, with certain specified restrictions."*

*"The language of the law is very technical. If your organization is considering holding a raffle you should check the statute to be sure your organization qualifies."*

Ken Paxton  
Attorney General of Texas

## Day-to-Day Responsibilities (Cont.)

### What does the law permit?

The Charitable Raffle Enabling Act, effective January 1, 1990, permits "qualified organizations" to hold up to two raffles per calendar year, with certain specified restrictions.

### What is a "qualified organization"?

In general, a qualified organization is:

- a) An association organized primarily for religious purposes that has been in existence in Texas for at least 10 years;
- b) A non profit volunteer emergency medical service that does not pay its members other than nominal compensation;
- c) A non profit volunteer fire department that operates fire fighting equipment and does not pay its members other than nominal compensation; or
- d) A nonprofit organization that has existed for at least three preceding years and is exempt from federal income tax under Section 501(c), Internal Revenue Code; does not distribute any of its income to its members, officers or governing body; does not devote a substantial part of its activities to attempting to influence legislation; and does not participate in any political campaign.

### What prizes may be offered?

An organization may offer any prize except money. "Money" is defined as coins, paper currency, or a negotiable instrument that represents and is readily convertible to coins or paper currency. If the raffle organizers offer a prize which they have purchased or have given other consideration for, the value of the prize may not exceed \$50,000 or \$250,000 if the purchased prize is a residential dwelling. There is no value limit on prizes donated to the organization. Texas lottery tickets may be purchased and offered as prizes, even though the tickets' payoff may exceed \$50,000. The organization must have each raffle prize in its possession or must post a bond for the full amount of the value of the prize with the county clerk of the county where the raffle will be held.

**Is an organization required to register with the State before conducting a raffle?**

No.

**What are the restrictions on how the raffle may be conducted?**

- A qualified organization may hold only two raffles per [calendar] year and only one raffle at a time.
- Raffle tickets may not be advertised state wide or through paid advertisements. Each raffle ticket must state the name or address of the organization holding the raffle, the name of an officer of the organization, the price of the ticket, date prize is to be awarded and a general description of each prize to be awarded that has a value of over \$10.
- A prize may not be money.
- Only members of the organization, or student organizations recognized by institutions of higher education selling on behalf of the institution, may sell tickets.
- No one may be compensated directly or indirectly for organizing or conducting a raffle, or for selling raffle tickets. The organization may not permit a non-member or other unauthorized person to sell or offer to sell raffle tickets.

**How may the proceeds from ticket sales be used?**

Proceeds from ticket sales must be used only for the charitable purposes of the organization.

**Are there any penalties for conducting or participating in an unauthorized raffle?**

Yes. Only raffles held according to the terms of the Raffle Enabling Act are authorized raffles. An unauthorized raffle is considered gambling under the Texas Penal Code. Conducting such a raffle is a Class A misdemeanor. Participating in an unauthorized raffle is a Class C misdemeanor.

**What law enforcement authorities may stop an unauthorized raffle?**

A county attorney, district attorney or the attorney general may bring an action in state court to stop a violation or potential violation of the Charitable Raffle Enabling Act.

**Where can I get more information on the requirements for holding a raffle?**

The law is Chapter 2002, Occupations Code, Texas Codes Annotated. If you have specific questions about the law, you should consult your attorney.

**Consumer Information**

For more information, call the Attorney General's Consumer Protection Hotline at 1-800-621-0508, or contact your nearest Attorney General regional office.

Location	Phone Number
Austin	512-463-2185
Dallas	214-969-5310
El Paso	915-834-5800
Houston	713-223-5886
McAllen	956-682-4547
San Antonio	210-225-4191

All consumer complaints must be made in writing. Please call or write for a complaint form. Write to:

Office of the Attorney General  
 Consumer Protection Division/010  
 P.O. Box 12548  
 Austin, Texas 78711-2548

Complaint forms and additional information can also be found in the consumer affairs section of our website, at [www.oag.state.tx.us](http://www.oag.state.tx.us).

**Scholarships**

Scholarships must be awarded based on a student's need or merit. The members of the committee selecting the scholarship recipients should not be related to any of the potential recipients. There should be a method of ensuring that the scholarship funds are used for their intended purpose by the recipients (for example, you could give the funds directly to the college or university for the student).

**Record Retention**

Parent Organizations/Booster Clubs should establish a record file that is passed to the new officers each year. Some items need to be kept indefinitely while other items only need to be kept for a certain length of time. The record file should contain at least the

following items on a permanent basis:

**Permanent Records**

**Internal Records:**

- Parent Organization/Booster Club Registration & Approval Form
- Articles of Incorporation/Articles of Association
- Bylaws/Charter/Constitution
- Minutes from meetings

**State Records**

- Sales Tax Permit Application
- Sales Tax Permit
- Certificate of Incorporation from State of Texas (if applicable)
- State Sales Tax Exemption Notification
- State Franchise Tax Exemption Notification (if incorporated)

**Federal Records**

- Copy of IRS Form SS-4, Application for Employer Identification Number
- Copy of IRS Form 1023, Application for Recognition of Exemption, with all attachments
- Copy of IRS Form 8718, User Fee for Exempt Organization Determination Letter Request and copy of check sent to IRS with this form
- Acknowledgement of Your Request
- Determination Letter

For non-permanent records, the Texas State Comptroller's Office and the IRS have different retention periods. In addition, certain circumstances, such as fraud or failure to file, would allow the retention period to be extended beyond the normal requirement.

According to the Texas State Comptroller's Office, this office has four (4) years from the date the tax becomes due and payable in which to assess the liability. For more information please visit <https://comptroller.texas.gov/taxes/sales/faq/records.php>

The following information was obtained from the following link in July 2019: <https://www.irs.gov/businesses/small-businesses-self-employed/irs-audits>

**How far back can the IRS go to audit my return?**

Generally, the IRS can include returns filed within the last three years in an audit. If we identify a substantial error, we may add additional years. We usually don't go back more than the last six years.

The IRS tries to audit tax returns as soon as possible after they are filed. Accordingly most audits will be of returns filed within the last two years.

If an audit is not resolved, we may request extending the statute of limitations for assessment tax. The statute of limitations limits the time allowed to assess additional tax. It is generally three years after a return is due or was filed, whichever is later. There is also a statute of limitations for making refunds. Extending the statute gives you more time to provide further documentation to support your position; request an appeal if you do not agree with the audit results; or to claim a tax refund or credit. It also gives the IRS time to complete the audit and provides time to process the audit results.

You don't have to agree to extend the statute of limitations date. However if you don't agree, the auditor will be forced to make a determination based upon the information provided.

You can find more information about extending a statute of limitations in Publication 1035, Extending the Tax Assessment Period, or from your auditor.

In considering the requirements of the Texas State Comptroller's Office and the IRS, the record file should contain at least the following items for a minimum of the current year and the four (4) previous years:

**Non-permanent Records**

**Internal Records**

- Financial Reports and Review Committee Reports
- All financial backup including checkbook and banks records
- Information related to donations received by a Parent Organization/Booster Club from individuals or businesses
- Financial Aid Guidelines

**State Records**

- Sales Tax Forms Filed (Quarterly or Annually)
- Copy of correspondence with the Texas Secretary of State and the Texas State Comptroller



**Federal Records**

- Copy of IRS Forms 990 or 990-EZ filed
- Copy of correspondence with the IRS

**Before discarding any records, confirm with the Texas State Comptroller's Office and the IRS that your organization is in good-standing and that no open items or issues exist related to the time period involving the records that you would like to discard.**

*Public Disclosure and Availability of Exempt Organizations Returns and Applications: Public Disclosure Requirements in General.* Per the IRS " In general, exempt organizations must make available for public inspection certain annual returns and applications for exemption, and must provide copies of such returns and applications to individuals who request them. Copies usually must be provided immediately in the case of in-person requests, and within 30 days in the case of written requests. The tax-exempt organization may charge a reasonable copying fee plus actual postage, if any. The IRS must also make this same information publicly available.  
<https://www.irs.gov/charities-non-profits/public-disclosure-and-availability-of-exempt-organizations-returns-and-applications-public-disclosure-requirements-in-general>

**Student Fines and Fees List**

Parent Organizations/Booster Clubs may have students or parents who do not submit money for fund-raisers or expenses, resulting in amounts owed to the Parent Organization/Booster Club. Since these amounts relate to Parent Organization/Booster Club activities, they cannot be placed on the school's Student Fines and Fees List. If a Parent Organization/Booster Club wishes to pursue recovery of these amounts, they must do so independently from the District and school.

***Example:*** *High Spirit Booster Club held a catalog fund-raiser and \$400 is still owed to the Booster Club by Trusty Smith, the father of Jane Smith, one of the students in the group they support. Trusty received the merchandise, but never paid for it.*

*The Booster Club may pursue trying to recover the money or merchandise from Trusty. However, they **may not** contact the school to include the \$400 on the school's Student Fines and Fees List as an amount owed by Jane Smith to the school.*

**Volunteer Hours**

The District values the diversity of volunteer activity in the community, whether it is at home, in the community, or in the classroom. Accounting for such volunteer hours is essential since it impacts issues such as funding, program continuation, and communication. For example, many grants and federally funded programs require an accurate reflection of volunteer hours, and the State of Texas requires public school districts to facilitate parental involvement in their children's education. Therefore, please take a few moments to complete a Volunteer Hours form reflective of the many hours your Parent Organization/Booster Club has dedicated to our students.

# Appendix

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### 📄 **Booster Clubs**

#### ➤ **Examples**

- Articles of Association A1.1
- Articles of Incorporation A1.3
- Bylaws of an Association A1.7
- Bylaws of a Corporation A1.14
- Financial Aid Guidelines A1.19
- Notice to the Bank of Changes in Authorized Account Signers A1.22
- Notice to the IRS of Changes in Officers/Board Members A1.23
- Notice to the Comptroller of Changes in Officers/Board Members A1.24

### 📄 **District**

#### ➤ **Helpful Information**

- District Board Policy GKD (Local) – Use of School Facilities B1.1

#### ➤ **Examples**

- Tax-exempt Status/Donation Acknowledgment Form B2.1

#### ➤ **Forms Available to Use**

- Contract for Use of School Facilities B3.1
- Facility Rental Fee Schedule B3.3
- Campus Fund Raising Plan B3.4
- Parent Organization Fund Raising Proposal B3.5
- Request for Food Sales and Service B3.6
- Parent Organization Donation Request B3.7

### 📄 **State of Texas**

#### ➤ **Helpful Information**

- Texas Franchise and Sales Tax Information C1.1
- Texas State Tax Exemption Information C1.1
- Texas Public School Nutrition Policy C1.2

#### ➤ **Examples**

- Approval of Articles of Incorporation C2.1
- Certificate of Incorporation C2.2
- Texas Sales & Use Tax Permit C2.3

# Appendix

## Page

### ☐ **Internal Revenue Service (IRS)**

#### ➤ **Helpful Information**

- Application for Recognition of Exemption – Section 501(c)(3) D1.1
- Contributions D1.2
- Exemption Requirements for 501(c)(3) D1.4
- Filing Requirements D1.7
- Unrelated Business Income Tax – General Rules D1.10
- Publication 557 – Tax-exempt Organizations D1.12
- Tax Exempt Application Tips D1.13

#### ➤ **Examples**

- Acknowledgement of Your Request D2.1
- Employer Identification Number (EIN) Assignment Notice D2.2
- Form 1023 – Application for Recognition of Exemption D2.3
- Determination Letter D2.4



# Examples

# **ARTICLES OF ASSOCIATION**

## **Silent Night Choir Booster Club**

Articles of Association of the undersigned, a majority of whom are citizens of the United States, desiring to form a Non-Profit Corporation under the non-profit association do hereby certify:

### **ARTICLE I**

The name of the Association is: Silent Night Choir Booster Club

### **ARTICLE II**

The principal office of the Association is located in the city of Jingle Bells, TX  
Street address:

Silent Night Choir Booster Club  
PO Box 1225  
Jingle Bells, TX 00025

### **ARTICLE III**

The period of its duration is perpetual.

### **ARTICLE IV**

The purpose of this Association is to assist the directors of the Silent Night Choir in reaching the choir program goals. It shall provide financial support to the choir as deemed necessary by the Choir Director and provide assistance for choir activities as requested by the Choir Director.

These purposes are exclusively charitable and educational with the meaning of section 501 (c)(3) of the Internal Revenue Code of 1986 as now in effect or as it may hereafter be amended. In furtherance of these purposes, the Association is authorized to receive property by gift or bequest and to invest and reinvest the same, and to apply the income and principle thereof as determined by the Board of Directors and Choir Director exclusively for charitable and educational purposes, to engage in any and all lawful activities incidental thereto as restricted herein.

The Activities of the organization shall not conflict with the policies of the Fort Bend Independent School District and shall be sanctioned by school officials.

### **ARTICLE V**

The names and addresses of the persons who shall serve as directors of the Silent Night Choir Booster Club until their successors have been elected and qualified, are as follows:

Joe Soeuff	2020-21 President	1025 Snowlane, Jingle Bells, TX 77359
Fred Frosty	2020-21 Vice President	8857 Freezing Blvd., Jingle Bells, TX 773 59
Sann Tababe	2020-21 Treasurer	5589 Reindeer Run, Jingle Bells, TX 773 58
Ruddy Rednose	2020-21 Secretary	3978 Manger Way, Jingle Bells, TX 7735 8

**ARTICLE VI**

No part of the net earnings of the association shall inure to the benefit of or be distributable to its members, trustees, officers or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article IV hereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate of public office. Notwithstanding any other provision of these articles; the association shall not carry on any other activities not permitted to be carried on (a) by an association exempt from federal income tax under section 501 (c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, or (b) by an association, contributions to which are deductible under section 170(c)(2) of the Internal Revenue Code, or the corresponding section of any future federal tax code.

**ARTICLE VII**

These Articles of Association may be amended from time to time as provided by the statute of the bylaws of the association; provided, however, that no amendment shall be made which would alter the purposes for which the association is organized as set forth in Article IV, or would cause any benefit to inure to any officer, director, incorporator, or member.

**ARTICLE VIII**

In the event of voluntary or involuntary dissolution of this association, the assets, after payment of just debts, shall be distributed exclusively for the purposes set out in Article IV and to organizations organized and operated exclusively for such purposes and which are exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code of 1986, as amended from time to time, or the corresponding provisions of any subsequent revenue law or laws. The distribution shall be made by the Board of Directors, or pursuant to court order. In no event, however, shall such distribution inure to any person who has a personal and private interest in the activities of the association.

IN WITNESS WHEREOF, for the purpose of forming this association under the laws of the State of Texas, we, the undersigned constituting the Executive Board of the Association, have executed these Articles of Association on the 26<sup>th</sup> day of August, 2020.

Joe Soeuff	2020-21 President	_____
Fred Frosty	2020-21 Vice President	_____
Sann Tababe	2020-21 Treasurer	_____
Ruddy Rednose	2020-21 Secretary	_____

FILED  
in the Office of the  
Secretary of State of Texas  
Jan 25 2020  
  
Corporations Section

## ARTICLES OF INCORPORATION ABC HIGH SCHOOL BOOSTER CLUB

The undersigned natural person over the age of eighteen (18), acting as an incorporator, adopt the following Articles of Incorporation of ABC High School Booster Club:

### ARTICLE ONE. NAME

The name of the corporation is ABC HIGH SCHOOL BOOSTER CLUB.

### ARTICLE TWO. NON-PROFIT CORPORATION

The corporation is a non-profit corporation. When it dissolves, all of its assets will be distributed to the State of Texas or an organization exempt from taxes under the Internal Revenue Code Section 501(c)(3) for one or more purposes exempt under the Texas franchise tax.

### ARTICLE THREE. DURATION

The duration of the corporation is perpetual.

### ARTICLE FOUR. PURPOSES

The purposes for organizing the Corporation are to perform charitable activities within the meaning of Internal Revenue Code Section 501(c)(3) in Texas Tax Code Section 11. 18(c).

### ARTICLE FIVE. POWERS

Except as these Articles otherwise provide, the Corporation has all of the powers provided in the Texas Non-Profit Corporation Act. Moreover, the Corporation has all implied powers necessary and proper to carry out its express powers. The Corporation may reasonably compensate directors or officers for services rendered to or for the Corporation in furtherance of one or more of its purposes.

### ARTICLE SIX. RESTRICTIONS AND REQUIREMENTS

The Corporation may not pay dividends or other corporate income to its directors or officers, or otherwise accrue distributable profits, or permit the realization of private gain. The Corporation may not take any action prohibited by the Texas Non-Profit Corporation Act.

The Corporation may not take any action that would be inconsistent with the requirements for a tax exemption under Internal Revenue Code Section 501(c)(3), and related regulations, rulings, and procedures. Nor may it take any action that would be inconsistent with the requirements for receiving tax deductible charitable contributions under Internal Revenue Code Section 170(c)(2) and any related regulations, rulings, and procedures. Regardless of any other provision in these Articles of Incorporation, or state law, the Corporation may not:

1. Engage in activities or use its assets in manners that do not further one or more exempt purposes as set forth in these Articles and defined by the Internal Code and related regulations, rulings, and procedures except to an insubstantial degree.

*Texas  
Secretary of  
State's  
stamp of  
filing date*



2. Serve a private interest other than one clearly incidental to an overriding public interest.
3. Devote more than an insubstantial part of its activities to attempting to influence legislation by propaganda or otherwise, except as provided by the Internal Revenue Code and related regulations, rulings and procedures.
4. Participate in or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibited activities include publishing or distributing statements and any other direct or indirect campaign activities.
5. Have objectives characterizing it as an "action organization" as defined by the Internal Revenue Code and related regulations, rulings, and procedures.
6. Distribute its assets on dissolution other than for one or more exempt purposes. On dissolution, the Corporation's assets will be distributed to the state government for a public purpose, or to an organization exempt from taxes under Internal Revenue Code Section 501(c)(3) to be used to accomplish the general purposes for which the Corporation was organized.
7. Permit any part of the Corporation's net earnings to inure to the benefit of any private share holder or member of the Corporation or any private individual.
8. Carry on an unrelated trade or business, except as a secondary purpose related to the Corporation's primary, exempt purposes.

#### **ARTICLE SEVEN. MEMBERSHIP**

The Corporation will have one or more classes of members as provided in the Bylaws.

#### **ARTICLE EIGHT. REGISTERED OFFICE AND AGENT**

The street address of the Corporation's initial registered office is 4548 Another Avenue, Sugar Land, Fort Bend County, Texas. The name of the initial registered agent at the office is John Black, 4548 Another Avenue, Sugar Land, Fort Bend County, Texas.

#### **ARTICLE NINE. MANAGING BODY OF CORPORATION**

The management of the Corporation is vested in its Board of Directors and such committees that the Board may from time to time, establish. The bylaws provide the qualifications, manner of selection, duties, terms, and other matters relating to the Board of Directors. The initial Board of Directors will consist of three (3) persons:

<u>NAMES</u>	<u>ADDRESSES</u>
Jane Doe	2334 Someplace Road Houston, TX 77777
Katy Smith	557 Imsolost Avenue Katy, TX 77888
Mike Crosoft	100000 Andstillgoing Road Houston, TX 77999

The number of directors may be increased or decreased by amending the Bylaws. The number of directors may not be decreased to fewer than three.

#### **ARTICLE TEN, LMTATION ON LIABLITY OF DIRECTORS**

A Director is not liable to the Corporation or members for monetary damages for an act or omission in the Director's capacity as Director except as otherwise provided by Texas statute.

#### **ARTICLE ELEVEN, INDEMNIFICATION**

The Corporation may indemnify a person who was, is, or is threatened to be made a named defendant or respondent in litigation or other proceedings because the person is or was a Director or other person related to the Corporation as provided by the provisions of the Texas Non-Profit Corporation Act governing indemnification.

As the Bylaws provide, the Board of Directors may define the requirements and limitations for the Corporation to indemnify directors, officers or others related to the Corporation.

#### **ARTICLE TWELVE, CONSTRUCTION**

All references in these Articles to statutes, regulations, or other sources of legal authority refer to the authority cited or their successors, as they may be amended from time to time.

#### **ARTICLE THIRTEEN, INCORPORATORS**

The name and address of the incorporator is TU EXPENSIVE a licensed attorney in the State of Texas, 999 Richman Road, Sugar Land, TX 79999.

#### **ARTICLE FOURTEEN, ACTION BY WRITTEN CONSENT**

Action may be taken by use of signed written consents by the number of members, directors, or committee members whose vote would be necessary to take action at a meeting at which all such persons entitled to vote were present and voted. Each written consent must bear the date of signature of each person signing it. A consent signed by fewer than all of the member, directors, or committee members is not effective to take the intended action unless consents, signed by the required number of persons, are delivered to the Corporation within sixty (60) days after the date of the earliest dated consent delivered to the Corporation. Delivery must be made by hand, or by certified or registered mail, return receipt requested. The delivery may be made to the Corporation's registered office, registered agent, principal place of business, transfer agent, registrar, exchange agent, or an officer or agent having custody of books in which the relevant

proceedings are recorded. If delivery is made to the Corporation's principal place of business, the consent must be addressed to the president or principal executive officer.

The Corporation will give prompt notice of the action taken to persons who do not sign consents. If the action requires documents to be filed with the Secretary of State, the filed documents will state that the written consent procedures have been properly followed. A telegram, telex, cablegram, or similar transmission by a member, or director, or committee member, or photographic, facsimile, or similar reproduction of the signed writing is to be regarded as being signed by the member, director, or committee member.

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Tu Expensive, Incorporator

THE STATE OF TEXAS  
COUNTY OF HARRIS

I, a Notary Public for the state of Texas, do hereby certify that on August 31, 2020, personally appeared before me, TU EXPENSIVE, who being by me first duly sworn, declared that he is the person who signed the foregoing document as incorporator, and that the statements contained therein are true.

---

Notary Public in and for the State of Texas

# **YEE-HAW BOOSTER CLUB ASSOCIATION BY-LAWS**

**AMENDED: May 15, 2020**

## **ARTICLE I - NAME**

The name of this organization shall be the YEE-HAW BOOSTER CLUB.

## **ARTICLE II - OBJECTIVES**

Sec. 1. This organization is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501 ( c ) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, its members, trustees, officers, or other private persons, except that the organization shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in the paragraph above. No substantial part of the activities of the organization shall be the carrying on of propaganda, or otherwise attempting to influence legislation, and the organization shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of any candidate for public office. Notwithstanding any other provision of these by-laws, the organization shall not carry on any other activities not permitted to be carried on (a) by an organization exempt from Federal Income tax under section 501 (c) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law) or (b) by an organization, contributions to which are deductible under section 170 (c) (2) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law).

Sec. 2. This organization is organized to support the activities of the drill team members. Upon the dissolution of the organization, the Executive Committee shall, after paying or making provision for the payment of all of the liabilities of the organization, dispose of all of the assets of the organization exclusively for the purposes of the organization in such manner, or to such organization or organizations organized and operated exclusively for charitable, educational, religious, or scientific purposes as shall at the time qualify as an exempt organization or organizations under section 501 ( c ) (3) of the Internal Revenue Code of 1954 (or the corresponding provision of any future United States Internal Revenue Law), as the Executive Committee shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

## **ARTICLE III - MEMBERSHIP DUES**

Membership becomes automatic upon payment of dues.

## **ARTICLE IV - OFFICERS AND THEIR ELECTION**

Sec. 1. The Executive Board of this club shall consist of the following officers: President, 1<sup>st</sup> Vice-President, 2<sup>nd</sup> Vice-President, 3<sup>rd</sup> Vice-President, Secretary, Treasurer(s) and Parliamentarian.

Sec. 2. No person shall serve in the same office more than one consecutive year unless it is decided and voted upon to determine that it is the best interest of the club. Term of the office herein is defined as the period of May of current year until May of the following year at installation of Booster Club officers.

Sec. 3. Officers shall be elected by voice, unless there are nominations from the floor in which case the vote shall be by ballot. Nominations of officers shall be presented to the membership by a nomination committee at least one month prior to the election of the officers. The nomination committee shall consist of the club President as chairperson; the Yee-Haw Director; the Principal, at his or her discretion; and five other members appointed by the President. Two of the appointed members shall be from the Executive Committee and three from the membership at large, including one sophomore class representative, one junior class representative, and one senior class representative.

Sec. 4. These officers shall be elected annually in April and assume duty at the installation of officers at the May Booster Club meeting.

Sec. 5. Nominations from the floor may be made provided prior consent is obtained from the prospective nominee and these nominations are made at the time the nominating committee presents its slate to the membership.

Sec. 6. A vacancy occurring in an office shall be filled by a vote of the executive board.

Sec. 7. All officers are volunteers, and none are paid any compensation for services performed. As such, no officer shall incur any personal liability as a result of serving on this board.

## ARTICLE V - DUTIES OF OFFICERS

Sec. 1. The President shall preside at all meetings of the club, Executive Board, and the Executive Committee and shall be a member ex-officio of all committees and shall perform other duties usually pertaining to the office.

Sec. 2. The 1<sup>st</sup> Vice-President shall act as aid to the President and shall perform duties of the President in the absence of that officer and serve as chairperson of membership and special events.

Sec. 3. The 2<sup>nd</sup> Vice-President shall be responsible for procuring chaperones for all football games, contest trips, or other events which take place.

Sec. 4. The 3<sup>rd</sup> Vice-President shall be responsible for organizing all fund raising projects.

Sec. 5. The Secretary shall keep a record of all meetings of the club and of the Executive Board meetings and shall conduct the general correspondence of the club.

Sec. 6. The Treasurer(s) shall be custodian of all Booster Club funds and all disbursements of these funds under guidelines listed below.

1. Expenditures in excess of budgeted amounts will not be expended without board approval.
2. Receipts and "Request for Funds" forms must be presented to the Treasurer for reimbursement. No cash advances are allowed unless the item has already been budgeted for and funds are available.
3. The 3<sup>rd</sup> Vice-President (fund raising chairperson), the project chairperson, and the Treasurer shall be in charge of tabulating money at the end of each fundraiser. Duplicate receipts will be issued by the Treasurer with the Treasurer retaining the original and a copy given to the 3<sup>rd</sup> Vice-President.
4. The following signatures are to be maintained on the file at the financial institution in which the checking account is located:
  - a. President of the Booster Club; and
  - b. Treasurer(s) of the Booster Club.

All checks are to have these two (2) signatures.

5. The Treasurer will be required to keep current and accurate ledgers indicating all accounts payable. At the end of his/her term, the Booster Club shall have an organizational committee conduct an

annual review of the organization's revenues/expenditures for the prior year. A copy of the report for the prior year will be submitted to the Principal's office and to the Internal Audit Department by September 1 of each year.

6. A financial disposition of Booster Club funds shall be presented monthly, with a financial statement given at the May meeting.

Sec. 7. The Parliamentarian will insure that all meetings are conducted according to Robert's Rules of Order.

## **ARTICLE VI - MEETINGS**

Sec. 1. A regular meeting of the Booster Club shall be held on the second Tuesday night of each school month unless otherwise provided by the club or the Executive Board with a seven-day notice.

Sec. 2. Fifty percent (50%) of the voting membership of the Booster Club, one of whom shall be authorized to open and preside over the meeting, shall constitute a quorum.

## **ARTICLE VII - EXECUTIVE COMMITTEE**

The Executive Committee shall consist of the officers of the club and the Yee-Haw Director. Its duties shall be to transact necessary business between club meetings and such other business as may be referred to it by the club; to approve the plans of work of the standing committee chairpersons; and to present reports at the regular meetings. Special meetings of the Executive Committee may be called by the President or by a majority of the committee's members.

## **ARTICLE VIII - STANDING COMMITTEES**

There shall be such standing committees created by the Executive Committee as may be required to promote the objectives and purposes of the club. The chairpersons of the standing committees shall be appointed or selected by the newly elected Executive Board. Their term of office shall be for one year.

### **Standing Committees**

Scholarship  
Father/Daughter Social  
Photo Historian  
Props  
Publicity

Mother/Daughter Luncheon  
Parent Socials  
Sunshine (Thank You)  
Costumes/ Sewing  
Telephone

Standing Committees (continued)

Formal	P.A.C.E.
Spring Show	Banquet
Fundraising (i.e., Car Wash, Jazz Camp, Christmas Wrap, Candy Sales)	

**ARTICLE IX - PARLIAMENTARY AUTHORITY**

All meetings shall be governed by Robert's Rules of Order in cases where they are applicable and are not inconsistent with these by-laws.

The Booster Club has no authority to direct the Director, an employee of Totally Country High School, in any of her duties. The schedule of contest, rules of participation, method of earning letters, awards offices and all other criteria dealing with interschool programs are under the jurisdiction of the Director and the school administration.

**ARTICLE X - AMENDMENTS**

These by-laws may be amended at any regular meeting of the organization by two-thirds vote of the designated quorum, provided notice of proposed amendment shall be given at the previous regular meeting.

**ARTICLE XI - STANDING RULES**

Flowers or memorials shall be sent in case of death of a Yee-Haw member or immediate family member (mother, father, sister, brother). Cards are to be sent in all other instances.

All Booster Club projects must support the philosophy of the school administration.

**ARTICLE XII - VOTING**

Membership in the Yee-Haw Booster Club is by family with one vote per family.



## **ARTICLE XIII - AWARDS**

Attendance awards shall be given only to the daughters of members who have missed no more than one (1) meeting during the year.

## **ARTICLE XIV -ACADEMIC**

An academic scholarship will be given to needy or deserving Yee-Haws as the funds are available. The scholarship recipient(s) will be decided by the Totally Country Scholarship Committee. The amount to be awarded shall be determined by the Executive Board when creating the annual budget.

## **ARTICLE XV - FUNDRAISING**

Sec. 1. All sales campaigns must be cleared through the Yee-Haw Director and the Totally Country Principal.

Sec. 2. All funds raised shall be for the purpose of supporting drill team activities by providing funds to cover costumes, uniforms, leotards, shoes, props, contest fees, contest travel expenses, refreshments, scholarships, or other necessary items required for participation on drill team and not being provided for drill team members by the high school or school district. Social events will be incidental to the purpose of fund raising activities, and drill team members are required to pay for participation in connection with same. Committee chairpersons, board members, and drill team director shall decide on the amount due from drill team members in connection with a social event.

## **ARTICLE XVI - RETURN CHECK POLICY**

Sec. 1. If more than one insufficient funds check is presented to the Booster Club by the same party, no further checks will be accepted, only cashier's check or money order.

Sec. 2. The party issuing an insufficient funds check must reimburse the Booster Club for the amount of the check plus any applicable fees within thirty (30) days of notification of insufficient funds.

## **ARTICLE VII - DISSOLUTION:**

Sec. 1. Upon dissolution, all assets are to be distributed to the school activity fund or another 501 © (3) organization. If at the time of dissolution, the named organization of their choice 1. ceases to exist, 2. does not accept the distribution, 3. is not exempt under 501 © (3) at the time of the dissolution, the assets shall then be distribution for one

or more exempt purposes within the meaning of section 501 © (3) of the Internal Revenue Code, or corresponding section of any future federal tax code, or should be distributed to the federal government, or to a state or local government, for public purpose. Any such assets not disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the organization is then located, exclusively for such purposes or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

**These bylaws were submitted and approved at the special Officer meeting on May 20, 2020.**

**Officer** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Officer** \_\_\_\_\_ **Date:** \_\_\_\_\_

Example

# BY-LAWS

## XYZ HIGH SCHOOL BOOSTER CLUB, INC.

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### ARTICLE I

- 1.1 **Name.** The name of this corporation is XYZ HIGH SCHOOL BOOSTER CLUB, INC. ("Corporation")

### ARTICLE 11

- 2.1 **Purposes.** The Corporation is organized exclusively for educational and charitable purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended ("Code"). The purpose or purposes for which the Corporation is organized are:
- a. To sponsor and promote a chemical free prom night for graduating seniors of XYZ High School;
  - b. To educate high school students and the public about the benefits to themselves and others of a chemical free celebration of prom night;
  - c. To solicit and disburse funds to be used to support the above purposes.

### ARTICLE III

- 3.1 **Principal Office.** The principal office of the Corporation shall be located in Sugar Land, Fort Bend County, Texas.
- 3.2 **Registered Office and Registered Agent.** The Corporation shall have and contiguously maintain in the State of Texas a registered agent whose office is identical with such registered office, as required by the Texas Non-Profit Corporation Act. The registered office may be, but need not be identical with the principal office of the Corporation, and the address of the registered office may be changed from time to time by the Board of Directors.

### ARTICLE IV

- 4.1 **Administration.** The Purposes of the Corporation shall be carried out through conferences, committees and projects. The Corporation shall not seek to direct the administrative activities of the school or to control their policies.
- 4.2 **Non-Commercial.** The Corporation shall be non-commercial, non-sectarian and nonpartisan. No commercial enterprise or any candidates shall be endorsed by it. The name of the Corporation or its officers in their official capacities shall not be used in any connection with a commercial concern or with any partisan interest or for any purpose other than the regular work of the Corporation.

**ARTICLE V**

**5.1 Membership.** The Corporation will have no members. The Corporation may, nevertheless, use the term "Members" to designate those persons having such privileges and status as the Board of Directors may determine. Such "Members" shall have no voting or other legal or equitable rights in the Corporation.

**ARTICLE VI**

**6.1 General Powers.** The affairs of the Corporation shall be managed by its Board of Directors.

**6.2 Number and Qualifications.** The Board of Directors shall consist of the individuals who hold the offices of President, Vice President, Treasurer and Secretary of the Corporation. Membership in the Board of Directors shall be held exclusively and indefinitely by the individuals holding such offices. The initial Members of the Board of Directors are as follows:

<u>NAME</u>	<u>ADDRESS</u>
Joe Smith	222 Some Road, Houston, TX 77777
Jane Doe	724 Aroad Avenue, Houston, TX 77777
John Black	345 Another Avenue, Houston, TX 77777
Mary Smithe	889 Deadend Road, Houston, TX 77777

**6.3 Duties.** The duties of the Board of Directors shall be to transact necessary business.

**6.4 Quorum.** A majority of the Board of Directors shall constitute a quorum for the transaction of business at any meeting of the Board; but if less than a majority of the directors are present at the meeting, a majority of the Directors present may adjourn the meeting from time to time without further notice.

**6.5 Manner of Acting.** The act of a majority of the Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless the act of a greater number is required by law or by these by-laws.

**6.6 Resolutions.** No resolutions may be adopted except by the Board of Directors.

**6.7 Informal Action by Directors.** Any action required by law to be taken at a meeting of the Board of Directors, or any action which may be taken at a meeting of the Board of Directors, may be taken without a meeting if a consent in writing setting forth the action so taken shall be signed by all of the directors.

## **ARTICLE VII OFFICERS**

- 7.1 Officers.** The officers of the Corporation shall be a President, Vice President, Secretary and Treasurer. Officers shall take office at the first regular meeting and serve for a term of one year or until their successors are installed.
- 7.2 Designation of Officers.** The officers of the Corporation shall be elected annually at the first regular meeting. Each officer shall hold office until his successor shall have been duly elected and shall have been qualified, or until his death, or until he shall resign or shall have been removed in the manner hereinafter provided.
- 7.3 Vacancies.** Vacancies occurring during the term of office shall be filled by the Board of Directors.
- 7.4 President.** The President shall be the principal executive officer of the Corporation and shall in general supervise and control all of the business and affairs of the Corporation. He or she shall preside at all meetings of the Corporation, the Board of Directors, and shall be ex officio member of all committees. He or she may sign, with the Secretary or any other proper officer of the Corporation authorized by the Board of Directors, any contracts or other instruments which the Board of Directors has authorized to be executed, except in cases where the signing and execution thereof shall be expressly delegated by the Board of Directors or by these By-laws or by statute to some other officer or agent of the Corporation; and in general he or she shall perform all duties incident to the office of President and such other duties as may be prescribed by the Board of Directors from time to time.
- 7.6 Vice President.** In the absence of the President or in the event of his or her inability or refusal to act, the Vice President shall perform the duties of the President, and when so acting shall have all the powers of and be subject to all the restrictions upon the President. The Vice President shall be the Chairman of the Fundraising Committee.
- 7.7 Treasurer.** If required by the Board of Directors, the Treasurer shall give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board of Directors shall determine. He or she shall have charge and custody of and be responsible for all funds and securities of the Corporation; deposit all such moneys in the name of the Corporation in such banks, trust companies, or other depositories as shall be selected in accordance with these By-laws; and in general perform all the duties incident to the office of Treasurer and such other duties as from time to time may be assigned to him or her by the President or by the Board of Directors. The Treasurer shall present a statement of account at every meeting of the Corporation and at other times when requested by the Board of Directors and shall make a report at the Spring and Fall meetings. The Treasurer's books shall be subject to audit annually by a committee of three members appointed by the President at the spring meeting. The Treasurer's books shall be closed by July 31 of the fiscal year (end of the fiscal year).

**7.8 Secretary.** The Secretary shall keep the minutes of the meetings of the members of the Board of Directors in one or more books provided for that purpose; give all notices in accordance with the provisions of these By-laws or as required by law; be custodian of the corporate records; keep a register of the address of each member which shall be furnished to the Secretary by each member; and, in general, perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned to him or her by the President or by the Board of Directors.

## **ARTICLE VIII CONTRACTS, CHECKS, DEPOSITS AND FUNDS**

**8.1 Contracts.** The Board of Directors may authorize any officer or officers, agent or agents of the Corporation, in addition to the officers so authorized by these By-laws, to enter into contract or execute and deliver any instrument **in** name of and on behalf of the Corporation. Such authority may be general or confined to specific instances. All expenditures must be approved by the Board of Directors before they are made.

**8.2 Checks and Drafts.** All Checks, drafts, or orders for the payment of money, notes- or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer or officers, agent or agents of the Corporation and in such manner as provided in these By-laws or as from time to time determined by the Board of Directors.

**8.3 Deposits.** All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such banks, trust companies, or other depositories as the Board of Directors may select.

**8.4 Gifts.** The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

**8.5 Special Provision.** At the close of the fiscal year in 2010, the Corporation shall remit \$500 to next year's Project Prom. In all succeeding years, at the close of the fiscal year, the Corporation shall remit \$ 1,000 for use for the succeeding Project Prom.

## **ARTICLE IX MISCELLANEOUS**

**9.1 Books and Records.** The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its members, Board of Directors, and committees having any of the authority of the Board of Directors, and shall keep at the registered or principal office a record giving the names and addresses of the members entitled to vote. All books and records of the Corporation may be inspected by any member or his or her agent or attorney for any proper purpose at any reasonable time.

**9.2 Fiscal Year.** The fiscal year of the Corporation shall begin on the first day of September and end on the last day in August.

**ARTICLE X  
AMENDMENTS**

**10.1 Amendments.** These By-laws may be amended at any regular or special meeting of the Board of Directors by a two-thirds vote of the members present and voting, following notices of the proposed amendment at a previous regular or special meeting of the Board of Directors.

**ARTICLE XI  
RULES OF ORDER**

**11.1 Rules of Order.** Except as provided in these By-laws, the rules contained in Roberts Rules of Order Newly Revised shall govern the Corporation operation.

**Adopted**

IN WITNESS WHEREOF, we have hereunto set our hands this day and year shown below.

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Joe Smith

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Jane Doe

Dated: \_\_\_\_/\_\_\_\_/\_\_\_\_

\_\_\_\_\_  
Mary Smith

EXAMPLE

# **KICKS & SPLITS PARENT CLUB POLICY GUIDELINE: FINANCIAL AID**

## **DEFINITION**

“Financial Aid” refers to financial support provided to individual Kicks & Splits team members from the Kicks & Splits Parent Club general fund.

## **PURPOSE**

As a member of the Kicks & Splits Dance/Drill Team, students incur expenses throughout the year that are offset by the Parent Club through financial contributions from team members and/or their parents/guardians. The purpose of Financial Aid is to reduce those expenses for individual(s) in a situation of financial hardship.

## **ELIGIBILITY**

Award of Financial Aid is determined by a Committee of the Parent Club Executive Board.

Proof of financial hardship shall be provided in written form (see Procedure section).

Eligibility is based on the income level test used by Fort Bend ISD for reduced price lunches.

Eligibility is contingent upon good faith participation by the individual and/or parent(s) in the Club’s fundraising activities.

## **THE COMMITTEE**

The Committee shall consist of the Dance/Drill Team Director, the President(s) and the Treasurer(s).

The Committee is responsible for a good faith determination of financial need while respecting the privacy of the individual(s).

Financial Aid decisions may not be made by a Committee member who is related to a sponsorship candidate; in the event of such a conflict, the related Committee member(s) shall be replaced by other member(s) of the Executive board as selected by the President.



## **PROCEDURE**

Requestors should submit a Financial Aid application (see Sheet 3 of this document). Individual Kicks & Splits team members or prospective team members, and/or their parent(s), are encouraged to contact the Dance/Drill Director or the Parent Club President or Treasurer to discuss situations of financial hardship. Privacy of the individual shall be fully respected.

## **MECHANISM**

No funds shall be disbursed directly to any individual.

Financial Aid funds shall be used only to reduce or eliminate the individuals' normal financial contribution to the GDPC.

Disbursement of funds shall be an internal accounting transaction in which funds are transferred from the Financial Aid Fund to the Contributions Account on behalf of the individual(s).

Financial Aid funds shall not be used for purchase of personal supplies on behalf of the individual(s).

## **SCOPE**

The total amount of funds available for individual sponsorship in any fiscal year shall be limited to \$1,500.00 or 1% of that year's total planned budget, whichever is the lower.

The maximum amount of sponsorship for any individual in any fiscal year shall be \$500.00.

There is no limit on the number of individuals who may be sponsored in any fiscal year.

## **ADMINISTRATION**

This policy shall be administered uniformly from year to year and shall be applied fairly and equitably to all requestors, without regard to talent or ability in any area (with the exception that the individual must be qualified as a team member according to the Kicks & Splits Constitution).

## **DOCUMENTATION**

A case history file shall be maintained in accordance with IRS regulations for tax-exempt organizations.

Adopted \_\_\_\_\_ 2020

## KICKS & SPLITS PARENT CLUB FINANCIAL AID APPLICATION FORM

1. If your total household income is the same or less than the amounts on the chart below, your Kicks & Splits Team Member is eligible for consideration of Financial Aid from the Kicks & Splits Parent Club.

<b>INCOME CHART</b>			
<b>Household Size</b>	<b>Annual</b>	<b>Monthly</b>	<b>Weekly</b>
2	\$20,813	\$1,735	\$401
3	\$26,178	\$2,182	\$504
4	\$31,543	\$2,629	\$607
5	\$36,908	\$3,076	\$710
6	\$42,273	\$3,523	\$813
For each additional member add	+\$5,365	+\$448	+\$104

\* Based on the 2020-21 income levels for District students to receive reduced price lunches.

**2. Required Information:**

Name of Kicks & Splits Team Member: \_\_\_\_\_

<b>HOUSEHOLD MEMBERS AND MONTHLY INCOME</b>				
<b>NAME</b>	<b>Gross Monthly Earnings</b>	<b>Monthly Income from Welfare, Child Support, Alimony</b>	<b>Monthly Income from Pensions, Retirement, Social Security</b>	<b>Any Other Monthly Income</b>

Signature of Adult Household Member: \_\_\_\_\_

Printed name: \_\_\_\_\_

Address: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

3. **Notes:** Award of Financial Aid is subject to availability of GDPC funds and is subject to the provisions contained in the GDPC Financial Aid Policy Guideline.

# Go Team Go Booster Club

PO Box 9622  
Sugar Land, TX 77479

June 20, 202X

Silver Bank  
6577 Mining Road  
Tarnished, TX 66978

Re: Account #552113  
Go Team Go Booster Club, EIN: 76-9999999

To Whom It May Concern:

On June 30, 202X the executive board of Go Team Go Booster Club will resign to coincide with the end of the fiscal year. On July 1, 202X, the newly elected officers will assume responsibility for the organization. Therefore, please make the following changes to this bank account's status and authorized signers as of July 1, 202X:

- Remove the following people from the list of authorized signers on the account:

---

Mickey Mouse, Vice-President  
281-553-7588

Donald Duck, Treasurer  
281-552-1255

Peter Pan, President  
281-552-7755

- Authorize the following three people as signers on the account:

Snow White, 2010-11 President

Ph: 281-459-6633

Minnie Mouse, 2010-11 Vice-Pres.

Ph: 281-552-5570

Daffy Duck, 2010-11 Treasurer

Ph: 281-552-1232

We appreciate your assistance with these transition details. If you have any questions, please contact one of the officers listed below.

Sincerely,

---

Mickey Mouse, Vice-President

Donald Duck, Treasurer

Peter Pan, President

*Go Team Go Booster Club is a 501(c)(3) tax-exempt organization.*

# Go Team Go Booster Club

PO Box 9622  
Sugar Land, TX 77479

June 20, 201

Internal Revenue Service  
TE/GE Room 4010  
PO Box 2508  
Cincinnati, OH 45201

Re: Go Team Go Booster Club  
EIN: 76-9999999

To Whom It May Concern:

On June 30, 202X the executive board of Go Team Go Booster Club will resign to coincide with the end of the fiscal year. On July 1, 202X, the newly elected officers will assume responsibility for the organization. Attached is a list of the incoming board members. Our bank has been notified of this change as well. We are furnishing this record in accordance with IRS Letter 1045.

We appreciate your assistance with these transition details. If you have any questions, please contact one of the officers listed below.

Sincerely,

---

Mickey Mouse  
Assistant Treasurer  
281-553-7588

Donald Duck  
Treasurer  
281-552-1255

Peter Pan  
President  
281-552-7755

(Attach a list of the new officers including their name and address.)

# Go Team Go Booster Club

PO Box 9622  
Sugar Land, TX 77479

June 20, 201

Exempt Organizations  
PO Box 13528  
Austin, TX 78711

Re: Go Team Go Booster Club  
EIN: 76-9999999

To Whom It May Concern:

On June 30, 202X the executive board of Go Team Go Booster Club will resign to coincide with the end of the fiscal year. On July 1, 202X, the newly elected officers will assume responsibility for the organization. Attached is a list of the incoming board members for your records. Our bank and the IRS have been notified of this change as well.

We appreciate your assistance with these transition details. If you have any questions, please contact one of the officers listed below.

Sincerely,

---

Mickey Mouse  
Assistant Treasurer  
251-553-7588

Donald Duck  
Treasurer  
251-552-1255

Peter Pan  
President  
251-552-7755

(Attach a list of the new officers including their name and address.)



# From the District...



# Helpful Information

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

USE BY FOR-PROFIT  
ORGANIZATIONS

For-profit organizations, alone or in collaboration with nonprofit organizations, shall not use District buildings and equipment, except where such use is directly related to the provision of services benefiting students or staff, as determined by the administration on a case-by-case basis with Board approval. Any such use shall be governed by separate agreement, upon such terms and conditions as may be approved by the Board.

EXCEPTIONS

The following exceptions shall apply:

1. For-profit local dance studios may use District facilities once a year during the month of June, at regular fees, provided no admission is charged. At least 60 percent of the participants shall be District residents, with names and addresses of the participants provided by the studio at the time of application.
2. Sporting organizations that conduct tournaments or competitions, with team members who do not reside in the District, shall be permitted to use District facilities, as long as the hosting organization complies with the 60 percent District membership requirement applicable to nonprofit organizations and the organization is participating in the competition. [See USE BY NONPROFIT ORGANIZATIONS, below]

USE BY NONPROFIT  
ORGANIZATIONS

Nonprofit organizations shall be permitted to use areas of a campus or facility listed in the District's facility use schedule for non-school-sponsored purposes only if at least one of the following criteria is satisfied:

1. The activity is for the exclusive benefit of the students in the District.
2. The activity relates to a regional or sectional meeting of a recognized group (e.g., Farm Bureau, Dairymen's Association) with a local organization within the District.
3. When at least 60 percent of an organization's membership resides within the District, and the organization is in the process of obtaining a permanent facility within the District's boundaries. Such organizations shall be permitted to use District facilities for up to five years, regardless of whether the organization is renamed or has otherwise reorganized. Names and addresses of the members of the group shall be provided at the time of application, as well as the group's written plans. In permitting organizations to use District facilities repeatedly, the District reserves the right to periodically review the progress of such plans and to request updated versions of the plans.

B1.1



COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

4. The organization is a campus booster club or campus parent organization established in accordance with GE(LOCAL).

CONTRACT  
APPLICATION

Contract applications shall be obtained through the operations section of the facilities department, 13600 Murphy Road, Stafford, TX. All requests for contracts shall be initiated at least 30 days prior to the requested date of use. Failure to provide the required documentation with the application will delay the application process.

INSURANCE

Applications shall be accompanied by proof of auto liability insurance with limits of \$100,000 per occurrence and general liability insurance with per occurrence limits of at least \$1 million. The District must be named as a coinsured or loss payee on this coverage. The insurer must carry an A.M. Best Rating of "A-VII" or greater.

Access to a facility shall not be permitted until the application and insurance have been screened and approved. Cancellation of insurance shall also cancel the rental contract until proof of insurance can be provided to the District.

Each insurance policy must require that the insurer send notice to the District, as follows:

30-day notice of cancellation.

60-day notice of nonrenewal.

30-day notice of material change.

A roster of personnel, with addresses, in the organization to verify eligibility.

All applications shall be made and signed by an authorized individual or an officer of the organization.

APPROVAL OF  
APPLICATION

After the application has been approved and signed by the appropriate District officials and representatives of the organization, it shall become a binding contract upon the individual, group, or organization. Should a campus find it necessary to cancel a rental agreement, notice of cancellation shall be provided at least 48 hours in advance, except in the case of an emergency.

Use of District buildings or equipment shall constitute acknowledgment that the person or organization shall be responsible to the District, its Board members, employees, or agents for all damages to the building or equipment and shall indemnify and hold harmless the District, its Board members, employees, or agents from any claim whatsoever resulting from or arising out of the use of the building or any part of it.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

Requests to use District-owned equipment in conjunction with the rental of a facility shall have the advance approval of the principal and appropriate District administrator. Only District personnel who are certified as lighting and sound technicians by the fine arts department shall be employed to operate the auditorium lighting and sound systems.

A request to use the grounds surrounding a facility shall be approved by both the principal of the individual campus and the appropriate District administrator. When a request affects athletic facilities, cafeteria facilities, or food preparation and serving areas, the request shall also be approved by the appropriate athletic or program director as well as the principal or designated representative.

Violation of any term of this policy or District procedures regarding the use of facilities may result in immediate termination of the rental contract.

FEES FOR USE

Fees for the use of District buildings shall be based on the Board-adopted rental fee schedule. The appropriate rental fees and deposit shall be submitted with the application. The deposit required for an organization with multi-use contracts is equal to one month's rent. Multi-use contracts shall require one month's fee in advance and shall be billed for usage on a monthly basis. Local government organizations that have an interlocal agreement with the District shall be exempt from making a payment in advance. Fees shall be paid within ten days of receipt of invoice. Users that are 45 or more days in arrears shall be prohibited from further use of District facilities for the remainder of the school year. Such a group may reapply to use District facilities at the beginning of the next school year if the bills have been paid in full and the group meets all required criteria.

Users who exceed the ending time specified in the agreement shall be assessed an additional fee based on the adopted rental fee schedule. Any part of an hour shall be billed as a whole hour. Users who frequently exceed the ending time specified in their agreement may have the rental agreement canceled for the remainder of the current school year. Termination shall occur only with the approval of the chief auxiliary services officer.

Any person, group, or organization that contracts to use District facilities but fails to show for the event shall be charged a fee equivalent to a minimum of two hours' use of the facility and any other expenses incurred by the District in preparing the facility for the renter.

RULES FOR USE

The following rules shall apply:

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

1. Classrooms, libraries, extended-day facilities, office areas and any area not on the District schedule of fees for facility use shall not be available to rent. Hallways shall not be used for any purpose except the ingress and egress of occupants.
2. The Boy Scouts, Girl Scouts, 4-H Clubs, and other community-based youth groups dedicated to educational and recreational purposes with open programs shall be permitted to use District facilities without charge if only a small area is needed, the group will meet immediately after school, and no extra utilities, custodial services, or setup are required. The activity shall end by 8:00 p.m. The fee for regularly scheduled meetings ending after 8:00 p.m. shall be \$15 per occurrence. Fees for special activities (i.e., banquets) shall be assessed at \$25 plus appropriate set-up fees if the activity ends by 10:00 p.m. and is conducted on a school night.
3. Campus booster clubs and campus parent organizations established in accordance with GE(LOCAL) shall not be charged rental fees for scheduled events but shall complete a "Contract for Use of School Facilities".
4. A nonprofit organization shall have the right to charge an admission fee if the original application for rental of the facility explained that a fee will be charged and the disposition of the proceeds.
5. Persons or organizations using District buildings shall comply with all federal, state, and local laws, including rules of local police and fire departments.
6. All decorations used within District buildings shall be subject to the approval of District officials. No open flame decorations or devices shall be permitted.
7. Tobacco use and alcoholic beverages are prohibited on District property.
8. Food and drinks shall be confined to the foyers of District auditoriums and food courts. No food or drinks are allowed inside District auditoriums. Any person or organization using a District auditorium shall be responsible for enforcing this regulation.
9. The District shall provide caretaker service. The building and/or equipment shall be under the jurisdiction of the caretaker. The caretaker shall normally be the custodial staff; however, in the event that they are unavailable, the campus is responsible to provide adequate and qualified caretakers to oversee the property and monitor adherence to these policies.

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

All organizations shall give the caretaker the name of the person in charge of the meeting or group activity.

10. The organization shall be responsible for furnishing any additional help that may be needed, including but not limited to ushers, ticket-takers, parking attendants, or law enforcement officers for traffic control. District police officers shall be hired to provide crowd control for recreational activities having more than 50 attendees, including spectators.
11. The District reserves the right to require any additional personnel deemed necessary for the safe and proper use of its facilities and equipment.
12. Campus facility rentals shall end at 10:00 p.m.
13. District personnel may not use District facilities for organizations to which they belong without first submitting a rental application in accordance with this policy.
14. Any exception to this policy shall be approved by the Superintendent.
15. Principals and/or appropriate District administrators shall have final authority for approval of their facility being used.
16. Private music tutorials, as part of the music enrichment program, shall be allowed under the guidance of the campus music director, campus administration, and the department of fine arts. These tutorials shall be limited to the music rooms of the corresponding campus. All private instructors shall be required to show proof of professional liability insurance with limits of at least \$1 million and the insurance policy must extend coverage for sexual misconduct. The insurer must carry an A.M. Best Rating of "A-VII" or greater. All rental fees and the requirements for general and auto liability coverage shall be waived. An annual administrative fee, as set by the District, shall be assessed to each instructor. Scheduling shall be coordinated with the campus and the department of facilities.
17. Rental of a campus in its initial year of operation shall not be permitted.
18. Rental of campus facilities shall not be allowed on the following days:

New Year's Eve	Labor Day
New Year's Day	Thanksgiving Day
Memorial Day	Christmas Eve

COMMUNITY RELATIONS  
NONSCHOOL USE OF SCHOOL FACILITIES

GKD  
(LOCAL)

Fourth of July

Christmas Day

If the day falls on a Sunday, normal church services shall be permitted. Special sunrise services for Easter may be granted with sufficient advance request time (30 days).

PROHIBITED  
ACTIVITIES

No activity shall be scheduled in a school building or on school grounds that interferes with individual school operations.

Specific prohibited activities include:

1. Any use of District facilities, buildings, or grounds without prior written consent of the District. However, this policy shall not prohibit individual use of playgrounds.
2. Any activity that may damage the buildings, grounds, or equipment or that may be deemed a nuisance to residents living nearby.
3. Any activity that conflicts with school activities or scheduled District maintenance activities.
4. Fund-raising campaigns except as permitted by Board policy or special action of the Board.

COMMUNITY EVENTS

Elected officials' requests to utilize facilities shall be assessed a \$25 per day fee only if the use is for the purpose of conducting town hall meetings, is conducted Monday through Friday, and ends before 10:00 p.m.

# COVID-19 Guidelines and Waiver Addendum

## Facility Rentals

### COVID-19 Guidelines for Indoor and Outdoor Facility Usage

The following guidelines in response to the COVID-10 pandemic are necessary to ensure the safe utilization of the District's properties while protecting the health of our staff, students and rental participants. These requirements will be clearly communicated and updated regularly on our District website and through the Facilitron website. Failure to comply shall result in denial of future rental requests.

The requirements below must be strictly followed for ALL facility rentals:

1. I have reviewed the "[2020-2021 UIL COVID-19 Risk Mitigation Guidelines](#)" (University Interscholastic League) and agree that my event will comply with these protocols.
2. I understand that in accordance with Texas Gov. Greg Abbott's executive order, effective June 5, 2021, students, staff, parents, and visitors will no longer be required to wear masks in schools or in District buildings.
3. I agree however, any individual may wear a mask if they choose to do so. Personal choice about mask wearing is always to be respected by all staff, students, parents, and visitors.
4. I understand and agree that I have access to use the District's [Attendee Management tool](#) to track attendees to my event.
5. I understand and agree that I am required to notify the district's contact tracing team (HR dept. [COVID19SupportTeam@fortbendis.com](mailto:COVID19SupportTeam@fortbendis.com)) if any participant is later diagnosed with COVID-19.
6. I understand that every effort should be made to ensure that a minimum of three (3) feet of distance is kept between individuals who are not from your household in both indoor and outdoor spaces.
7. I understand that anyone entering a District facility, will confirm they do not have COVID-19 symptoms and have not tested positive for COVID-19 in the last ten days. Unvaccinated individuals will also confirm they do not believe they have been in close contact with an individual who has tested positive with COVID-19 or traveled internationally.
8. I understand that final District approval is contingent upon availability of FBISD custodial staff.
9. Please describe your event.

## COVID-19 Facility Rentals

### Waiver, Release and Assumption of Risk Form

On behalf of myself and any organization that I may represent as the renter of a Fort Bend Independent School District (FBISD) facility, I hereby agree to abide by all rules, guidelines and requirements as set forth by The School Board of FBISD and assume all risks associated with renting such space. In consideration of being permitted to rent such space, (hereafter known as the "Facility Rental") and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed as follows:

I HEREBY RELEASE, WAIVE, DISCHARGE AND COVENANT NOT TO SUE, the School Board of FBISD and its insurers, members, employees, representatives, contractors, sponsors, agents, successors and assignors (collectively referred to as "Released Parties") from all liability to me, my personal representatives, assigns, heirs and next of kin for any and all loss or damage, and any claim or demands therefore on account of injury to myself to the person or property or resulting in death, whether caused by the negligence of the released collectively, of third parties, or otherwise while I am observing, attending or in any way participating in the Facility Rental.

I HEREBY AGREE TO INDEMNIFY AND SAVE AND HOLD HARMLESS the Released Parties and each of them from any loss, liability, damage, or cost they may incur due to my presence in or upon the area or in any way observing, attending, or in any way participating in Facility Rental, whether caused by the negligence of the Released Parties or otherwise.

I HEREBY ASSUME FULL RESPONSIBILITY FOR AND RISK OF CONTRACTING COVID-19, SUSTAINING BODILY INJURY, DEATH OF MYSELF OR PROPERTY DAMAGE due to the negligence of Released Parties or otherwise while in or upon the area and/or while observing, attending, or in any way participating in the Facility Rental.

I certify that I am in good health, have no fever, and have no current issues that make it unsafe for any of my participants or staff to utilize the rental space. I will notify FBISD Risk Management Department and the school and suspend any rental agreement if I or my staff or any attendees at the Facility Rental develops a fever or illness or tests positive for COVID-19.

I agree that if any Facility Rental attendee later tests positive for COVID-19, I will be fully responsible for any additional cleaning costs assessed by the District.

I expressly acknowledge and agree that attending, observing, and/or participating in the Facility Rental during this global pandemic could be dangerous and involve risk of infection, serious illness, serious injury and/or death to myself and/or property damage. I further expressly agree that the foregoing release, waiver, and indemnity agreement is intended to be as broad and inclusive as is permitted by law of the State of Texas and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect. Further, I agree that if any of the Released Parties seek to enforce this Release due to any claims made by me or by any third party, I will indemnify them for all costs associated with enforcement of this Release, including, but not limited to attorney's fees.



# Examples



# Fort Bend Independent School District

## TAX-EXEMPT STATUS / DONATION ACKNOWLEDGMENT FORM

Fort Bend Independent School District is a public school district and is a political subdivision of the State of Texas. The District is not a tax-exempt entity under the Internal Revenue Service (IRS) Code Section 501(c)(3). However, the District is considered a tax-exempt organization that may receive charitable contributions according to the IRS Code Section 170(c)(1). This section states that a charitable contribution means a contribution or gift to or for the use of:

"A State, a possession of the United States, or any political subdivision of any of the foregoing, or the United States or the District of Columbia, but only if the contribution or gift is made for exclusively public purposes."

The District may receive charitable contributions if they are for public purposes, such as benefiting a group and not an individual. These charitable contributions are deductible by the donor on their tax return. The federal identification number of Fort Bend Independent School District is #74-6025253.

Contributions may be made to the District, District schools, or various District groups and clubs. **However, the District's tax-exempt status does not apply to various parent or community organizations, such as PTOs and Booster Clubs, who work with the District.** These organizations are separate entities from the District and must apply for their tax-exempt status under Code Section 501(c)(3). Evidence of their tax-exempt status would be a Letter of Determination from the IRS.

**Fort Bend Independent School District greatly appreciates the support of:**

Name of Donor (Company or Person)	Daddy Warbucks Drama Booster Club
Address	2225 Annie Avenue Hollywood, TX 77493
Contact Name / Phone Number	Daddy Warbucks / 281-555-1122

**through the donation of:**

\$25,000.00 Check #00017

Description of Item(s) Donated and/or Monetary Contribution Received

**This support will assist the District in continuing to improve the educational environment.**

Jane Doe

Print Name of District Employee Receiving the Donation

*Jane Doe*

Signature of District Employee

Financial Secretary

Title of District Employee

Hannagan High School/Principal's Ofc

School or Location / Department

2-29-20

Date

WHITE	FORM DISTRIBUTION
YELLOW	DONOR
PINK	PAM SCOTT, ISC - SOUTH
	PERSON RECEIVING DONATION



# Forms Available To Use



# RESERVATION GUIDELINES

## Facility Use for Non-School Purposes

The Board of Trustees permits and encourages the use of District facilities in a manner that best serves the needs of the District community within the laws, rules and regulations that govern the operation of a public independent school district.

For clarification purposes in this document and the corresponding policies, regulations or forms, the term “Fort Bend ISD group” is defined as school groups such as FBISD athletic teams, National Honor Society, and other school-related groups. A “non-Fort Bend ISD group” is defined as all other groups regardless of classification.

### Availability

District Administration has the authority to cancel a non-school use of its facilities if, but not limited to, an unexpected conflict arises with a District activity, there is a campus or District crisis, there is a maintenance failure that would render the facility unusable or if weather conditions prohibit the opening of the facility. District athletic fields and school grounds are not available for use if heavy rains have occurred within 48 hours prior to a scheduled event. Currently, the District only allows use of the Middle School and High School athletic fields.

All persons or groups that have had an event cancelled by the District that would like to reschedule must do so by accessing the District’s online facility rental system, Facilitron. There are no verbal negotiations or approvals for “make-up” days.

### Rental Contract Approval

All non-school use of facilities, including athletic fields and school grounds, must be reserved by accessing the District’s online facility rental system, Facilitron. To qualify, the following apply:

- all accounts must be in good standing
- all insurance requirements must be met
- no prior issues with conduct, misuse of facilities or damages to facilities

### Reservations

Groups or organizations considering rental of one or more of the District-wide facilities must use Facilitron. The reservation process is user friendly and efficient. Renters will be able to access photos and descriptions, see real-time availability, get estimated quotes, and pay online.

Renters can view and request all district facilities at <https://www.facilitron.com/fbisd77479> or go to the Fort Bend ISD website / Community / Facility Rentals. Although the process of requesting/approval/management of facility use is now digital, what is implemented on Facilitron remains the same as dictated by Fort Bend Independent School District's board policies on facility use. Fort Bend Independent School District's administrative staff will make final decisions on all facility use requests.

Facilitron will assist with the set-up of organizations and user accounts, including verification of non-profit status (if applicable). Please note at this time Fort Bend Independent School District does not distinguish between a non-profit and a for-profit organization regarding rental fees. Facilitron will also collect payment and proof of insurance (certificate of insurance) on Fort Bend Independent School District's behalf. Payments can be submitted conveniently on Facilitron. Payment options include major credit cards, checks, ACH/eCheck, and Paypal. Proof of insurance (certificate of insurance) can also be conveniently uploaded into the system.

Moving forward, the only way to request use of a district facility is by creating a Facilitron account and submitting a request online. If you need assistance setting up an account and/or submitting a facility use request, you can contact Facilitron directly at [support@facilitron.com](mailto:support@facilitron.com), by calling them at 800-272-2962 ext. 1, or by visiting their website at <https://support.facilitron.com/support/home>.

All requests for facility rental by non-Fort Bend ISD groups can begin submitting their facility use requests as follows (unless otherwise communicated):

- Fall Sports – First day to submit requests is July 2
- Spring Sports – First day to submit requests is November 2
- Summer Sports – First day to submit requests is February 2
- Facilities, to include athletic areas, will not be available for reservation July 1 – July 31 each year in order to allow for a “resting period”.
- Requests for Baines and Thornton Middle Schools and Ridge Point High School for football and track will go through SPLID. For more detailed information, please contact FBISD Facility Rental Coordinator.

The new electronic reservation process for all District facilities is as follows:

1. The individual requesting the facility must create an account through Facilitron and/or log into Facilitron to submit the request.
2. Once the selections are made, the request will be routed to the appropriate district officials with the final approval or denial being with the Assistant Director of Enterprise Funds typically within 3 to 7 business days.
3. Facilitron will calculate your selections and provide you with an immediate estimate of your rental request.
4. If a multiple month-use contract is approved for your group, the full estimated monthly payment amount must be paid for the upcoming month by the 1<sup>st</sup> of each month prior to that month's use. If the payment is not received at least seven (7) days prior to the first scheduled day of use, the reservation will be cancelled for nonpayment. Adjustments based on usage will be billed in the following month.

5. If a renter has a balance for whatever reason, or has not paid first month's rent prior to the date of use the renter will not be permitted access to the premises.
6. Renter must upload a certificate of general liability insurance with per occurrence limits of at least one million dollars and with the district as co-insured party prior to facility use. Facilitron will verify your insurance. If your insurance is not verified within seven (7) days of your use date, your reservation will be cancelled.
7. A request that is for an athletic facility (outdoor or indoor) will route first to the Office of the Director of Athletics (for District Athletic facilities) and the campus principal or their designee (for High School and Middle School athletic fields) for approval to use their campus, then to Enterprise Funds for final approval.
8. A request that is for an indoor rental space will route first to the campus principal or their designee (for High School, Middle School and Elementary School) for approval to use their campus, then to Enterprise Funds for final approval.
9. If the concessions are requested, the request will route to the Office of the Director of Child Nutrition for approval and scheduling of CND staff supervisor and the campus principal or their designee for approval to use their campus. The Office of Enterprise Funds should notify the applicant that costs for kitchen facilities are not included in the estimates.
10. The renter will receive email notifications from Facilitron that notify them of the status of their reservation request.
11. The Enterprise Funds Department will make available on the Facility Rentals webpage via the District website, a copy of Board Policy GKD(LOCAL) and current fee schedule
12. A non-refundable \$25 administrative fee applies to each rental reservation submitted for use.
13. ALL renters pay at least the \$25 Processing Fee up front. The \$25 Processing Fee is non-refundable, but can be credited towards the rental if approved. Any request submitted without the \$25 payment will be immediately declined. To only pay \$25 non-refundable fee when you submit your request do the following:
  - a. Select the "pay by mail" option
  - b. Call Facilitron to ensure the payment processed accordingly

Approval to use District facilities, when made available, will be based on first-come, first-served basis. The District shall have first priority of facility use and may cancel any agreement of any facility prior to the event if the District determines that it must use the facility for a function directly related to the operation of the District. The District also reserves the right to adjust or restrict the hours of use by any group or organization in order to accommodate a function directly related to the operation of the District or to accommodate the greatest number of requests.

The use of facilities is restricted to participants or guests associated with the organization/event that have not been authorized by the District. Subleasing is prohibited.

Updated on 7/29/2021

## **Facilities Use Event Supervisor**

The Enterprise Funds department requires each organization or group approved for a large event, i.e., tournaments, track meets, bowl games, festivals, recitals, conferences etc. will have a FBISD Event Supervisor assigned to your event to oversee and engage with your organization as the District's lead person at the rate of \$40 per hour. The Event Supervisor's role is outlined in *Exhibit A*.

## **Designated Holidays and Non-Instructional Day Use**

District facilities will be closed on official District holidays unless permission is granted otherwise by the Enterprise Funds Department:

New Year's Day  
Martin Luther King Day  
Good Friday  
Easter Sunday  
Memorial Day  
Independence Day (July 4 and specified weekday as applicable)  
Labor Day  
Thanksgiving Day  
Christmas Eve  
Christmas Day  
New Year's Eve

If permission is granted for use, all employee service hours worked on designated holidays will be billed at a holiday premium rate equivalent to two times the rate specified as employee fees on the District Facility Use Fee Schedule.

District facilities operate with a regular staff and schedule on the instructional days designated on the District's instructional calendar. On non-instructional days, access to facilities may be limited due to changes in custodial hours and staff on these days.

## **Insurance**

Groups or organizations shall maintain, at their sole cost and expense, comprehensive general liability insurance from a company authorized to do business in the State of Texas in which the group or organization is named as the insured and Fort Bend ISD is named as an additional insured with limits that meet or exceed those established by the District Risk Manager for the period of time set forth in the Facility Use Terms and Conditions agreed to when a reservation has been submitted. The insurance policy must reflect that it is primary and not secondary or contributory with any insurance maintained by the District and may not be canceled prior to the conclusion of the term of the Facility Use Agreement. Cancellation of insurance shall also cancel the Facility Use Agreement until proof of insurance can be provided to the District. Each insurance policy must require that the insurer send notice

## Rental Fees and Terms & Conditions

### Athletic Facility Rental Rates

ATHLETIC FACILITY	HOURLY RATES - Rental	HOURLY RATES - Lights	FLAT RATE – Scoreboard/Press Box
Baseball/Softball Fields	30	20	80
Mercer Stadium	195	125	80
Wheeler Field House	85	50	80
Hall Stadium	195	125	80
Hopson Field House	85	50	80
Old Kempner Stadium	50	20	80
Old Kempner Track	55	20	80
High School Football Competition Field	30	20	80
High School Track	55	20	80
High School Tennis Court	20	10	0
Middle School Football Competition Field	30	20	80
Middle School Track	55	20	80
Middle School Tennis Court	20	10	80

### Campus Rental Rates – Hourly (2-hour minimum)

	High School	Middle School	Elementary School
<b>COST RECOVERY</b>	30	20	35
Auditorium	275	N/A	N/A
Band Hall	N/A	N/A	N/A
Cafeteria / Commons	110	100	85
Choir Hall	N/A	N/A	N/A
<b>*Classroom</b>	30	20	35
Computer Lab	N/A	N/A	N/A
Conference Room	N/A	N/A	N/A
Dance Room	N/A	N/A	N/A

	High School	Middle School	Elementary School
Grounds (playground, open	N/A	N/A	N/A
Gym	90	85	85
Hallways	N/A	N/A	N/A
Kitchen	N/A	N/A	N/A
Library	N/A	N/A	N/A
Lobby	N/A	N/A	N/A
Music Room	N/A	N/A	N/A
Parking Lot	25	25	25
Theatre / Stage	N/A	N/A	N/A

RED = rented at the discretion of Enterprise Funds

### EMPLOYEE SERVICE RATES – Hourly (2-hour minimum)

Employee Service Rates apply to renters (\*currently under review)

Event Supervisor	\$40
Natorium Supervisor	\$40
Custodian Indoor Events* / Athletic Outdoor Events*	\$40 / \$25
Holiday Premium Custodian Rate	\$80
Food Service Employee	Variable
Maintenance / Grounds Employee	N/A
Auditorium Lights & Technician / Student	\$40 / \$25
Lifeguard	N/A
Police Officer	\$40
Wellness Monitor	\$40

### Required Deposits

Deposits apply to all Renters

Non-refundable processing fee	\$25
Refundable kitchen/concession deposit	\$500

### Other Fees That May Apply

Fees apply to all Renters

Setup Fee (outside of normal request)	\$25
Non-Compliant Food Truck Fee	\$25
COVID-19 Sanitation Fee	\$60

A flat rate will be assessed for the following (applies to all groups / organizations that requests use):

Scoreboards/Press Box – All fields, field houses \$80 / flat

Scoreboards – High/Middle School gyms \$80/flat

Fees are subject to change and are determined at the sole discretion of the District. There are no exceptions to fees.



# Fundraising Request Form (online)

## Step 1 Login

Access the request form as follows:

1. <http://secure.fortbendisd.com/fundraisers>


A link (“How does the approval process work?”) is available that will summarize the approval process

2. Log in to the appropriate section:  
Non-employees use top login link  
FBISD employees use bottom login link

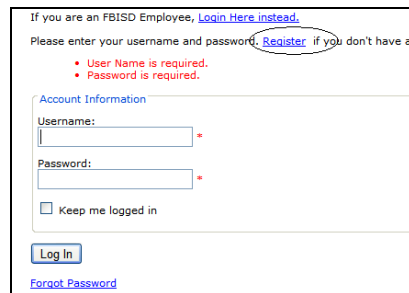
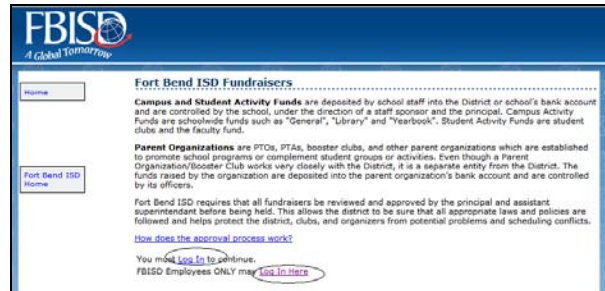
Employee login screen:  
Log in using your network user name and password

Parent Org. Representative (non-employee) login screen:

First time users will register to get username and password

Employees will find a link at the Employee/Staff Information page at the FBISD website. 

Parent organization reps will go directly to the URL instead of through the District website.



# Fundraising Request Form (online)

## Step 2 Start a New Fundraiser Request (or Edit/Continue one)

1. Start a new fundraiser request. Note, you will be able to later view or edit fundraisers from this screen as well.

Employee screen:

Parent organization screen:

2. Event number will be assigned when saved. This will be used to call it up later during the approval process and after.

Status of Approval Progress will show as green – from “Not Submitted” through “Approved.”

Fill in all sections. Information still needed will be listed in red toward the top.

Line-by-line help on next page.

3. Save for Later if you need more information or additional staff review before submitting to the principal.

Submit for Approval, and the principal and bookkeeper/executive secretary will receive an email alert.

4. Submitted fundraiser request shows this at the top. (No longer editable by the submitter.)

### Employees:

### Parent Organizations:

Once submitted, you will be unable to edit the request.

Save for Later Submit for Approval

Submitted > << Awaiting Principal Approval >> Awaiting Assistant Superintendent Approval > Approved Fundraiser is NOT APPROVED until the status is Approved

# Fundraising Request Form (online)

<b>Step 2 Start a New Fundraiser Request (or Edit/Continue one)</b>	
Select the organization's name (drop-down)	Activity fund accounts are all listed. Contact Business/Finance if your account is not listed.  Parent organizations must choose their campus from the long dropdown of all campuses. Then choose PTO or Other. If other, such as FFA Booster, Pro-Grad, etc, type the name.
Current account balance	Obtain this from the bookkeeper/executive secretary. Note: this does not apply to Parent Organization fundraiser requests.
Fundraiser name; Proposed dates	User-defined; use calendar to register dates.
<input type="button" value="Save for Later"/>	Save periodically. An Event number will be assigned. You can tell this number to a campus administrator or bookkeeper/secretary so he/she can view your proposed fundraiser and comment. (Only you may make edits.)
Proposed location	
Estimated profit	Your best estimate (may be a range)
Proposed use of funds	
Provide a detailed description of the proposed activity.	For example, include examples of per-unit pricing and cost, or describe your idea as best you can.
Upload supporting documents	You may attach a budget, flier/brochure, and any information or forms that would be useful to the approval process
Has this organization conducted this fundraiser before?	Informational. Include approximate profit.
<input type="button" value="Save for Later"/>	Any time is a good time to save.
Will food be sold, served or distributed on campus?	If so, you must fill out Child Nutrition's form (available at the link). This includes sale of boxed candy, cookie dough, etc. as part of a catalog sale even if the sales take place off campus but the items are delivered to campus later for distribution. Download from the link, print, fill out completely, then scan and attach at the link above. This is not an online fillable form.
Sales tax?	Tell us if you are selling items that are generally taxable when sold, and if you will be using a one-day tax-free sale. Information is available at the link; see bookkeeper for more info about sales tax.
Rental of District facilities?	A form is provided in case you need to take this into consideration. No need to attach the form, but get it approved separately on your own if needed.
<input type="button" value="Save for Later"/> or <input type="button" value="Submit for Approval"/>	Once submitted, your principal will be able to review, approve, change status to "not submitted," (for further work) or deny.
<b>What's next? And Other Suggestions</b>	
Submitter will receive email notification... any time the request moves to a new approval stage.	
Bookkeeper/ExecSec will receive email notification... any time a request is submitted to the principal; is approved by the assistant superintendent; or denied by anyone.	
Bookkeeper/ExecSec or sponsor are encouraged to notify an additional administrator who may have input in the approval process at any point before the request is submitted or while at the Submitted for Principal Approval level.	
Comments (from any approver to a submitter) may be typed in as a communication technique. These comments are designed to be temporary and then deleted by the person who is viewing them.	
<input type="button" value="Edit/Continue Fundraiser Request"/>	Anyone may click this to pull up a fundraiser request, but you may only make changes if the status is at your level (submitter, principal, Child Nutrition Dept., assistant superintendent).  Any fundraiser (proposed or approved) can be looked up, viewed and printed at any time.

# Fundraising Request Form (online)

## Step 3 Principal/Child Nutrition/Assistant Superintendent Review and Approval

- Sequence of Approval is: 1) Principal, 2) Child Nutrition (if food is sold, served or distributed), then 3) Assistant Superintendent.

Approver will log in to the program and select the fundraiser from the list of all fundraisers that are at various stages of approval.

- Each approver will review the fundraiser. Then choose the appropriate new status from the drop-down and click **Save**. To send it back to the person at the previous level to make changes, choose that (lower-level) status and click **Save**.
- All changes in status will trigger an email to the original submitter and the person who is next in line for review.

Examples at each state are shown at the right.

Each time the proposed fundraiser moves to another stop, the original submitter and the person at the next stop in the approval route will receive an email notification.

When a proposed fundraiser is Approved (or Denied), an email will be sent to the original submitter and the bookkeeper/executive secretary.

Example of an Approved request is shown at the right.

Event	Submitted By	Campus	Organization	Date From	Date To	Fundraiser Name	Status
130	DISTRICT [redacted]	[redacted] School	Band	08/22/2013	08/22/2013	Concert	Approved
122	DISTRICT [redacted]	[redacted] School	DECA	08/31/2013	09/14/2013	Carwash	Awaiting Principal Approval
121	DISTRICT [redacted]	[redacted] School	Student Council	10/21/2013	10/31/2013	pumpkins-jack-o-lanterns	Awaiting Principal Approval

### Examples of requests Awaiting Principal Approval:

### With food:

### Example of request Awaiting Nutrition Approval:

*(CND also chooses a type of permit or indicates permit 'not required')*

### Example of request Awaiting Assistant Supt. Approval:

### Example of an Approved request

# Fundraising Request Form (online)

## Advice:

1. Be suitably descriptive for all open-ended questions (proposed location, estimated profit, proposed use of funds, detailed description of event). Approvers may request more detailed information, which you will later edit in.
2. Attach any documents that will help describe your event, support your information, or which may be required by an approver. A financial plan or budget may be requested if an approver would like to see that.
3. When a user Submits, the request becomes uneditable by anyone other than the next person in the approval chain. If changes are needed, the approver may set the status down to a previous (lower) status or make those changes and move the request forward.
4. A submitter may contact the person who has the request at his/her level and ask that he/she change the status back to a level where the submitter may make changes.
5. If your campus relies on the bookkeeper or an assistant principal to pre-screen fundraisers for the principal, we suggest:
  - a. Tell sponsors to fill out and "Save for Later," but do not "Submit." The submitter will tell the additional reviewer the event number, and he/she can log in, review, print and comment; or
  - b. Have the principal hold off taking action on Submitted fundraisers until the additional reviewer can review, print and comment. If edits are needed, the principal will change the status back to "Not Submitted."
6. Bookkeeper/ExecSec or sponsor are encouraged to notify an additional administrator who may have input in the approval process at any point before the request is submitted or while it is at the Submitted for Principal Approval level.

## Frequently-Asked Questions:

**What if my organization's name does not appear in a drop-down?** Stop, and contact Ron Vlaskamp or Mary Ashcraft to have an organization name added. After you hear back, you will be able to log in and do your work.

**I need more information. Can I save my application?** You may "Save for Later" (button at the bottom) as often as you want without leaving the screen.

**Can I use rounded or estimated figures?** Yes, although any approver may request more precise information.

**How do I know the status of a fundraiser request?** Whenever someone down the line of approvals changes the status of a proposal, the originator will receive an email notification. This includes when a fundraiser receives its final approval from the assistant superintendent or whenever the request is denied by any approver.

**How can I view all fundraisers for my campus?** Any fundraiser (saved but not submitted, awaiting approval, approved, or denied) can be looked up, viewed and printed at any time by using the "Edit/Continue Fundraiser" link. If desired, all data can be exported to Excel.

Documentation Type: eLearning User's Guide 5

Created by: Ron Vlaskamp

Last Modified on: 9/12/2013

Fort Bend ISD

# Fundraising Request Form (online)

**Can I make changes to a fundraiser that has been denied?** No, but you could initiate a new request.

**Can an approver request changes without completely denying a request?** If an approver feels a request can be modified so that it can be approved, he/she can write a note on the form and change the status down to a lower level such as "Not Submitted," or "Awaiting Principal Approval."

**Can someone other than the sponsor input the requested data online for him/her?** Yes. The sponsor can describe the fundraiser to someone else who will input the information for him/her. However, online the event will not list the sponsor's name as responsible. All email correspondence related to the progress of the fundraiser request will be sent to the person who is logged in when the request is first initiated.

**What is the best way to help a sponsor with the online request form but still have the sponsor's name listed with the event?** Have the sponsor begin the item ("Start Activity Fund Fundraiser Request") and type in as much information as he/she knows, then "Save for Later." Get the event number, look it up, then provide suggestions so the sponsor can log back in and finish up the request.

**Will non-employees who create their own user id here have access to the FBISD network?** No, this user ID is only for the online fundraiser application.

**Can someone other than the sponsor input the request data online for PTO/PTA/Boosters?** Representatives for parent organizations should do their own work online. This way they will get all communications directly and it keeps the separation of responsibilities clear.

**Why is the information on my screen is grayed-out so I can't edit anything?** When a user Submits, the request will become uneditable by anyone other than the next person in the approval chain. If you need to be able to go back and make edits, ask that person to change the Approval Status to the level that you are at ("Not Submitted," or "Awaiting Principal Approval").

**How can school staff, assistant superintendent staff or business office staff review fundraiser requests?** Staff can view any fundraiser that is in the online system. Campus staff can see any for that campus, Assistant Superintendents and staff can view for all feeder schools, and business office staff can view all fundraiser requests. They can be looked up one at a time or exported to Excel at the "Edit/Continue Fundraiser Request" screen. There are a few drop-downs to narrow the results, if desired.

**Some fundraisers for this year have already been approved using the old paper forms. Must I type them into the online system?** Although not mandatory, the sponsor, bookkeeper or principal's secretary may choose to type the information into the system. Explain to the principal and assistant superintendent that these fundraisers were already approved by paper and ask for expedited approval so the data is saved to the central system.

## Food Fundraisers:

**What fundraisers require approval of the Child Nutrition Department?** Any food sold, served, kept at or distributed on campus requires CND evaluation and approval. This is to ensure compliance with rules governing what food may be served on campus during the school day; foods sold or served that compete with the school lunch program; and health permit requirements.

**Does a fundraiser that sells frozen foods or boxed candy from a catalog require CND approval?** Yes, "food sold, served or distributed on campus" does include fundraisers such as cookie-dough or boxed candy even if the sales or orders take place off campus if the food is delivered to campus to be distributed. This has to do with the school being responsible for "potentially hazardous food products" where edible products hit campus even if only for distribution to the students/parents who sold them and will take them home.

**What are the various food permits?** The CND health permit is generally used to cover the sales or event if the sale occurs in the school building or within 100 feet. However, a Temporary Health Permit is required for events that occur outside more than 100 feet from the building such as carnivals. Cooking food in barbecue pits outside the building is one example. Cooking food in barbecue pits outside the building is one example. For additional information, please contact the Child Nutrition Department at 281-634-1190.

**FORT BEND INDEPENDENT SCHOOL DISTRICT  
REQUEST FOR FOOD SALES OR SERVICE  
(Please submit 30 days prior to event)**

**CAMPUS:** \_\_\_\_\_

**DATE SUBMITTED:** \_\_\_\_\_

**ORGANIZATION/ CLUB:** \_\_\_\_\_

**SPONSOR:** \_\_\_\_\_

**EXACT EVENT LOCATION:**

*All information shall be provided for all items served or sold.  
\*Required when products are sold during meals periods.*

<b>Elementary Days (District Approved):</b>			
<b>Circle One:</b>	<b>1</b>	<b>2</b>	<b>3</b>

Product Name	Individual Serving Size(s)	* Nutrition Label shall be attached	Date(s)	Time(s)

**Check one of the following:**

<input type="checkbox"/>	Catered Event: <b>Company Name:</b> _____ Caterer's Health Permit Number with expiration date: <b>Permit #</b> _____ <b>Exp. Date:</b> _____
<input type="checkbox"/>	Food items provided by the Organization. <b>Purchase Site:</b> _____ <b>(All items shall be obtained from a licensed facility. No homemade items shall be allowed.)</b>
<input type="checkbox"/>	Food items purchased from the Cafeteria. <b>(Note: Food items purchased from the cafeteria must be ordered ten (10) days in advance.)</b>

**PROVIDE A DETAILED DESCRIPTION OF THE PROPOSED ACTIVITY INCLUDING EQUIPMENT TO BE USED FOR THE EVENT:**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Activity Coordinator(s):

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_

Name \_\_\_\_\_ Daytime Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_

This form shall be completed and submitted to the Child Nutrition Department at least thirty (30) days prior to the date of the proposed activity. This request shall be approved with the understanding that all sales/service are in accordance with all State, County and City Health Regulations and Codes. An approved copy must be received by the Organization before the sale/service of food may occur on the campus. Request may be denied when: 1) food items do not meet the State Nutrition Policy ([www.agr.state.tx.us](http://www.agr.state.tx.us)), 2) adequate time has not been allowed for processing this request or 3) Organization did not comply with District requirements.

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
(Officer of the Organization) Date: \_\_\_\_\_

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

(Principal)

<b>Child Nutrition Office Circle One</b>		<b>Date:</b>	
<b>Approved / Not Approved</b>			
<b>Permit for Operation</b>	<b>CND Permit</b>	<b>Temporary Permit</b>	<b>Permit not Required</b>



## FOOD TRUCK APPLICATION

The following information must be provided for an application to be reviewed by the Fort Bend ISD Enterprise Funds Department. All fields are required. Incomplete forms will not be considered. The vendor will be notified of approval status via email. Please submit the application and required documentation to:

Carmen Torres, [Carmen.torres@fortbendisd.com](mailto:Carmen.torres@fortbendisd.com) with the subject line reading “FOOD TRUCK APPLICATION FORM”

Registered Company Name:

Company Classification (check one):  Sole Proprietor  Corporation  Partnership

Address:  City:  State:  Zip:

Company Authorized Representative's Name:  Title:

Phone #:  Fax #:

Cell #:  Email:

Company Web Site:  Toll Free Phone #:

Supervisor:  Phone #:

References of other Texas school districts / governmental entities that you have conducted business with:

District/Gov't Name		Contact Name	
Business Address		Phone #	
Email Address		Event Type	
District/Gov't Name		Contact Name	
Business Address		Phone #	
Email Address		Event Type	
District/Gov't Name		Contact Name	
Business Address		Phone #	
Email Address		Event Type	

\_\_\_\_\_  
Company Representative's Initials





*The following information shall provide the District with a basic understanding of the product or service being offered. All information must be completed for the application to be considered.*

1. Basic description of company and the types of products or services offered (attach copies of product descriptions, promotional literature, sales, etc.):

2. The food truck menu with retail prices (can attach as an exhibit):

3. List cities / counties that your company holds a food permit with (include city name, permit number and attach permit copies to this form):

4. Are compostable, recyclable serving materials used? Provide examples of the serving materials you use.

5. List what events your company is interested in working (fundraisers, professional meetings, athletics, etc.):

6. Size of your food truck and type of equipment used on the truck (kitchen equipment, generator, plumbing, etc.):

7. What source(s) do you use for your food products (local, national, international, etc.)?

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**Company Representative's Initials**

8. Share a success story for a governmental event you worked at. How did your participation benefit that organization?

9. List any legal claims and/or permit violations you've encountered in the past three years:

**Requirements for insurance limits of liability:**

**COMMERCIAL GENERAL LIABILITY**

GENERAL AGGREGATE	\$2,000,000
PRO/COMP/OPS AGGREGATE	\$1,000,000
AUTO LIABILITY	\$1,000,000
SEX ABUSE/CHILD MOLESTATION	\$300,000 Aggregate
PERSONAL & ADVERTISING	\$500,000
EACH OCCURRENCE	\$1,000,000
FIRE DAMAGE	\$100,000
MEDICAL EXPENSE	\$5,000
WORKERS COMPENSATION	Statutory Limits

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**Company Representative's Initials**



FORT BEND ISD  
Terms and Conditions for Food Truck Registration

1. APPROVED VENDOR. FBISD campuses and departments may utilize food trucks on District property for various reasons such as employee morale events or campus student/parent events. Approved Food Truck vendors for these activities will be listed on the District Enterprise Funds Department website. This approval will be effective for one (1) school year – July 1 through June 30. Each vendor must renew their status every July 1. A new application must be submitted each school year a vendor wishes to be listed on the approved list of food trucks.
  
2. FOOD TRUCK SELECTION PROCESS.
  - 2.1. Food truck companies are required to pay a non-refundable \$50 application fee to be considered for placement on the FBISD approved food truck vendor list. Applications will not be accepted nor reviewed without receipt of payment. The fee applies to each application a vendor submits.
  - 2.2. To obtain approved status, a food truck vendor must possess all required food handler’s permits, have no citations or permit violations on record, submit all required exhibits to this application and demonstrate proven customer satisfaction according to the references.
  - 2.3. Campuses and departments will determine, from the list of approved vendors, which Food Truck Company they wish to use based on the following criteria, but not limited to: suitability of use to their need, company’s capability, company’s product quality, reputation of the company; and whether the use of the company’s services will be beneficial to the campus/department and its community.
  - 2.4. Placement on the approved list of vendors for food truck events does not guarantee use of said services at events.
  - 2.5. Placement on the approved list of vendors for food truck events does not authorize companies to have access to facilities. Food Truck Companies shall be selected by FBISD campuses, departments or affiliated parent organizations through FBISD established processes in order to have access to FBISD facilities.
  
3. DISTRICT ACCESS.
  - 3.1. Food Truck Companies are not authorized to make unsolicited contacts with individual campuses, departments or parent organizations. If/when FBISD staff or affiliated parent organizations have an interest in a particular food truck product/service, they will make the initial contact with the Food Truck Company.
  - 3.2. Once services are requested by FBISD staff, Food Truck Companies shall limit their contact with District representatives to only those times necessary to conduct appropriate activities for the planned/ongoing event.
    - 3.2.1. Food Truck Companies shall not contact a campus or department at any time. It is the option of the District personnel to contact a Food Truck Company to determine if the permit holder will be granted approval to occupy District property and/or to coordinate an approved activity.
    - 3.2.2. Food Truck Companies will be responsible for conducting criminal history record searches for any company representative to be sent to a Fort Bend ISD campus and as an approved vendor certifies that appropriate clearance has been obtained.

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Company Representative’s Initials



- 3.2.3. Food Truck Companies cannot have unsupervised direct contact with students. Vendors are directed to contact the Assistant Director of Risk Management for guidance related to criminal history, felony conviction or insurance requirements set herein.
- 3.3 Food trucks may only occupy District property if a campus or department has obtained approval from the Enterprise Funds Department for an activity OR the food truck has obtained an approved rental contract from the Enterprise Funds Department.
- 4. PAYMENT TERMS. The \$50 non-refundable application fee shall be paid by way of cashier’s check, payable to Fort Bend ISD and attached to the company’s application form.
- 5. SIGNED CONTRACTS OR AGREEMENTS.
  - 5.1. District Policy GKD (Local) states that “The Superintendent or Designee is authorized to approve requests for use of any District facility. After the agreement has been approved and signed by the appropriate District officials and individual or representatives of an organization or group, it shall become a binding contract.” No other District personnel are authorized to permit non-school use of District facilities – final authority rests with the Superintendent or his designee, the Director of Enterprise Funds.
  - 5.2. The District is not liable for any contracts or agreements signed by or verbally agreed to by any District employee other than the Superintendent and/or his designee and any contracts or agreements so signed or verbally agreed to shall be considered null and void.
- 6. GIFTS AND CONTRIBUTIONS. No gifts or contributions will be allowed under this contract from the Food Truck Company to a District employee.
- 7. CANCELLATION OF APPROVAL. Failure to abide by these guidelines or complaints received from campuses/departments, District affiliated parent organizations, or community members during the approval period will result in the cancellation of approved status, removal of the company from the approved list, and prohibition from future business with the District.

**Hold Harmless Agreement and Facility Use Terms and Conditions**

To the extent permissible by the Constitution and laws of the State of Texas, the user(s) of a School District facility agrees to protect, indemnify and hold free and harmless, Fort Bend Independent School District, its Board of Trustees, officers, employees, and agents from and against any and all claims, demands, causes of action, or other litigation (including all costs thereof and attorney’s fees) of every kind and character on account of personal injuries, deaths, bodily injury or damage to property, of the public, Fort Bend ISD or the user herein, or their guest, employees, supervisors, vendors and agents whether resulting from the performance of its obligations hereunder or the quality or safety of the programs used and/or the equipment or property of the user herein, all of these without regard to fault, even if any indemnified or injured party is negligent in whole or part.

By signature on this agreement, I, as the contact person, duly authorized to act on behalf of the above-named organization, I acknowledge and agree that:

\_\_\_\_\_

**Company Representative’s Initials**



1. All facility use scheduling shall be coordinated between the FBISD representative and the Enterprise Funds Department. The FBISD event representative will be expected to coordinate event details with all participants of their event, i.e. Food Truck Companies.
2. The District shall have first priority of facility use and may cancel any reservation of any facility prior to the event (48 hours except in case of emergencies) if the District determines that it must use the facility for a function/event directly related to the operation of the District. This is applicable also to changes in the UIL schedule that may create conflicts with facility reservations.
3. The District reserves the right to adjust or restrict the hours of use by any group or organization in order to accommodate the greatest number of requests.
4. The use of the facility requested will be restricted to the areas designated and approved for the reservation and to individuals associated with the organization in order to maintain security. Subleasing is prohibited. All facility use must be requested in advance and approved by the Enterprise Funds Department. Rental fees apply to the requesting organization.
5. Children under the age of eighteen (18) shall not operate a food truck alone, but are required to have adult supervision at all times while on District property.
6. The use, sale or possession of any weapons, firearm (including concealed or open-carry handguns without specific authorization), illegal drugs, alcoholic beverages, and pyrotechnics (including fireworks) and the use of tobacco products and e-cigarettes on any Fort Bend ISD property are prohibited.
7. The use, possession, or storage of any pesticide or herbicide on any Fort Bend ISD property is prohibited.
8. Performances, exhibitions, or activities that are deemed indecent, obscene, immoral, or in any manner publicly offensive are not allowed. School property shall not be used for the teaching, promoting, disseminating or furtherance of any theory or doctrine of subversive nature, intended or threatening to undermine or overthrow the constituted form of government of the United States or of the State of Texas.
9. Individuals/Groups/Organizations using a Fort Bend ISD facility may not post any signage on District property without prior authorization of the Enterprise Funds Director. All signs authorized, (inside and outside) must be freestanding or suspended from existing hardware.
10. Individuals/Groups/Organizations using a Fort Bend ISD facility shall conduct their business in an orderly and professional manner.
11. Contracting organization(s) will provide a certificate of insurance meeting the criteria set forth in Board Policy GKD Local.
12. Fort Bend ISD reserves the right to require any additional personnel deemed necessary for the safe and proper use of the facilities.
13. All federal, state and local laws and rules of police and fire departments must be complied with by the organization using FBISD facilities.
14. All decoration used within the facility must be fireproof, in accordance with the National Fire Prevention Association guidelines, and are subject to the approval of the Director of Enterprise Funds. No open flame decoration shall be permitted, and no decorations shall be fastened to floors, walls, fences, poles, buildings or ceilings with nails, screws, scotch tape, wax or other fasteners. No outside elements shall be allowed indoors such as hay, soil, foliage, etc.
15. Anyone using FBISD facilities shall leave the facility in the same order and cleanliness as found and will remove all personal items immediately upon conclusion of the event. No items are permitted to be stored on District property at any time.
16. Any individual/group/organization using FBISD facilities is responsible for reading the Fort Bend ISD policies GKD (Legal), GKD (Local) and GKD (Regulation) prior to using a Fort Bend ISD facility.

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**Company Representative's Initials**



Failure to adhere to Fort Bend ISD policies and procedures may result in forfeiture of the approved vendor status and any future use of District facilities.

- 17. The Director of Enterprise Funds must authorize any changes to facility use agreements. Changes must be requested by the contracting organization in writing within 48 hours of the event. This includes occupying additional or different areas than originally approved.
- 18. All terms and conditions are governed by Board policies GKD (legal), GKD (Local) and GKD (Regulation) as they now exist or may hereafter be amended. In the event of any conflict between the terms and conditions of this Agreement and Board policy, Board policy will control.
- 19. Responsibility for Damages: District facilities are designed for educational purposes and for that reason we ask all those who we share our facilities with to do so in a way that preserves their condition, providing a safe and healthy place for our children to learn. We ask that you please help us by placing trash in appropriate receptacles, be considerate of other patrons and avoid any activity that could damage or alter school property. All persons or groups using District facilities are expected to leave them in the same order and cleanliness as found. Also, please be sure to remove all personal property immediately at the conclusion of your scheduled event – items cannot be stored on District property. The assigned custodian(s) is the District liaison, providing general cleaning and communication services – they are not present to continuously collect trash from seating, sidelines, fields or parking lots.
- 20. All groups and organizations using District facilities will be held responsible for any damages to District property during their use. The individual or group using the building or facility will be responsible for restoring the facility to its original and equivalent condition. The Executive Director of Maintenance and Operations or the Director of Enterprise Funds has sole authority to make this determination. The Executive Director of Maintenance and Operations or the Director of Enterprise Funds shall also have the authority to determine the amount and extent of damages to be assessed.

The undersigned, as a representative of the company listed in the application above having signatory authority, has reviewed and understands the Fort Bend ISD “Terms and Conditions for Food Truck Registration”, the Fort Bend ISD “Hold Harmless and Facility Use Terms and Conditions”, and agrees to conduct business with the District in accordance with the requirements as stated.

Signature:  Date:

**FBISD OFFICE USE ONLY**

**Approved**     **Denied ; Reason Denied:** \_\_\_\_\_

**Director of Enterprise Funds:** \_\_\_\_\_

**Date:** \_\_\_\_\_    **Fee Received:** \_\_\_\_\_    **Posted on Web:** \_\_\_\_\_

Company Representative's Initials

**Contractor Criminal Background Certification**

**Introduction:** Texas Education Code Chapter 22 requires service contractors to obtain criminal history record information regarding covered employees and to certify that fact to the District. Covered employees with disqualifying convictions are prohibited from serving at a school district.

**Definitions:**

*Covered employees:* All employees of a contractor who have or will have continuing duties related to the service to be performed at the District and have or will have direct contact with students. The District will be the final arbiter of what constitutes direct contact with students.

*Disqualifying conviction:* One of the following offenses, if at the time of the offense, the victim was under 18 or enrolled in a public school: (a) a felony offense under Title 5, Texas Penal Code; (b) an offense for which a defendant is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure; or (c) an equivalent offense under federal law or the laws of another state; or (d) the conviction of a felony or misdemeanor that would qualify a person from obtaining certification as an educator under Texas Education Code 21.060.

Note: For covered persons hired on or after January 1, 2008, fingerprinting and photographing of the covered person is required. A covered person is considered to have been employed by a service contractor as of the date the covered person first provided services for compensation.

On behalf of \_\_\_\_\_ (“Contractor”), I certify that [check one]:

Contractor has no employees; Contractor provides services to the District as an individual and has or will have direct contact with students. Contractor certifies that Contractor does not have a disqualifying criminal history.

Or  None of Contractor’s employees are *covered employees*, as defined above. If this box is checked, I further certify that Contractor has taken precautions or imposed conditions to ensure that Contractor’s employees will not become *covered employees*. Contractor will maintain these precautions or conditions throughout the time the contracted services are provided.

Or  Some or all of Contractor’s employee are *covered employees*. If this box is checked, I further certify that:

1. Contractor has obtained all required criminal history record information, through the Texas Department of Public Safety, regarding its covered employees. None of the covered employees has a disqualifying conviction. Contractor has taken reasonable steps to ensure that its employees who are not covered employees do not have continuing duties related to the contract services or direct contact with students.
2. If Contractor receives information that a covered employee has a disqualifying conviction, Contractor will immediately remove the covered employee from contract duties and notify the District in writing within three (3) business days.
3. Upon request, Contractor will make available for the District’s inspection the criminal history record information of any covered employee.
4. If the District objects to the assignment of a covered employee on the basis of the covered employee’s criminal history record information, Contractor agrees to discontinue using the covered employee to provide services at the District.

Noncompliance or misrepresentation regarding this certification may be grounds for contract termination.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

### FELONY CONVICTION NOTICE

I, the undersigned Contractor or agent for the firm named above, certify that the information concerning notification of felony convictions has been reviewed by me and the following information furnished is true to the best of my knowledge. **The Contractor must complete the following information in accordance with state law.**

*Please sign only one:*

A. My firm is a publicly-held corporation, therefore, this reporting requirement is not applicable.

Signature of Contractor \_\_\_\_\_ Date \_\_\_\_\_

**OR**

B. My firm is not owned nor operated by anyone who has been convicted of a felony.

Signature of Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

**OR**

C. My firm is owned or operated by the following individual(s) who has/have been convicted of a felony.

Name of Felon(s): \_\_\_\_\_ Date: \_\_\_\_\_  
*(attach additional sheet if necessary)*

Details of Conviction(s):  
\_\_\_\_\_  
*(attach additional sheet if necessary)*

Signature of Contractor: \_\_\_\_\_ Date: \_\_\_\_\_



Form **W-9**  
(Rev. December 2011)  
Department of the Treasury  
Internal Revenue Service

## Request for Taxpayer Identification Number and Certification

Give Form to the  
requester. Do not  
send to the IRS.

Print or type See Specific Instructions on page 2.	Name (as shown on your income tax return)	
	Business name/disregarded entity name, if different from above	
	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____ <input type="checkbox"/> Exempt payee  <input type="checkbox"/> Other (see instructions) ▶ _____	
	Address (number, street, and apt. or suite no.)	Requester's name and address (optional)
	City, state, and ZIP code	
List account number(s) here (optional)		

### Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I Instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3.

Social security number									
Employer identification number									

**Note.** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

### Part II Certification

Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
3. I am a U.S. citizen or other U.S. person (defined below).

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
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### General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

#### Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

Organization \_\_\_\_\_ Date: \_\_\_\_\_ Fiscal Year: \_\_\_\_\_

School: \_\_\_\_\_ Account Audited: (if multiple accounts) \_\_\_\_\_

**Beginning Cash Balance** (Ending Balance from last audit) (A) \$ \_\_\_\_\_

Receipts During Period (B) \_\_\_\_\_

Total Cash Available (C)=(A)+(B) \_\_\_\_\_

Disbursements During Period (D) \_\_\_\_\_

Ending Cash Balance (E)=(C) – (D) \_\_\_\_\_

Bank Statement Balance (F) \_\_\_\_\_

Checks Outstanding (List Below) (G) \_\_\_\_\_

Bank Fees Not Recorded (List Below) (H) \_\_\_\_\_

**Reconciled Cash Balance** (I)=(F)-(G)+(H) \$ \_\_\_\_\_

Checks Outstanding and Other Reconciling Deductions: (Write total on line (G) above)

Bank Fees Not Recorded and Other Reconciling Additions: (Write total on line (H) above)

**Audit Committee Statement:** We have examined the books of the treasurer and have found that the Reconciled Cash Balance presented above is correct, and that all receipts and disbursements during the period were in accordance with this organization's mission and FBISD's policies and procedures.

A separate report of exceptions noted during the audit is attached. Yes No (Circle One)

Signed: \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_ Date \_\_\_\_\_

### **Audit Committee Instructions:**

- The audit must cover the period beginning with the Reconciled Cash Balance from the previous audit.
- Review the reconciled bank statements and all cancelled checks to determine that:
  - all disbursements have been properly documented with an invoice or receipt.
  - all disbursements have been properly approved.
  - all checks have been properly signed.
  - all checks have been deposited or cashed by the payee indicated and that no information on the face of the check has been altered.
  - all checks have been accounted for in the proper sequence (no missing checks).
- Check addition and subtraction on all cash receipts and deposits.
- Compare all cash receipts and deposits to the bank statement.
- Verify that all receipts and disbursements were allocated to the correct ledger account or budget category.
- Review the treasurer's periodic reports and check them for accuracy. Review the beginning and ending balances on each report to verify that correct ending balances were carried forward as beginning balances on subsequent reports.
- Obtain proof that all applicable sales taxes were paid.
- Obtain proof that any required IRS forms were completed and filed (Form 990).
- When the audit is completed, draw a line after the last checkbook entry and ledger entry audited. Sign and date the line.
- Complete the Parent Organization Audit Report.
- If the organization maintains multiple bank accounts, complete one (1) Parent Organization Audit Report for each account.
- If exceptions are noted during the audit (errors, irregularities), consult with the organization's treasurer and president (if necessary) to resolve the exception. The treasurer is responsible for making any corrections to the ledger or checkbook.
- If exceptions have been noted, prepare a separate Exception Report to submit with your Audit Report. The Exception Report should detail:
  - exceptions noted.
  - steps taken to remedy the exceptions.
  - recommendations made to prevent further occurrence of exceptions noted.
- The organization's treasurer and president are responsible for acting upon the recommendations made by the Audit Committee.
- Submit two copies of this completed form to the school principal.



From the  
State of Texas...



# Helpful Information

## FRANCHISE AND SALES TAX

Franchise and Sales Tax information is subject to change. Therefore, please go to the Texas Comptroller of Public Accounts website links below for the most up-to-date version of this information:

Texas Franchise Tax– Frequently Asked Questions

[http://www.window.state.tx.us/taxinfo/franchise/faq\\_questions.html](http://www.window.state.tx.us/taxinfo/franchise/faq_questions.html)

Texas Sales Tax – Frequently Asked Questions

[www.cpa.state.tx.us/taxinfo/sales/faq\\_permit.html](http://www.cpa.state.tx.us/taxinfo/sales/faq_permit.html)

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## TEXAS STATE TAX EXEMPTIONS FOR NONPROFIT ORGANIZATIONS

Please go to the Texas Comptroller of Public Accounts website for tax exemption application forms and related information at the following links:

<http://www.window.state.tx.us/taxinfo/exempt/>

[http://www.window.state.tx.us/taxinfo/taxpubs/tx96\\_1045.html](http://www.window.state.tx.us/taxinfo/taxpubs/tx96_1045.html)

### **Did you know?**

Per the Texas Comptroller of Public Accounts (please see website link above), “While sales tax exemptions apply to purchases necessary to the organization’s exempt function, exempt organizations must collect tax on most of their sales.”

## HEALTHY HUNGER-FREE KIDS ACT OF 2010

The United States Department of Agriculture, Food and Nutrition Service information presented below was taken directly from the following link in June 2013:

[http://www.fns.usda.gov/cnd/governance/legislation/cnr\\_2010.htm](http://www.fns.usda.gov/cnd/governance/legislation/cnr_2010.htm)

Improving child nutrition is the focal point of the Healthy, Hunger-Free Kids Act of 2010. The legislation authorizes funding and sets policy for USDA's core child nutrition programs: the National School Lunch Program, the School Breakfast Program, the Special Supplemental Nutrition Program for Women, Infants and Children (WIC), the Summer Food Service Program, and the Child and Adult Care Food Program. The Healthy, Hunger-Free Kids Act allows USDA, for the first time in over 30 years, opportunity to make real reforms to the school lunch and breakfast programs by improving the critical nutrition and hunger safety net for millions of children.

### **Regulations**

- Final Rule: Child Nutrition Programs: Nondiscretionary Amendments Related to the Healthy Hunger-Free Kids Act of 2010 (2/28/13)
- Final Rule: National School Lunch Program: Direct Certification Continuous Improvement Plans Required by the Healthy, Hunger-Free Kids Act of 2010 (2/22/13)
- Proposed Rule: National School Lunch and School Breakfast Programs: Nutrition Standards for All Foods Sold in School, as Required by the Healthy, Hunger-Free Kids Act of 2010 (2/08/13)
  - Press Release
  - Q&As
  - Flyer
  - Presentation
- Interim Rule: Certification of Compliance With Meal Requirements for the National School Lunch Program Under the Healthy, Hunger-Free Kids Act of 2010 (4/27/12)
- Proposed Rule: Child and Adult care Food Program: Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 (4/9/12)
- Proposed Rule: National School Lunch Program: Direct Certification Continuous Improvement Plans Required by the Healthy, Hunger-Free Kids Act of 2010 (1/31/2012)
- Final Rule: Nutrition Standards in the National School Lunch and School Breakfast Programs (1/26/12)

- Final Rule: Cooperation in USDA Studies and Evaluations, and Full Use of Federal Funds in Nutrition Assistance Programs Nondiscretionary Provisions of the Healthy, Hunger-Free Kids Act of 2010, Public Law 111-296 (6/29/11)
- Interim Rule: National School Lunch Program: School Food Service Account Revenue Amendments Related to the Healthy, Hunger-Free Kids Act of 2010 (6/17/11)

### **Implementation**

- Implementation Actions and Timeframes (PDF)
- Resources and Guidance
- School Programs Policy
- Child and Adult Care Food Program Policy
- Summer Food Service Program Policy

### **Legislation**

- Public Law 111-296
  - Agriculture Secretary Vilsack's Statement
  - FNS Announcement to State Agencies
  - Summary of Provisions by Program

<<<For other requirements relating to foods served and sold, refer to the Texas Administrative Code, Title 4, Part 1, Chapter 26, Subchapter A (Texas Public School Nutrition Policy). >>>





# Examples



The State of Texas  
Secretary of State

MAR. 11, 2000

Luke Skywalker, Treasurer  
Jedi Knight Debate Booster Club  
PMB 5899  
Tatooine, TX 66599

RE: Jedi Knight Debate Booster Club

CHARTER NUMBER 00000000-01

IT HAS BEEN OUR PLEASURE TO APPROVE AND PLACE ON RECORD THE ARTICLES OF INCORPORATION THAT CREATED YOUR CORPORATION. WE EXTEND OUR BEST WISHES FOR SUCCESS IN YOUR NEW VENTURE.

AS A CORPORATION, YOU ARE SUBJECT TO STATE TAX LAWS. SOME NON-PROFIT CORPORATIONS ARE EXEMPT FROM THE PAYMENT OF FRANCHISE TAXES AND MAY ALSO BE EXEMPT FROM THE PAYMENT OF SALES AND USE TAX ON THE PURCHASE OF TAXABLE ITEMS. IF YOU FEEL THAT UNDER THE LAW YOUR CORPORATION IS ENTITLED TO BE EXEMPT YOU MUST APPLY TO THE COMPTROLLER OF PUBLIC ACCOUNTS FOR THE EXEMPTION. THE SECRETARY OF STATE CANNOT MAKE SUCH DETERMINATION FOR YOUR CORPORATION.

IF WE CAN BE OF ANY OTHER SERVICE AT ANY TIME, PLEASE LET US KNOW

Example



VERY TRULY YOURS,

Elton Bomer, Secretary of State



The State of Texas  
Secretary of State

CERTIFICATE OF INCORPORATION

OF

High in the Saddle FFA Booster Club

CHARTER NUMBER 01111111

THE UNDERSIGNED, AS SECRETARY OF STATE OF THE STATE OF TEXAS, HEREBY CERTIFIES THAT THE ATTACHED ARTICLES OF INCORPORATION FOR THE ABOVE NAMED CORPORATION HAVE BEEN RECEIVED IN THIS OFFICE AND ARE FOUND TO CONFORM TO LAW.

ACCORDINGLY, THE UNDERSIGNED, AS SECRETARY OF STATE, AND BY VIRTUE OF THE AUTHORITY VESTED IN THE SECRETARY BY LAW, HEREBY ISSUES THIS CERTIFICATE OF INCORPORATION.

ISSUANCE OF THIS CERTIFICATE OF INCORPORATION DOES NOT AUTHORIZE THE USE OF A CORPORATE NAME IN THIS STATE IN VIOLATION OF THE RIGHTS OF ANOTHER UNDER THE FEDERAL TRADEMARK ACT OF 1946, THE TEXAS TRADEMARK LAW, THE ASSUMED BUSINESS OR PROFESSION NAME ACT OR THE COMMON LAW.

DATED MAR. 3, 2000

EFFECTIVE MAR. 3, 2000

Example



Elton Bomer, Secretary of State

# TEXAS SALES AND USE TAX PERMIT

This permit is not transferable, and this side must be prominently displayed in your place of business.

Merchants: DO NOT accept a copy of this permit in place of a resale or exemption certificate. You will be responsible for sales tax unless you have a valid resale/exemption certificate on file.

You must obtain a new permit if there is a change of ownership, location or trade name.

TAXPAYER NAME, TRADE NAME and PHYSICAL LOCATION

ANOTHER FUND-RAISER? BOOSTER CLUB

Type of permit  
 SALES AND USE TAX

ANOTHER FUND-RAISER? BOOSTER CLUB

Taxpayer number  
 1-76-1234567-1

20045 CANDYLANE BLVD,  
 HOUSTON

TX 77449

Outlet number  
 00001

First business date  
 07/28/1992

SIC CODE: 8641

DESCRIPTION ON NEXT LINE:

Civic, Social, and Fraternal Associations

PLEASE SHOW THIS BUSINESS IN THE FOLLOWING LOCAL SALES TAX AUTHORITY:

RA SIT: HOUSTON MTA

EFF: 07/28/1992

*John Sharp*  
**JOHN SHARP**  
 Comptroller of Public Accounts

YOU MAY NEED TO COLLECT SALES AND/OR USE TAX FOR OTHER LOCAL TAXING AUTHORITIES DEPENDING ON YOUR TYPE OF BUSINESS.

If you have any questions regarding sales tax, you may contact the Texas State Comptroller's field office in your area or call 1-800-252-5555 toll-free nationwide. The Austin number is 512/463-4600. If you are calling from a Texas telephone number, call 1-800-248-4099 or in Austin 512/463-4621.

Detach here and display your permit only.

**IS THE INFORMATION PRINTED ON THIS PERMIT CORRECT?**

If your permit is correct, DO NOT return this form.

If your permit contains incorrect information, you may use this form to:

- correct your trade name, location address (if not a location change), taxpayer name, and/or mailing address;
- provide us with your new Federal Employers Identification Number (FEIN);
- notify us that this location is no longer in business and provide the date of your last taxable business transaction.

To notify us of a change of ownership or business location, to correct the description of your business, or to correct the local taxing authority(ies) in which this outlet is located, call us at 1-800-252-5555. The Austin number is 512/463-4600.

For more information on determining if the local taxing authority(ies) listed above are correct, please see information printed on the back of this form.

**COMPLETION INSTRUCTIONS**

To make corrections to your permit information using this form:

- enter the taxpayer name, taxpayer number and outlet number shown on the permit;
- indicate the required corrections by entering ONLY the information that has changed in the appropriate item(s);
- enter the date of your last business transaction if the location is out of business;
- sign and date the form;
- mail the form to COMPTROLLER OF PUBLIC ACCOUNTS, 111 E. 17th Street, Austin, TX 78774-0100.

If a new permit is issued due to your corrections, you will receive the new permit by mail after your information is processed. Refer to the back of this form and the back of your permit for more information.

**TEXAS SALES AND USE TAX PERMIT**

taxpayer name shown on the permit

ANOTHER-FUNDRaiser? BOOSTER

8) (taxpayer number shown on the permit)

1-76-1234567-1

outlet number shown on the permit

00001

Correct business trade name

City of business location address

City

State ZIP Code

Correct mailing address

Phone number (Area code and number)

City

State ZIP Code

Federal Employer Identification Number

If you are no longer in business,

enter the date of your last business transaction.

Taxpayer or authorized agent

Signature

00001  
 JOB NAME: MISCAP.P  
 micr>film  
 00990  
 2801  
 T-axpayer num>411 chattlie.,  
 ONENTAY - 010000  
 Mastfil name connection  
 ONENTAY - 01170-0  
 M-<nMng a<khss.  
 e11  
 ONENTAY - 01180  
 COOnty code  
 • LJ...J  
 Mester phone numbe  
 addchange  
 ONENTAV • 01185  
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From the IRS.,



# Helpful Information

## Application for Recognition of Exemption Section 501(c)(3)

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*The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):*

**<http://www.irs.gov/Charities-&-Non-Profits/Application-for-Recognition-of-Exemption-1>**

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### Application for Recognition of Exemption

To apply for recognition by the IRS of exempt status under section 501(c)(3) of the Code, use [Form 1023](#), *Application for Recognition of Exemption*, and its [instructions](#). The application must be complete and accompanied by the appropriate user fee. See [Application Process](#) for a step-by-step review of what an organization needs to know and to do in order to apply for recognition by the IRS of tax-exempt status. Frequently asked questions about [applying for exemption](#) generally, and [Form 1023 specifically](#), are also available. You may also want to take our [on-line mini-course](#) about applying for exemption.

The organization should also request an employer identification number, even if it does not have any employees. See [Form SS-4](#), *Application for Employer Identification Number*, and its [related instructions](#) to learn how to obtain an EIN. You may also obtain an EIN via telephone, by calling 1-800-829-4933, or by applying [online](#).

Except for churches, their integrated auxiliaries, and public charities whose annual gross receipts are normally less than \$5,000, organizations will not be treated as described in section 501(c)(3) unless they notify the IRS by applying for recognition of section 501(c)(3) status. Generally, organizations required to apply for recognition of exemption must notify the Service within 27 months from the date of their formation to be treated as described in section 501(c)(3) from the date formed. When the IRS determines that an organization qualifies for exemption under section 501(c)(3), it will also be classified as a [private foundation](#), unless it meets the requirements to be treated as a [public charity](#).

A charitable organization must make available for public inspection its approved application for recognition of exemption with all supporting documents and its last three annual information returns. The organization must provide copies of these documents upon request without charge (other than a reasonable fee for reproduction and copying costs). Penalties are provided for failure to comply with these requirements. For more information, see our [frequently asked questions](#), the final regulations published in [Internal Revenue Bulletin 1999-17](#), or [Disclosure Requirements](#).

## Contributions

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*The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):*

<http://www.irs.gov/Charities-&-Non-Profits/Substantiating-Charitable-Contributions>

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### Substantiating Charitable Contributions

Many charitable organizations described in section 501(c)(3), other than testing for public safety organizations, are eligible to receive tax-deductible contributions in accordance with section 170. Most eligible organizations are listed in [Exempt Organizations Select Check \(Pub 78 database\)](#).

A charitable organization must provide a written disclosure statement to donors of a quid pro quo contribution in excess of \$75. A *quid pro quo contribution* is a payment made to a charity by a donor partly as a contribution and partly for goods or services provided to the donor by the charity. For example, if a donor gives a charity \$100 and receives a concert ticket valued at \$40, the donor has made a quid pro quo contribution. In this example, the charitable contribution portion of the payment is \$60. Even though the part of the payment available for deduction does not exceed \$75, a disclosure statement must be filed because the donor's payment (quid pro quo contribution) exceeds \$75. The required written disclosure statement must:

1. Inform the donor that the amount of the contribution that is deductible for federal income tax purposes is limited to the excess of any money (and the value of any property other than money) contributed by the donor over the value of goods or services provided by the charity, and
2. Provide the donor with a good faith estimate of the value of the goods or services that the donor received.

The charity must furnish the statement in connection with either the solicitation or the receipt of the quid pro quo contribution. If the disclosure statement is furnished in connection with a particular solicitation, it is not necessary for the organization to provide another statement when the associated contribution is actually received.

No disclosure statement is required when:

1. The goods or services given to a donor meet the standards for *insubstantial value* set out in [Revenue Procedure 90-12](#), 1990-1 C.B. 471, and [Revenue Procedure 92-49](#), 1992-1 C.B. 987 (as updated);
2. There is no donative element involved in a particular transaction with a charity (for example, there is generally no donative element involved in a visitor's purchase from a museum gift shop); or
3. There is only an intangible religious benefit provided to the donor. The intangible religious benefit must be provided to the donor by an organization organized exclusively for religious purposes, and must be of a type that generally is not sold in a commercial transaction outside the donative context.

A penalty is imposed on a charity that does not make the required disclosure in connection with a quid pro quo contribution of more than \$75. The penalty is \$10 per contribution, not to exceed \$5,000 per fund-raising event or mailing. The charity can avoid the penalty if it can show that the failure was due to reasonable cause.

Under a [new recordkeeping rule](#) effective for all cash, check, electronic funds transfers, credit card charges, or other monetary contributions of any amount made in taxable years beginning after August 17, 2006, the donor must obtain and keep a bank record or a written communication from the donee as a record of the contribution. Written records prepared by the donor (such as check registers or personal notations) are no longer sufficient to support charitable contributions.



## Contributions (continued)

*Bank records* for this recordkeeping requirement include bank or credit union statements, canceled checks, or credit card statements.

They must show the date paid or posted, the name of the charity, and the amount of the payment. Taxpayers who claim charitable [contributions made by payroll deduction](#) can satisfy the recordkeeping requirement if the donor has (1) a pay stub, W-2, or other document furnished by the employer that states the amount withheld for payment to charity, and (2) a pledge card or other document prepared by or at the direction of the charity that shows the name of a donee. An organization described in section 170(c), or a Principal Combined Fund Organization for purposes of the Combined Federal Campaign, will be treated as a donee organization for purposes of the new recordkeeping provision.

A donor claiming a deduction of \$250 or more is also required to obtain and keep a contemporaneous written acknowledgment for a charitable contribution. To be contemporaneous the written acknowledgment must generally be obtained by the donor no later than the date the donor files the return for the year the contribution is made. The written acknowledgment must state whether the donee provides any goods or services in consideration for the contribution. If the donee provides goods or services to the donor in exchange for the contribution (a quid pro quo contribution), the written acknowledgment must include a good faith estimate of the value of the goods or services. The donee is not required to record or report this information to the IRS on behalf of a donor. The donor is responsible for requesting and obtaining the written acknowledgment from the donee. Although there is no prescribed format for the written acknowledgment, it must provide sufficient information to substantiate the amount of the contribution. For more information, see [Publication 1771](#).

The contemporaneous written acknowledgment may be contained in the same document as the written communication from the donee used to satisfy the new cash recordkeeping requirement, as long as it contains all information required by both the recordkeeping requirement and the contemporaneous written acknowledgment requirement.

For claimed contributions over \$5,000, generally a qualified appraisal prepared by a qualified appraiser must be obtained. For appraisals prepared in connection with returns or submissions filed after August 17, 2006, see [Notice 2006-96](#).

Household items and clothing contributed to charity after August 17, 2006 must be in at least good used condition to be deductible. This requirement does not apply to contributions of food, paintings, antiques, other art objects, jewelry and gems, or collections, and does not apply to a contribution of an item for which a deduction of more than \$500 is claimed if the taxpayer obtains a qualified appraisal of the item.

## Exemption Requirements for 501(c)(3)

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The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):

[http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501\(c\)\(3\)-Organizations](http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Exemption-Requirements-Section-501(c)(3)-Organizations)

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### Exemption requirements: 501(c)(3) organizations

To be tax-exempt under section 501(c)(3) of the Internal Revenue Code, an organization must be [organized](#) and [operated](#) exclusively for [exempt purposes](#) set forth in section 501(c)(3), and none of its earnings may [inure](#) to any private shareholder or individual. In addition, it may not be an [action organization](#), i.e., it may not attempt to influence legislation as a substantial part of its activities and it may not participate in any campaign activity for or against political candidates.

Organizations described in section 501(c)(3) are commonly referred to as *charitable organizations*. Organizations described in section 501(c)(3), other than testing for public safety organizations, are eligible to receive tax-deductible [contributions](#) in accordance with Code section 170.

The organization must not be organized or operated for the benefit of [private interests](#), and no part of a section 501(c)(3) organization's net earnings may inure to the benefit of any private shareholder or individual. If the organization engages in an [excess benefit transaction](#) with a person having substantial influence over the organization, an [excise tax](#) may be imposed on the person and any organization managers agreeing to the transaction.

Section 501(c)(3) organizations are restricted in how much political and legislative (*lobbying*) activities they may conduct. For a detailed discussion, see [Political and Lobbying Activities](#). For more information about lobbying activities by charities, see the article [Lobbying Issues](#); for more information about political activities of charities, see the FY-2002 CPE topic [Election Year Issues](#).

### A few definitions:

#### Organizational Test - Internal Revenue Code Section 501(c)(3)

To be organized exclusively for a charitable purpose, the organization must be a corporation (or unincorporated association), community chest, fund, or foundation. A charitable trust is a fund or foundation and will qualify. However, an individual will not qualify. The [organizing documents](#) must limit the organization's purposes to exempt purposes in section 501(c)(3) and must not expressly empower it to engage, other than as an insubstantial part of its activities, in activities that are not in furtherance of one or more of those purposes. This requirement may be met if the purposes stated in the organizing documents are limited by reference to section 501(c)(3).

In addition, an organization's assets must be permanently dedicated to an exempt purpose. This means that if an organization dissolves, its assets must be distributed for an exempt purpose, to the federal government, or to a state or local government for a public purpose. To establish that an organization's assets will be permanently dedicated to an exempt purpose, its organizing documents should contain a provision ensuring their distribution for an exempt purpose in the event of dissolution.

## Exemption Requirements for 501(c)(3) (continued)

If a specific organization is designated to receive the organization's assets upon dissolution, the organizing document must state that the named organization must be a section 501(c)(3) organization when the assets are distributed. Although reliance may in some cases be placed upon state law to establish permanent dedication of assets for exempt purposes, an organization's application can be processed by the IRS more rapidly if its organizing documents include a provision ensuring permanent dedication of assets for exempt purposes. For examples of provisions that meet these requirements, see [Charity - Required Provisions for Organizing Documents](#).

### Operational test - Internal Revenue Code section 501(c)(3)

An organization will be regarded as *operated exclusively* for one or more exempt purposes only if it engages primarily in activities that accomplish exempt purposes specified in section 501(c)(3). An organization will not be so regarded if more than an insubstantial part of its activities does not further an exempt purpose.

### Inurement/Private Benefit - Charitable Organizations

A section 501(c)(3) organization must not be organized or operated for the benefit of private interests, such as the creator or the creator's family, shareholders of the organization, other designated individuals, or persons controlled directly or indirectly by such private interests. No part of the net earnings of a section 501(c)(3) organization may inure to the benefit of any private shareholder or individual. A private shareholder or individual is a person having a personal and private interest in the activities of the organization.

### Intermediate sanctions - excess benefit transactions

An excess benefit transaction is a transaction in which an economic benefit is provided by an [applicable tax-exempt organization](#), directly or indirectly, to or for the use of a disqualified person, and the value of the economic benefit provided by the organization exceeds the value of the consideration received by the organization.

To determine if an excess benefit transaction occurred, include all consideration and benefits exchanged between or among the disqualified person and the applicable tax-exempt organization and all entities it controls.

In addition, if a [supporting organization](#) makes a grant, loan, payment of compensation, or similar payment to a substantial contributor of the organization, the arrangement is an excess benefit transaction. The entire amount of the payment is taxable as an excess benefit.

In an excess benefit transaction, the general rule for the valuation of property, including the right to use property, is fair market value. Fair market value is the price at which property, or the right to use property, would change hands between a willing buyer and a willing seller, neither being under any compulsion to buy, sell, or transfer property or the right to use property, and both having reasonable knowledge of all relevant facts.

An excess benefit can occur in an exchange of [compensation](#) and other compensatory benefits in return for the services of a disqualified person, or in an exchange of property between a disqualified person and the applicable tax-exempt organization.

## **Exemption Requirements for 501(c)(3) (continued)**

Certain transactions to which [donor-advised funds](#) or [supporting organizations](#) are parties are excess benefit transactions.

Please see the following link for more details on excess benefit transactions:  
<http://www.irs.gov/Charities-&-Non-Profits/Charitable-Organizations/Intermediate-Sanctions-Excess-Benefit-Transactions>

## Filing Requirements

*The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):*

<http://www.irs.gov/Charities-&-Non-Profits/Exempt-Organizations---Required-Filings>

### Exempt Organizations - Required Filings

Although they are exempt from income taxation, exempt organizations are generally required to file [annual returns](#) of their income and expenses with the Internal Revenue Service. Beginning in 2008, small tax-exempt organizations that previously were not required to file returns because their gross receipts did not exceed a [certain threshold](#) may be required to file an annual [electronic notice](#). Some organizations, such as churches and certain church-affiliated organizations are [not required to file annual returns](#) or [notices](#).

If an organization has unrelated business income, it must file an [unrelated business income tax return](#). In addition to filing an annual exempt organization return, exempt organizations may be required to file other returns of and pay [employment taxes](#). Some organizations may be [required to file](#) certain returns [electronically](#).

In addition to required filings, a charity may have other [ongoing compliance](#) obligations.

### Which forms do exempt organizations file?

[http://www.irs.gov/Charities-&-Non-Profits/Form-990-Series-Which-Forms-Do-Exempt-Organizations-File%3F-\(Filing-Phase-In\)](http://www.irs.gov/Charities-&-Non-Profits/Form-990-Series-Which-Forms-Do-Exempt-Organizations-File%3F-(Filing-Phase-In))

Most tax-exempt organizations are required to file an [annual return](#). Which form an organization must file [generally](#) depends on its financial activity, as indicated in the chart below.

<b>2010 Tax Year and later (Filed in 2011 and later)</b>	<b>Form to File</b>	<b>Instructions</b>
Gross receipts normally ≤ \$50,000 <b>Note:</b> Organizations <a href="#">eligible</a> to file the <i>e-Postcard</i> <a href="#">may choose to file a full return</a>	<a href="#">990-N</a>	n/a
Gross receipts < \$200,000, and Total assets < \$500,000	<a href="#">990-EZ</a> or <a href="#">990</a>	<a href="#">Instructions</a>
Gross receipts ≥ \$200,000, or Total assets ≥ \$500,000	<a href="#">990</a>	<a href="#">Instructions</a>
Private foundation	<a href="#">990-PF</a>	<a href="#">Instructions</a>

## Filing Requirements (continued)

### Return Due Dates for Exempt Organizations: Annual Returns

*<http://www.irs.gov/Charities-&-Non-Profits/Return-Due-Dates-for-Exempt-Organizations:-Annual>Returns>*

Use the table below to find the due date of annual returns (Forms 990, 990-EZ, 990-PF, or 990-BL) that a tax-exempt organization must file. To use the table, you must know when your [organization's tax year](#) ends.

Ending date of tax year	Initial return due date	First extended due date	Second extended due date
December 31	May 15	August 15	November 15
November 30	April 15	July 15	October 15
October 31	March 15	June 15	September 15
September 30	February 15	May 15	August 15
August 31	January 15	April 15	July 15
July 31	December 15	March 15	June 15
June 30	November 15	February 15	May 15
May 31	October 15	January 15	April 15
April 30	September 15	December 15	March 15
March 31	August 15	November 15	February 15
February 28/29	July 15	October 15	January 15
January 31	June 15	September 15	December 15

If a due date falls on a Saturday, Sunday, or legal holiday, the due date is delayed until the next business day. The table above does not reflect the additional day.

**NOTE:** Instead of filing an annual return, certain small organizations file an annual [electronic notice](#).

## Filing Requirements (continued)

### Annual Electronic Filing Requirement for Small Exempt Organizations — Form 990-N (e-Postcard)

**[http://www.irs.gov/Charities-&-Non-Profits/Annual-Electronic-Filing-Requirement-for-Small-Exempt-Organizations--Form-990-N-\(e-Postcard\)](http://www.irs.gov/Charities-&-Non-Profits/Annual-Electronic-Filing-Requirement-for-Small-Exempt-Organizations--Form-990-N-(e-Postcard))**

Most small tax-exempt organizations whose annual [gross receipts](#) are [normally \\$50,000 or less](#) are required to electronically submit Form 990-N, also known as the *e-Postcard*, unless they choose to file a complete Form 990 or Form 990-EZ instead.

If you do not file your *e-Postcard* on time, the IRS will send you a reminder notice. There is no penalty assessment for late filing the *e-Postcard*, but an organization that fails to file required *e-Postcards* (or information returns – Forms 990 or 990-EZ) for three consecutive years will [automatically lose its tax-exempt status](#). The revocation of the organization's tax-exempt status will not take place until the filing due date of the third year.

#### **Due Date of the e-Postcard**

The *e-Postcard* is due every year by the 15th day of the 5th month after the close of your [tax year](#). For example, if your tax year ended on December 31, the *e-Postcard* is due May 15 of the following year. If the due date falls on a Saturday, Sunday, or legal holiday, the due date is the next business day. **You cannot file the e-Postcard until after your tax year ends.**

#### **How to File**

Use [this link](#) to file the *e-Postcard*. If you have trouble accessing the system using that link, you may be able to access the filing site directly by typing or pasting the following address into your Internet browser: <http://epostcard.form990.org>. When you access the system, you will leave the IRS site and file the *e-Postcard* with the IRS through our trusted partner, Urban Institute. The form must be completed and filed electronically. There is no paper form.

#### **Information You Will Need to File the e-Postcard**

The *e-Postcard* is easy to complete. All you need is [eight items of basic information](#) about your organization.

#### **Who Must File**

Most small tax-exempt organizations with gross receipts that are normally \$50,000 or less (\$25,000 for tax years ending on or after December 31, 2007 and before December 31, 2010) must file the *e-Postcard*. Exceptions to this requirement include:

- Organizations that are included in a [group return](#),
- [Churches](#), their integrated auxiliaries, and conventions or associations of churches, and
- [Organizations required to file a different return](#)

To search for organizations that have filed an *e-Postcard* and to view their filings, see [Exempt Organizations Select Check](#). You can also download the entire database of *e-Postcard* filings on that site.

## Unrelated Business Income Tax – General Rules

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*The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):*

**<http://www.irs.gov/Charities-&-Non-Profits/Private-Foundations/Life-Cycle-of-a-Private-Foundation-Unrelated-Business-Income-Tax>**

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### Life Cycle of a Private Foundation - Unrelated Business Income Tax

Even though an organization is recognized as tax exempt, [it still may be liable](#) for tax on its [unrelated business income](#). Unrelated business income is income from a trade or business, regularly carried on, that is not substantially related to the charitable, educational, or other purpose that is the basis of the organization's exemption. An exempt organization that has \$1,000 or more of gross income from an unrelated business must file [Form 990-T](#). See [Unrelated Business Income Tax Returns](#) and the [Form 990-T instructions](#) for more information about return filing.

The obligation to file Form 990-T is in addition to the obligation to file Form 990-N (the e-postcard) or the annual information return, Form 990, 990-EZ or 990-PF. Group or consolidated returns are generally not permitted. Title holding corporations and organizations receiving their earnings may file a consolidated return, however.

### A few definitions:

**Unrelated Business Income Defined** (<http://www.irs.gov/Charities-&-Non-Profits/Unrelated-Business-Income-Defined>, the following definitions can be accessed at this link as well))

For [most organizations](#), an activity is an unrelated business (and subject to unrelated business income tax) if it meets three requirements:

1. It is a [trade or business](#),
2. It is [regularly carried on](#), and
3. It is [not substantially related](#) to furthering the exempt purpose of the organization.

There are, however, a number of [modifications, exclusions, and exceptions](#) to the general definition of unrelated business income.

### "Regularly Carried On"

Business activities of an exempt organization ordinarily are considered *regularly carried on* if they show a frequency and continuity, and are pursued in a manner similar to, comparable commercial activities of nonexempt organizations.

### "Trade or Business" Defined

The term *trade or business* generally includes any activity carried on for the production of income from selling goods or performing services. It is not limited to integrated aggregates of assets, activities, and goodwill that comprise businesses for purposes of certain other provisions of the Internal Revenue Code.



## Unrelated Business Income Tax – General Rules (continued)

Activities of producing or distributing goods or performing services from which gross income is derived do not lose their identity as trades or businesses merely because they are carried on within a larger framework of other activities that may, or may not, be related to the organization's exempt purposes.

### "Substantially related"

To determine if a business activity is *substantially related* requires examining the relationship between the activities that generate income and the accomplishment of the organization's exempt purpose. Trade or business is related to exempt purposes, in the statutory sense, only when the conduct of the business activities has causal relationship to achieving exempt purposes (other than through the production of income). The causal relationship must be substantial. The activities that generate the income must contribute importantly to accomplishing the organization's exempt purposes to be substantially related

## **IRS Publication 557 – Tax Exempt Status for Your Organizations**

To obtain information regarding rules and procedures for obtaining exemption of federal income tax under section 501(a) of the Internal Revenue Code please go to the following link for the Publication 557:

**<http://www.irs.ustreas.gov/pub/irs-pdf/p557.pdf>**

## Tax-Exempt Application Tips

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*The following excerpts were downloaded from the IRS' website in June 2013. The information documented below is subject to change by the IRS. Therefore, for the most up-to date version of this information, please go to (it may be necessary to copy and paste this link into your Internet browser):*

**<http://www.irs.gov/Charities-&-Non-Profits/Top-Ten-Reasons-for-Delays-in-Processing-Exempt-Organization-Applications>**

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### Top Ten Tips to shorten the tax-exempt application process

#### Following these simple tips can save time and effort

**10. Provide the required information on the principal officers and board of directors.** List the following information for the principal officers and board of directors:

a) Names; b) Mailing addresses; c) Titles and Positions; d) Annual compensation

**9. Ensure a director, trustee, principal officer or other authorized individual signs the Form 1023.** Generally, a principal officer is the president, vice president, secretary or treasurer. The person signing the application must indicate his or her title or other authority to sign. A taxpayer's representative may not sign the application. An original signature is required. Neither a stamped signature nor a faxed signature is permitted.

**8. Don't forget to submit a copy of adopted by-laws,** code of regulations or any other document that sets out the organization's rules of operation, but only if adopted.

**7. Include all of the necessary financial data.** See the [instructions to Form 1023](#) to determine how much information you need to provide, based on how long your organization has existed.

**6. Include the month the organization's annual accounting period ends.** The accounting period ending date on the application should match the date stated in your by-laws, on financial statements, and on any prior returns filed.

**5. Attach all required schedules.** Some lines require supporting schedules. Check all line items on financial statements.

**4. Complete all required pages.** The information contained on each page and schedule of Form 1023 and Form 1024 is necessary for the IRS to make a determination about your tax-exempt status. Form 1023 has various schedules and pages that must be filled out for churches, schools, hospitals, scholarships, supporting organizations and certain other organizations.

**3. Provide enough information about the organization's activities to show us how it will achieve the exempt purpose.** Please don't restate the purpose. Explain the specific activities that will achieve that purpose. Consider a "who, what, when, where, why and how" approach. Explain past, present, and planned activities. If you haven't started activity yet, develop plans that provide a clear understanding of how your organization will operate. It is not necessary to describe activities that are speculative at this time.

## Tax-Exempt Application Tips (continued)

**2. Attach a complete copy of the organizing document and all amendments.** If the applicant is a corporation, include a complete copy of the articles of incorporation that shows it has been filed with and approved by the state. If the applicant is not incorporated, include a similar organizing document such as a constitution, articles of association, or by-laws. At a minimum, it should state the legal name, the purposes and the date of adoption. At least two members of the organization should sign the document. A trust document must be signed by the trustees and show the date of formation. For section 501(c)(3) applicants, the organizing document must comply with the [organizational test](#) for exemption.

**1.** The **Number 1** tip to reduce delays in processing exempt organization applications is . . .

### ***INCLUDE THE CORRECT USER FEE!***

*Ensure the application includes a check or money order made payable to the United States Treasury for the appropriate [user fee](#).*

Following these ten tips can help shorten the time it takes to process an application for tax-exempt status. A correctly completed application, sent with all required documents and schedules has a good chance of being accepted with no further contact. If contact is necessary, the IRS agent can address the technical issues that need resolution without taking up time to get a completed application.



# Examples



**Internal Revenue Service**  
 Director, EO Rulings & Agreements  
 P.O. Box 2508  
 Cincinnati, OH 45201

Document Locator Number: 15223-465-03700-8  
 Employer Identification Number: 76-9999999

Toll Free Number: 1-877-829-5500  
 FAX Number: 1-513-263-3756

Date: January 5, 2000

Application Form: 1023  
 User Fee Paid \$500.00

Locking Horns NFL Booster Club  
 PMB 45886  
 Rambling, TX 55229

***Acknowledgement of Your Request***

We received your application for exemption from Federal income tax. When communicating with us, please refer to the employer identification number and document locator number shown above.

***What Happens Next?***

Your application was entered into our computer system at our Processing Center in Lexington, Kentucky, and has been sent to our Cincinnati office for initial review. Some applications can be approved based on this review. If this is the case, you will receive a letter stating you are exempt from Federal income tax.

If the initial review indicates that additional information or changes are necessary, your application will be assigned to an Exempt Organization Specialist in Cincinnati or in another IRS office who will call or write you. Applications are assigned in the order they are received.

If the additional information indicates that you qualify for exemption, you will receive a letter stating that you are exempt from Federal income tax. If we determine that you do not qualify for exemption, we will send you a letter that includes a complete explanation of why we believe you do not qualify. The letter will also include a complete explanation of your appeal rights.

The IRS does not issue "tax exempt numbers" or "tax exempt certificates" for state or local sales or income taxes. If you seek exemption from these taxes, contact your state or local tax offices.

***How long will this process take?***

You may normally expect to hear from us within 120 days. If you do not hear from us, you may call our toll free number between the hours of 8:00 a.m. and 9:30 p.m. Eastern Time. Please have your identification numbers available so that we can identify your application. If you would rather write than call, please include a copy of this notice with your correspondence.

DEPARTMENT OF THE TREASURY  
INTERNAL REVENUE SERVICE  
AUSTIN TX 73301

DATE OF THIS NOTICE: 06-16-1998  
NUMBER OF THIS NOTICE: CP 575 E  
EMPLOYER IDENTIFICATION NUMBER: 76-0000000  
FORM: SS-4  
1816928038 0

Almost Wranglers FFA Booster Club, Inc.  
9811 Lone Prairie Way  
Dusty, TX 88533

FOR ASSISTANCE CALL US AT:  
713-541-0440 LOCAL HOUSTON  
1-800-829-1040 OTHER TX

OR WRITE TO THE ADDRESS  
SHOWN AT THE TOP LEFT.

IF YOU WRITE, ATTACH THE  
STUB OF THIS NOTICE.

**WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER (EIN)**

Thank you for your Form SS-4, Application for Employer Identification Number (EIN). We assigned you EIN 76-0573374. This EIN will identify your business account, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

Use your complete name and EIN shown above on all federal tax forms, payments, and related correspondence. If you use any variation in your name or EIN, it may cause a delay in processing, incorrect information in your account, or cause you to be assigned more than one EIN.

If you want to receive a ruling or a determination letter recognizing your organization as tax exempt, you should file Form 1023/1024, Application for Recognition of Exemption, with your IRS Key District office. Publication 557, Tax Exempt Status for Your Organization, is available at most IRS offices and has details on how you can apply.

Thank you for your cooperation.

Example

Keep this part for your records.

CP 575 E (Rev. 7-97)

Return this part with any correspondence  
so we can identify your account. Please  
correct any errors in your name or address.

CP 575 E

1816928038

Your Telephone Number Best Time to Call  
( ) -

DATE OF THIS NOTICE: 06-16-1998  
EMPLOYER IDENTIFICATION NUMBER: 76-0000000  
FORM: SS-4

INTERNAL REVENUE SERVICE  
AUSTIN TX 73301

Almost Wranglers FFA Booster Club, Inc.  
9811 Lone Prairie Way  
Dusty, TX 88533

**Application for Recognition of Exemption  
Under Section 501(c)(3) of the Internal Revenue Code**

**Note:** If exempt status is approved, this application will be open for public inspection.

Use the instructions to complete this application and for a definition of all **bold** items. For additional help, call IRS Exempt Organizations Customer Account Services toll-free at 1-877-829-5500. Visit our website at **www.irs.gov** for forms and publications. If the required information and documents are not submitted with payment of the appropriate user fee, the application may be returned to you.

Attach additional sheets to this application if you need more space to answer fully. Put your name and EIN on each sheet and identify each answer by Part and line number. Complete Parts I - XI of Form 1023 and submit only those Schedules (A through H) that apply to you.

**Part I Identification of Applicant**

<b>1</b> Full name of organization (exactly as it appears in your <b>organizing document</b> )		<b>2</b> c/o Name (if applicable)	
<b>3</b> <b>Mailing address</b> (Number and street) (see instructions)		Room/Suite	<b>4</b> Employer Identification Number (EIN)
City or town, state or country, and ZIP + 4		<b>5</b> Month the annual accounting period ends (01 - 12)	
<b>6</b> Primary contact (officer, director, trustee, or <b>authorized representative</b> )		<b>b</b> Phone:	
<b>a</b> Name:		<b>c</b> Fax: (optional)	
<b>7</b> Are you represented by an authorized representative, such as an attorney or accountant? If "Yes," provide the authorized representative's name, and the name and address of the authorized representative's firm. Include a completed Form 2848, <i>Power of Attorney and Declaration of Representative</i> , with your application if you would like us to communicate with your representative.		<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	
<b>8</b> Was a person who is not one of your officers, directors, trustees, employees, or an authorized representative listed in line 7, paid, or promised payment, to help plan, manage, or advise you about the structure or activities of your organization, or about your financial or tax matters? If "Yes," provide the person's name, the name and address of the person's firm, the amounts paid or promised to be paid, and describe that person's role.		<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	
<b>9a</b> Organization's website:			
<b>b</b> Organization's email: (optional)			
<b>10</b> Certain organizations are not required to file an information return (Form 990 or Form 990-EZ). If you are granted tax-exemption, are you claiming to be excused from filing Form 990 or Form 990-EZ? If "Yes," explain. See the instructions for a description of organizations not required to file Form 990 or Form 990-EZ.		<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	
<b>11</b> Date incorporated if a corporation, or formed, if other than a corporation. (MM/DD/YYYY)		/ /	
<b>12</b> Were you formed under the laws of a <b>foreign country</b> ? If "Yes," state the country.		<input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b>	



**Part II Organizational Structure**

You must be a corporation (including a limited liability company), an unincorporated association, or a trust to be tax exempt. (See instructions.) **DO NOT file this form unless you can check "Yes" on lines 1, 2, 3, or 4.**

- 1 Are you a **corporation**? If "Yes," attach a copy of your articles of incorporation showing **certification of filing** with the appropriate state agency. Include copies of any amendments to your articles and be sure they also show state filing certification.  **Yes**  **No**

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- 2 Are you a **limited liability company (LLC)**? If "Yes," attach a copy of your articles of organization showing certification of filing with the appropriate state agency. Also, if you adopted an operating agreement, attach a copy. Include copies of any amendments to your articles and be sure they show state filing certification. Refer to the instructions for circumstances when an LLC should not file its own exemption application.  **Yes**  **No**

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- 3 Are you an **unincorporated association**? If "Yes," attach a copy of your articles of association, constitution, or other similar organizing document that is dated and includes at least two signatures. Include signed and dated copies of any amendments.  **Yes**  **No**

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- 4a Are you a **trust**? If "Yes," attach a signed and dated copy of your trust agreement. Include signed and dated copies of any amendments.  **Yes**  **No**
- b Have you been funded? If "No," explain how you are formed without anything of value placed in trust.  **Yes**  **No**

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- 5 Have you adopted **bylaws**? If "Yes," attach a current copy showing date of adoption. If "No," explain how your officers, directors, or trustees are selected.  **Yes**  **No**

**Part III Required Provisions in Your Organizing Document**

The following questions are designed to ensure that when you file this application, your organizing document contains the required provisions to meet the organizational test under section 501(c)(3). Unless you can check the boxes in both lines 1 and 2, your organizing document does not meet the organizational test. **DO NOT file this application until you have amended your organizing document.** Submit your original and amended organizing documents (showing state filing certification if you are a corporation or an LLC) with your application.

- 1 Section 501(c)(3) requires that your organizing document state your exempt purpose(s), such as charitable, religious, educational, and/or scientific purposes. Check the box to confirm that your organizing document meets this requirement. Describe specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document. Refer to the instructions for exempt purpose language. Location of Purpose Clause (Page, Article, and Paragraph): \_\_\_\_\_

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- 2a Section 501(c)(3) requires that upon dissolution of your organization, your remaining assets must be used exclusively for exempt purposes, such as charitable, religious, educational, and/or scientific purposes. Check the box on line 2a to confirm that your organizing document meets this requirement by express provision for the distribution of assets upon dissolution. If you rely on state law for your dissolution provision, do not check the box on line 2a and go to line 2c.
- 2b If you checked the box on line 2a, specify the location of your dissolution clause (Page, Article, and Paragraph). Do not complete line 2c if you checked box 2a. \_\_\_\_\_
- 2c See the instructions for information about the operation of state law in your particular state. Check this box if you rely on operation of state law for your dissolution provision and indicate the state: \_\_\_\_\_

**Part IV Narrative Description of Your Activities**

Using an attachment, describe your *past, present, and planned* activities in a narrative. If you believe that you have already provided some of this information in response to other parts of this application, you may summarize that information here and refer to the specific parts of the application for supporting details. You may also attach representative copies of newsletters, brochures, or similar documents for supporting details to this narrative. Remember that if this application is approved, it will be open for public inspection. Therefore, your narrative description of activities should be thorough and accurate. Refer to the instructions for information that must be included in your description.

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors**

- 1a List the names, titles, and mailing addresses of all of your officers, directors, and trustees. For each person listed, state their total annual **compensation**, or proposed compensation, for all services to the organization, whether as an officer, employee, or other position. Use actual figures, if available. Enter "none" if no compensation is or will be paid. If additional space is needed, attach a separate sheet. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

**b** List the names, titles, and mailing addresses of each of your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation. Do not include officers, directors, or trustees listed in line 1a.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)

**c** List the names, names of businesses, and mailing addresses of your five highest compensated **independent contractors** that receive or will receive compensation of more than \$50,000 per year. Use the actual figure, if available. Refer to the instructions for information on what to include as compensation.

Name	Title	Mailing address	Compensation amount (annual actual or estimated)

The following "Yes" or "No" questions relate to *past, present, or planned* relationships, transactions, or agreements with your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in lines 1a, 1b, and 1c.

**2a** Are any of your officers, directors, or trustees **related** to each other through **family or business relationships**? If "Yes," identify the individuals and explain the relationship.  **Yes**  **No**

**b** Do you have a business relationship with any of your officers, directors, or trustees other than through their position as an officer, director, or trustee? If "Yes," identify the individuals and describe the business relationship with each of your officers, directors, or trustees.  **Yes**  **No**

**c** Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors listed on lines 1b or 1c through family or business relationships? If "Yes," identify the individuals and explain the relationship.  **Yes**  **No**

**3a** For each of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c, attach a list showing their name, qualifications, average hours worked, and duties.

**b** Do any of your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, or 1c receive compensation from any other organizations, whether tax exempt or taxable, that are related to you through **common control**? If "Yes," identify the individuals, explain the relationship between you and the other organization, and describe the compensation arrangement.  **Yes**  **No**

**4** In establishing the compensation for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed on lines 1a, 1b, and 1c, the following practices are recommended, although they are not required to obtain exemption. Answer "Yes" to all the practices you use.

**a** Do you or will the individuals that approve compensation arrangements follow a conflict of interest policy?  **Yes**  **No**

**b** Do you or will you approve compensation arrangements in advance of paying compensation?  **Yes**  **No**

**c** Do you or will you document in writing the date and terms of approved compensation arrangements?  **Yes**  **No**

**Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)**

- d** Do you or will you record in writing the decision made by each individual who decided or voted on compensation arrangements?  Yes  No
- e** Do you or will you approve compensation arrangements based on information about compensation paid by **similarly situated** taxable or tax-exempt organizations for similar services, current compensation surveys compiled by independent firms, or actual written offers from similarly situated organizations? Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation.  Yes  No
- f** Do you or will you record in writing both the information on which you relied to base your decision and its source?  Yes  No
- g** If you answered "No" to any item on lines 4a through 4f, describe how you set compensation that is **reasonable** for your officers, directors, trustees, highest compensated employees, and highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c.
- 
- 5a** Have you adopted a **conflict of interest policy** consistent with the sample conflict of interest policy in Appendix A to the instructions? If "Yes," provide a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," answer lines 5b and 5c.  Yes  No
- b** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you for setting their own compensation?
- c** What procedures will you follow to assure that persons who have a conflict of interest will not have influence over you regarding business deals with themselves?
- Note:** A conflict of interest policy is recommended though it is not required to obtain exemption. Hospitals, see Schedule C, Section I, line 14.
- 
- 6a** Do you or will you compensate any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c through **non-fixed payments**, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are determined, who is eligible for such arrangements, whether you place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation.  Yes  No
- b** Do you or will you compensate any of your employees, other than your officers, directors, trustees, or your five highest compensated employees who receive or will receive compensation of more than \$50,000 per year, through non-fixed payments, such as discretionary bonuses or revenue-based payments? If "Yes," describe all non-fixed compensation arrangements, including how the amounts are or will be determined, who is or will be eligible for such arrangements, whether you place or will place a limitation on total compensation, and how you determine or will determine that you pay no more than reasonable compensation for services. Refer to the instructions for Part V, lines 1a, 1b, and 1c, for information on what to include as compensation.  Yes  No
- 
- 7a** Do you or will you purchase any goods, services, or assets from any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such purchase that you made or intend to make, from whom you make or will make such purchases, how the terms are or will be negotiated at **arm's length**, and explain how you determine or will determine that you pay no more than **fair market value**. Attach copies of any written contracts or other agreements relating to such purchases.  Yes  No
- b** Do you or will you sell any goods, services, or assets to any of your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," describe any such sales that you made or intend to make, to whom you make or will make such sales, how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you are or will be paid at least fair market value. Attach copies of any written contracts or other agreements relating to such sales.  Yes  No
- 
- 8a** Do you or will you have any leases, contracts, loans, or other agreements with your officers, directors, trustees, highest compensated employees, or highest compensated independent contractors listed in lines 1a, 1b, or 1c? If "Yes," provide the information requested in lines 8b through 8f.  Yes  No
- b** Describe any written or oral arrangements that you made or intend to make.
- c** Identify with whom you have or will have such arrangements.
- d** Explain how the terms are or will be negotiated at arm's length.
- e** Explain how you determine you pay no more than fair market value or you are paid at least fair market value.
- f** Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements.
- 
- 9a** Do you or will you have any leases, contracts, loans, or other agreements with any organization in which any of your officers, directors, or trustees are also officers, directors, or trustees, or in which any individual officer, director, or trustee owns more than a 35% interest? If "Yes," provide the information requested in lines 9b through 9f.  Yes  No

## Part V Compensation and Other Financial Arrangements With Your Officers, Directors, Trustees, Employees, and Independent Contractors (Continued)

- b Describe any written or oral arrangements you made or intend to make.
- c Identify with whom you have or will have such arrangements.
- d Explain how the terms are or will be negotiated at arm's length.
- e Explain how you determine or will determine you pay no more than fair market value or that you are paid at least fair market value.
- f Attach a copy of any signed leases, contracts, loans, or other agreements relating to such arrangements.

## Part VI Your Members and Other Individuals and Organizations That Receive Benefits From You

The following "Yes" or "No" questions relate to goods, services, and funds you provide to individuals and organizations as part of your activities. Your answers should pertain to *past*, *present*, and *planned* activities. (See instructions.)

- 1a In carrying out your exempt purposes, do you provide goods, services, or funds to individuals? If "Yes," describe each program that provides goods, services, or funds to individuals.  Yes  No
- b In carrying out your exempt purposes, do you provide goods, services, or funds to organizations? If "Yes," describe each program that provides goods, services, or funds to organizations.  Yes  No
- 2 Do any of your programs limit the provision of goods, services, or funds to a specific individual or group of specific individuals? For example, answer "Yes," if goods, services, or funds are provided only for a particular individual, your members, individuals who work for a particular employer, or graduates of a particular school. If "Yes," explain the limitation and how recipients are selected for each program.  Yes  No
- 3 Do any individuals who receive goods, services, or funds through your programs have a family or business relationship with any officer, director, trustee, or with any of your highest compensated employees or highest compensated independent contractors listed in Part V, lines 1a, 1b, and 1c? If "Yes," explain how these related individuals are eligible for goods, services, or funds.  Yes  No

## Part VII Your History

The following "Yes" or "No" questions relate to your history. (See instructions.)

- 1 Are you a **successor** to another organization? Answer "Yes," if you have taken or will take over the activities of another organization; you took over 25% or more of the fair market value of the net assets of another organization; or you were established upon the conversion of an organization from for-profit to non-profit status. If "Yes," complete Schedule G.  Yes  No
- 2 Are you submitting this application more than 27 months after the end of the month in which you were legally formed? If "Yes," complete Schedule E.  Yes  No

## Part VIII Your Specific Activities

The following "Yes" or "No" questions relate to specific activities that you may conduct. Check the appropriate box. Your answers should pertain to *past*, *present*, and *planned* activities. (See instructions.)

- 1 Do you support or oppose candidates in **political campaigns** in any way? If "Yes," explain.  Yes  No
- 2a Do you attempt to **influence legislation**? If "Yes," explain how you attempt to influence legislation and complete line 2b. If "No," go to line 3a.  Yes  No
- b Have you made or are you making an **election** to have your legislative activities measured by expenditures by filing Form 5768? If "Yes," attach a copy of the Form 5768 that was already filed or attach a completed Form 5768 that you are filing with this application. If "No," describe whether your attempts to influence legislation are a substantial part of your activities. Include the time and money spent on your attempts to influence legislation as compared to your total activities.  Yes  No
- 3a Do you or will you operate bingo or **gaming** activities? If "Yes," describe who conducts them, and list all revenue received or expected to be received and expenses paid or expected to be paid in operating these activities. **Revenue and expenses** should be provided for the time periods specified in Part IX, Financial Data.  Yes  No
- b Do you or will you enter into contracts or other agreements with individuals or organizations to conduct bingo or gaming for you? If "Yes," describe any written or oral arrangements that you made or intend to make, identify with whom you have or will have such arrangements, explain how the terms are or will be negotiated at arm's length, and explain how you determine or will determine you pay no more than fair market value or you will be paid at least fair market value. Attach copies or any written contracts or other agreements relating to such arrangements.  Yes  No
- c List the states and local jurisdictions, including Indian Reservations, in which you conduct or will conduct gaming or bingo.

**Part VIII Your Specific Activities (Continued)**

**4a** Do you or will you undertake **fundraising**? If "Yes," check all the fundraising programs you do or will conduct. (See instructions.)  **Yes**  **No**

- |   |  |
|---|--|
| <input type="checkbox"/> mail solicitations                         | <input type="checkbox"/> phone solicitations                                   |
| <input type="checkbox"/> email solicitations                        | <input type="checkbox"/> accept donations on your website                      |
| <input type="checkbox"/> personal solicitations                     | <input type="checkbox"/> receive donations from another organization's website |
| <input type="checkbox"/> vehicle, boat, plane, or similar donations | <input type="checkbox"/> government grant solicitations                        |
| <input type="checkbox"/> foundation grant solicitations             | <input type="checkbox"/> Other   |

Attach a description of each fundraising program.

**b** Do you or will you have written or oral contracts with any individuals or organizations to raise funds for you? If "Yes," describe these activities. Include all revenue and expenses from these activities and state who conducts them. Revenue and expenses should be provided for the time periods specified in Part IX, Financial Data. Also, attach a copy of any contracts or agreements.  **Yes**  **No**

**c** Do you or will you engage in fundraising activities for other organizations? If "Yes," describe these arrangements. Include a description of the organizations for which you raise funds and attach copies of all contracts or agreements.  **Yes**  **No**

**d** List all states and local jurisdictions in which you conduct fundraising. For each state or local jurisdiction listed, specify whether you fundraise for your own organization, you fundraise for another organization, or another organization fundraises for you.

**e** Do you or will you maintain separate accounts for any contributor under which the contributor has the right to advise on the use or distribution of funds? Answer "Yes" if the donor may provide advice on the types of investments, distributions from the types of investments, or the distribution from the donor's contribution account. If "Yes," describe this program, including the type of advice that may be provided and submit copies of any written materials provided to donors.  **Yes**  **No**

**5** Are you **affiliated** with a governmental unit? If "Yes," explain.  **Yes**  **No**

**6a** Do you or will you engage in **economic development**? If "Yes," describe your program.  **Yes**  **No**

**b** Describe in full who benefits from your economic development activities and how the activities promote exempt purposes.

**7a** Do or will persons other than your employees or volunteers **develop** your facilities? If "Yes," describe each facility, the role of the developer, and any business or family relationship(s) between the developer and your officers, directors, or trustees.  **Yes**  **No**

**b** Do or will persons other than your employees or volunteers **manage** your activities or facilities? If "Yes," describe each activity and facility, the role of the manager, and any business or family relationship(s) between the manager and your officers, directors, or trustees.  **Yes**  **No**

**c** If there is a business or family relationship between any manager or developer and your officers, directors, or trustees, identify the individuals, explain the relationship, describe how contracts are negotiated at arm's length so that you pay no more than fair market value, and submit a copy of any contracts or other agreements.

**8** Do you or will you enter into **joint ventures**, including partnerships or **limited liability companies** treated as partnerships, in which you share profits and losses with partners other than section 501(c)(3) organizations? If "Yes," describe the activities of these joint ventures in which you participate.  **Yes**  **No**

**9a** Are you applying for exemption as a childcare organization under section 501(k)? If "Yes," answer lines 9b through 9d. If "No," go to line 10.  **Yes**  **No**

**b** Do you provide child care so that parents or caretakers of children you care for can be **gainfully employed** (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k).  **Yes**  **No**

**c** Of the children for whom you provide child care, are 85% or more of them cared for by you to enable their parents or caretakers to be gainfully employed (see instructions)? If "No," explain how you qualify as a childcare organization described in section 501(k).  **Yes**  **No**

**d** Are your services available to the general public? If "No," describe the specific group of people for whom your activities are available. Also, see the instructions and explain how you qualify as a childcare organization described in section 501(k).  **Yes**  **No**

**10** Do you or will you publish, own, or have rights in music, literature, tapes, artworks, choreography, scientific discoveries, or other **intellectual property**? If "Yes," explain. Describe who owns or will own any copyrights, patents, or trademarks, whether fees are or will be charged, how the fees are determined, and how any items are or will be produced, distributed, and marketed.  **Yes**  **No**

**Part VIII Your Specific Activities (Continued)**

- 11** Do you or will you accept contributions of: real property; conservation easements; closely held securities; intellectual property such as patents, trademarks, and copyrights; works of music or art; licenses; royalties; automobiles, boats, planes, or other vehicles; or collectibles of any type? If "Yes," describe each type of contribution, any conditions imposed by the donor on the contribution, and any agreements with the donor regarding the contribution.  **Yes**  **No**
- 
- 12a** Do you or will you operate in a **foreign country or countries**? If "Yes," answer lines 12b through 12d. If "No," go to line 13a.  **Yes**  **No**
- b** Name the foreign countries and regions within the countries in which you operate.  
**c** Describe your operations in each country and region in which you operate.  
**d** Describe how your operations in each country and region further your exempt purposes.
- 
- 13a** Do you or will you make grants, loans, or other distributions to organization(s)? If "Yes," answer lines 13b through 13g. If "No," go to line 14a.  **Yes**  **No**
- b** Describe how your grants, loans, or other distributions to organizations further your exempt purposes.  
**c** Do you have written contracts with each of these organizations? If "Yes," attach a copy of each contract.  **Yes**  **No**  
**d** Identify each recipient organization and any **relationship** between you and the recipient organization.  
**e** Describe the records you keep with respect to the grants, loans, or other distributions you make.  
**f** Describe your selection process, including whether you do any of the following:  
**(i)** Do you require an application form? If "Yes," attach a copy of the form.  **Yes**  **No**  
**(ii)** Do you require a grant proposal? If "Yes," describe whether the grant proposal specifies your responsibilities and those of the grantee, obligates the grantee to use the grant funds only for the purposes for which the grant was made, provides for periodic written reports concerning the use of grant funds, requires a final written report and an accounting of how grant funds were used, and acknowledges your authority to withhold and/or recover grant funds in case such funds are, or appear to be, misused.  **Yes**  **No**  
**g** Describe your procedures for oversight of distributions that assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.
- 
- 14a** Do you or will you make grants, loans, or other distributions to foreign organizations? If "Yes," answer lines 14b through 14f. If "No," go to line 15.  **Yes**  **No**
- b** Provide the name of each foreign organization, the country and regions within a country in which each foreign organization operates, and describe any relationship you have with each foreign organization.  
**c** Does any foreign organization listed in line 14b accept contributions earmarked for a specific country or specific organization? If "Yes," list all earmarked organizations or countries.  **Yes**  **No**  
**d** Do your contributors know that you have ultimate authority to use contributions made to you at your discretion for purposes consistent with your exempt purposes? If "Yes," describe how you relay this information to contributors.  **Yes**  **No**  
**e** Do you or will you make pre-grant inquiries about the recipient organization? If "Yes," describe these inquiries, including whether you inquire about the recipient's financial status, its tax-exempt status under the Internal Revenue Code, its ability to accomplish the purpose for which the resources are provided, and other relevant information.  **Yes**  **No**  
**f** Do you or will you use any additional procedures to ensure that your distributions to foreign organizations are used in furtherance of your exempt purposes? If "Yes," describe these procedures, including site visits by your employees or compliance checks by impartial experts, to verify that grant funds are being used appropriately.  **Yes**  **No**

**Part VIII Your Specific Activities** (Continued)

- |           |  |                                     |                                    |
|-----------|--|-------------------------------------|------------------------------------|
| <b>15</b> | Do you have a <b>close connection</b> with any organizations? If "Yes," explain.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>16</b> | Are you applying for exemption as a <b>cooperative hospital service organization</b> under section 501(e)? If "Yes," explain.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>17</b> | Are you applying for exemption as a <b>cooperative service organization of operating educational organizations</b> under section 501(f)? If "Yes," explain.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>18</b> | Are you applying for exemption as a <b>charitable risk pool</b> under section 501(n)? If "Yes," explain.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>19</b> | Do you or will you operate a <b>school</b> ? If "Yes," complete Schedule B. Answer "Yes," whether you operate a school as your main function or as a secondary activity.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>20</b> | Is your main function to provide <b>hospital</b> or <b>medical care</b> ? If "Yes," complete Schedule C.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>21</b> | Do you or will you provide <b>low-income housing</b> or housing for the <b>elderly</b> or <b>handicapped</b> ? If "Yes," complete Schedule F.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>22</b> | Do you or will you provide scholarships, fellowships, educational loans, or other educational grants to individuals, including grants for travel, study, or other similar purposes? If "Yes," complete Schedule H. | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |

**Note: Private foundations** may use Schedule H to request advance approval of individual grant procedures.

**Part IX Financial Data**

For purposes of this schedule, years in existence refer to completed tax years. If in existence 4 or more years, complete the schedule for the most recent 4 tax years. If in existence more than 1 year but less than 4 years, complete the statements for each year in existence and provide projections of your likely revenues and expenses based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. If in existence less than 1 year, provide projections of your likely revenues and expenses for the current year and the 2 following years, based on a reasonable and good faith estimate of your future finances for a total of 3 years of financial information. (See instructions.)

**A. Statement of Revenues and Expenses**

	Type of revenue or expense	Current tax year	3 prior tax years or 2 succeeding tax years			(e) Provide Total for (a) through (d)
		(a) From ..... To .....	(b) From ..... To .....	(c) From ..... To .....	(d) From ..... To .....	
<b>Revenues</b>	<b>1</b> Gifts, grants, and contributions received (do not include unusual grants)					
	<b>2</b> Membership fees received					
	<b>3</b> Gross investment income					
	<b>4</b> Net unrelated business income					
	<b>5</b> Taxes levied for your benefit					
	<b>6</b> Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)					
	<b>7</b> Any revenue not otherwise listed above or in lines 9–12 below (attach an itemized list)					
	<b>8</b> Total of lines 1 through 7					
	<b>9</b> Gross receipts from admissions, merchandise sold or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)					
	<b>10</b> Total of lines 8 and 9					
<b>11</b> Net gain or loss on sale of capital assets (attach schedule and see instructions)						
<b>12</b> <b>Unusual grants</b>						
<b>13</b> Total Revenue Add lines 10 through 12						
<b>Expenses</b>	<b>14</b> Fundraising expenses					
	<b>15</b> Contributions, gifts, grants, and similar amounts paid out (attach an itemized list)					
	<b>16</b> Disbursements to or for the benefit of members (attach an itemized list)					
	<b>17</b> Compensation of officers, directors, and trustees					
	<b>18</b> Other salaries and wages					
	<b>19</b> Interest expense					
	<b>20</b> Occupancy (rent, utilities, etc.)					
	<b>21</b> Depreciation and depletion					
	<b>22</b> Professional fees					
	<b>23</b> Any expense not otherwise classified, such as program services (attach itemized list)					
	<b>24</b> Total Expenses Add lines 14 through 23					



**Part IX Financial Data (Continued)**

**B. Balance Sheet (for your most recently completed tax year)**

Year End:

Assets		(Whole dollars)
1	Cash _____	1
2	Accounts receivable, net _____	2
3	Inventories _____	3
4	Bonds and notes receivable (attach an itemized list) _____	4
5	Corporate stocks (attach an itemized list) _____	5
6	Loans receivable (attach an itemized list) _____	6
7	Other investments (attach an itemized list) _____	7
8	Depreciable and depletable assets (attach an itemized list) _____	8
9	Land _____	9
10	Other assets (attach an itemized list) _____	10
11	Total Assets (add lines 1 through 10) _____	11
Liabilities		
12	Accounts payable _____	12
13	Contributions, gifts, grants, etc. payable _____	13
14	Mortgages and notes payable (attach an itemized list) _____	14
15	Other liabilities (attach an itemized list) _____	15
16	Total Liabilities (add lines 12 through 15) _____	16
Fund Balances or Net Assets		
17	Total fund balances or net assets _____	17
18	Total Liabilities and Fund Balances or Net Assets (add lines 16 and 17) _____	18
19	Have there been any substantial changes in your assets or liabilities since the end of the period shown above? If "Yes," explain.	<input type="checkbox"/> Yes <input type="checkbox"/> No

**Part X Public Charity Status**

Part X is designed to classify you as an organization that is either a **private foundation** or a **public charity**. Public charity status is a more favorable tax status than private foundation status. If you are a private foundation, Part X is designed to further determine whether you are a **private operating foundation**. (See instructions.)

- 1a** Are you a private foundation? If "Yes," go to line 1b. If "No," go to line 5 and proceed as instructed. If you are unsure, see the instructions.  Yes     No
- b** As a private foundation, section 508(e) requires special provisions in your organizing document in addition to those that apply to all organizations described in section 501(c)(3). Check the box to confirm that your organizing document meets this requirement, whether by express provision or by reliance on operation of state law. Attach a statement that describes specifically where your organizing document meets this requirement, such as a reference to a particular article or section in your organizing document or by operation of state law. See the instructions, including Appendix B, for information about the special provisions that need to be contained in your organizing document. Go to line 2.
- 2** Are you a private operating foundation? To be a private operating foundation you must engage directly in the active conduct of charitable, religious, educational, and similar activities, as opposed to indirectly carrying out these activities by providing grants to individuals or other organizations. If "Yes," go to line 3. If "No," go to the signature section of Part XI.  Yes     No
- 3** Have you existed for one or more years? If "Yes," attach financial information showing that you are a private operating foundation; go to the signature section of Part XI. If "No," continue to line 4.  Yes     No
- 4** Have you attached either (1) an affidavit or opinion of counsel, (including a written affidavit or opinion from a certified public accountant or accounting firm with expertise regarding this tax law matter), that sets forth facts concerning your operations and support to demonstrate that you are likely to satisfy the requirements to be classified as a private operating foundation; or (2) a statement describing your proposed operations as a private operating foundation?  Yes     No
- 5** If you answered "No" to line 1a, indicate the type of public charity status you are requesting by checking one of the choices below. You may check only one box.
- The organization is not a private foundation because it is:
- a** 509(a)(1) and 170(b)(1)(A)(i)—a church or a convention or association of churches. Complete and attach Schedule A.
  - b** 509(a)(1) and 170(b)(1)(A)(ii)—a **school**. Complete and attach Schedule B.
  - c** 509(a)(1) and 170(b)(1)(A)(iii)—a **hospital**, a cooperative hospital service organization, or a medical research organization operated in conjunction with a hospital. Complete and attach Schedule C.
  - d** 509(a)(3)—an organization supporting either one or more organizations described in line 5a through c, f, g, or h or a publicly supported section 501(c)(4), (5), or (6) organization. Complete and attach Schedule D.

**Part X Public Charity Status (Continued)**

- e 509(a)(4)—an organization organized and operated exclusively for testing for public safety.
- f 509(a)(1) and 170(b)(1)(A)(iv)—an organization operated for the benefit of a college or university that is owned or operated by a governmental unit.
- g 509(a)(1) and 170(b)(1)(A)(vi)—an organization that receives a substantial part of its financial support in the form of contributions from publicly supported organizations, from a governmental unit, or from the general public.
- h 509(a)(2)—an organization that normally receives not more than one-third of its financial support from gross **investment income** and receives more than one-third of its financial support from contributions, membership fees, and gross receipts from activities related to its exempt functions (subject to certain exceptions).
- i A publicly supported organization, but unsure if it is described in 5g or 5h. The organization would like the IRS to decide the correct status.

**6** If you checked box g, h, or i in question 5 above, you must request either an **advance** or a **definitive ruling** by selecting one of the boxes below. Refer to the instructions to determine which type of ruling you are eligible to receive.

- a **Request for Advance Ruling:** By checking this box and signing the consent, pursuant to section 6501(c)(4) of the Code you request an advance ruling and agree to extend the statute of limitations on the assessment of excise tax under section 4940 of the Code. The tax will apply only if you do not establish public support status at the end of the 5-year advance ruling period. The assessment period will be extended for the 5 advance ruling years to 8 years, 4 months, and 15 days beyond the end of the first year. You have the right to refuse or limit the extension to a mutually agreed-upon period of time or issue(s). Publication 1035, *Extending the Tax Assessment Period*, provides a more detailed explanation of your rights and the consequences of the choices you make. You may obtain Publication 1035 free of charge from the IRS web site at [www.irs.gov](http://www.irs.gov) or by calling toll-free 1-800-829-3676. Signing this consent will not deprive you of any appeal rights to which you would otherwise be entitled. If you decide not to extend the statute of limitations, you are not eligible for an advance ruling.

**Consent Fixing Period of Limitations Upon Assessment of Tax Under Section 4940 of the Internal Revenue Code**

For Organization

-----  
(Signature of Officer, Director, Trustee, or other authorized official)

-----  
(Type or print name of signer)

-----  
(Date)

-----  
(Type or print title or authority of signer)

For IRS Use Only

-----  
IRS Director, Exempt Organizations

-----  
(Date)

- b **Request for Definitive Ruling:** Check this box if you have completed one tax year of at least 8 full months and you are requesting a definitive ruling. To confirm your public support status, answer line 6b(i) if you checked box g in line 5 above. Answer line 6b(ii) if you checked box h in line 5 above. If you checked box i in line 5 above, answer both lines 6b(i) and (ii).

(i) (a) Enter 2% of line 8, column (e) on Part IX-A. Statement of Revenues and Expenses. \_\_\_\_\_

- (b) Attach a list showing the name and amount contributed by each person, company, or organization whose gifts totaled more than the 2% amount. If the answer is "None," check this box.

(ii) (a) For each year amounts are included on lines 1, 2, and 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each **disqualified person**. If the answer is "None," check this box.

- (b) For each year amounts are included on line 9 of Part IX-A. Statement of Revenues and Expenses, attach a list showing the name of and amount received from each payer, other than a disqualified person, whose payments were more than the larger of (1) 1% of line 10, Part IX-A. Statement of Revenues and Expenses, or (2) \$5,000. If the answer is "None," check this box.

- 7 Did you receive any unusual grants during any of the years shown on Part IX-A. Statement of Revenues and Expenses? If "Yes," attach a list including the name of the contributor, the date and amount of the grant, a brief description of the grant, and explain why it is unusual.  **Yes**  **No**

**Part XI User Fee Information**

You must include a user fee payment with this application. It will not be processed without your paid user fee. If your average annual gross receipts have exceeded or will exceed \$10,000 annually over a 4-year period, you must submit payment of \$750. If your gross receipts have not exceeded or will not exceed \$10,000 annually over a 4-year period, the required user fee payment is \$300. See instructions for Part XI, for a definition of **gross receipts** over a 4-year period. Your check or money order must be made payable to the United States Treasury. *User fees are subject to change. Check our website at www.irs.gov and type "User Fee" in the keyword box, or call Customer Account Services at 1-877-829-5500 for current information.*

- 1 Have your annual gross receipts averaged or are they expected to average not more than \$10,000?  **Yes**  **No**  
 If "Yes," check the box on line 2 and enclose a user fee payment of \$300 (Subject to change—see above).  
 If "No," check the box on line 3 and enclose a user fee payment of \$750 (Subject to change—see above).
- 2 Check the box if you have enclosed the reduced user fee payment of \$300 (Subject to change).
- 3 Check the box if you have enclosed the user fee payment of \$750 (Subject to change).

I declare under the penalties of perjury that I am authorized to sign this application on behalf of the above organization and that I have examined this application, including the accompanying schedules and attachments, and to the best of my knowledge it is true, correct, and complete.

**Please Sign Here**

(Signature of Officer, Director, Trustee, or other authorized official)

-----  
(Type or print name of signer)

-----  
(Date)

-----  
(Type or print title or authority of signer)

**Reminder:** Send the completed Form 1023 Checklist with your filled-in-application.

**Schedule A. Churches**

<b>1a</b>	Do you have a written creed, statement of faith, or summary of beliefs? If "Yes," attach copies of relevant documents.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	Do you have a form of worship? If "Yes," describe your form of worship.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>2a</b>	Do you have a formal code of doctrine and discipline? If "Yes," describe your code of doctrine and discipline.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	Do you have a distinct religious history? If "Yes," describe your religious history.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>c</b>	Do you have a literature of your own? If "Yes," describe your literature.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>3</b>	Describe the organization's religious hierarchy or ecclesiastical government.		
<b>4a</b>	Do you have regularly scheduled religious services? If "Yes," describe the nature of the services and provide representative copies of relevant literature such as church bulletins.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	What is the average attendance at your regularly scheduled religious services?	_____	
<b>5a</b>	Do you have an established place of worship? If "Yes," refer to the instructions for the information required.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	Do you own the property where you have an established place of worship?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>6</b>	Do you have an established congregation or other regular membership group? If "No," refer to the instructions.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>7</b>	How many members do you have?	_____	
<b>8a</b>	Do you have a process by which an individual becomes a member? If "Yes," describe the process and complete lines 8b–8d, below.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	If you have members, do your members have voting rights, rights to participate in religious functions, or other rights? If "Yes," describe the rights your members have.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>c</b>	May your members be associated with another denomination or church?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>d</b>	Are all of your members part of the same family?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>9</b>	Do you conduct baptisms, weddings, funerals, etc.?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>10</b>	Do you have a school for the religious instruction of the young?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>11a</b>	Do you have a minister or religious leader? If "Yes," describe this person's role and explain whether the minister or religious leader was ordained, commissioned, or licensed after a prescribed course of study.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>b</b>	Do you have schools for the preparation of your ordained ministers or religious leaders?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>12</b>	Is your minister or religious leader also one of your officers, directors, or trustees?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>13</b>	Do you ordain, commission, or license ministers or religious leaders? If "Yes," describe the requirements for ordination, commission, or licensure.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>14</b>	Are you part of a group of churches with similar beliefs and structures? If "Yes," explain. Include the name of the group of churches.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>15</b>	Do you issue church charters? If "Yes," describe the requirements for issuing a charter.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>16</b>	Did you pay a fee for a church charter? If "Yes," attach a copy of the charter.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>17</b>	Do you have other information you believe should be considered regarding your status as a church? If "Yes," explain.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

**Schedule B. Schools, Colleges, and Universities**

If you operate a school as an activity, complete Schedule B

**Section I Operational Information**

- 1a** Do you normally have a regularly scheduled curriculum, a regular faculty of qualified teachers, a regularly enrolled student body, and facilities where your educational activities are regularly carried on? If "No," do not complete the remainder of Schedule B.  **Yes**  **No**
- b** Is the primary function of your school the presentation of formal instruction? If "Yes," describe your school in terms of whether it is an elementary, secondary, college, technical, or other type of school. If "No," do not complete the remainder of Schedule B.  **Yes**  **No**
- 
- 2a** Are you a public school because you are operated by a state or subdivision of a state? If "Yes," explain how you are operated by a state or subdivision of a state. Do not complete the remainder of Schedule B.  **Yes**  **No**
- b** Are you a public school because you are operated wholly or predominantly from government funds or property? If "Yes," explain how you are operated wholly or predominantly from government funds or property. Submit a copy of your funding agreement regarding government funding. Do not complete the remainder of Schedule B.  **Yes**  **No**
- 
- 3** In what public school district, county, and state are you located?
- 
- 4** Were you formed or substantially expanded at the time of public school desegregation in the above school district or county?  **Yes**  **No**
- 
- 5** Has a state or federal administrative agency or judicial body ever determined that you are racially discriminatory? If "Yes," explain.  **Yes**  **No**
- 
- 6** Has your right to receive financial aid or assistance from a governmental agency ever been revoked or suspended? If "Yes," explain.  **Yes**  **No**
- 
- 7** Do you or will you contract with another organization to develop, build, market, or finance your facilities? If "Yes," explain how that entity is selected, explain how the terms of any contracts or other agreements are negotiated at arm's length, and explain how you determine that you will pay no more than fair market value for services.  **Yes**  **No**
- Note.** Make sure your answer is consistent with the information provided in Part VIII, line 7a.
- 
- 8** Do you or will you manage your activities or facilities through your own employees or volunteers? If "No," attach a statement describing the activities that will be managed by others, the names of the persons or organizations that manage or will manage your activities or facilities, and how these managers were or will be selected. Also, submit copies of any contracts, proposed contracts, or other agreements regarding the provision of management services for your activities or facilities. Explain how the terms of any contracts or other agreements were or will be negotiated, and explain how you determine you will pay no more than fair market value for services.  **Yes**  **No**
- Note.** Answer "Yes" if you manage or intend to manage your programs through your own employees or by using volunteers. Answer "No" if you engage or intend to engage a separate organization or independent contractor. Make sure your answer is consistent with the information provided in Part VIII, line 7b.

**Section II Establishment of Racially Nondiscriminatory Policy**

Information required by **Revenue Procedure 75-50.**

- 1** Have you adopted a racially nondiscriminatory policy as to students in your organizing document, bylaws, or by resolution of your governing body? If "Yes," state where the policy can be found or supply a copy of the policy. If "No," you must adopt a nondiscriminatory policy as to students before submitting this application. See Publication 557.  **Yes**  **No**
- 
- 2** Do your brochures, application forms, advertisements, and catalogues dealing with student admissions, programs, and scholarships contain a statement of your racially nondiscriminatory policy?  **Yes**  **No**
- a** If "Yes," attach a representative sample of each document.
- b** If "No," by checking the box to the right you agree that all future printed materials, including website content, will contain the required nondiscriminatory policy statement.
- 
- 3** Have you published a notice of your nondiscriminatory policy in a newspaper of general circulation that serves all racial segments of the community? (See the instructions for specific requirements.) If "No," explain.  **Yes**  **No**
- 
- 4** Does or will the organization (or any department or division within it) discriminate in any way on the basis of race with respect to admissions; use of facilities or exercise of student privileges; faculty or administrative staff; or scholarship or loan programs? If "Yes," for any of the above, explain fully.  **Yes**  **No**



**Schedule C. Hospitals and Medical Research Organizations**

Check the box if you are a **hospital**. See the instructions for a definition of the term "hospital," which includes an organization whose principal purpose or function is providing **hospital or medical care**. Complete Section I below.

Check the box if you are a **medical research organization** operated in conjunction with a hospital. See the instructions for a definition of the term "medical research organization," which refers to an organization whose principal purpose or function is medical research and which is directly engaged in the continuous active conduct of medical research in conjunction with a hospital. Complete Section II.

**Section I Hospitals**

- |   |  |
|---|--|
| <b>1a</b> Are all the doctors in the community eligible for staff privileges? If "No," give the reasons why and explain how the medical staff is selected.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>2a</b> Do you or will you provide medical services to all individuals in your community who can pay for themselves or have private health insurance? If "No," explain.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>b</b> Do you or will you provide medical services to all individuals in your community who participate in Medicare? If "No," explain.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>c</b> Do you or will you provide medical services to all individuals in your community who participate in Medicaid? If "No," explain.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>3a</b> Do you or will you require persons covered by Medicare or Medicaid to pay a deposit before receiving services? If "Yes," explain.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>b</b> Does the same deposit requirement, if any, apply to all other patients? If "No," explain.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>4a</b> Do you or will you maintain a full-time emergency room? If "No," explain why you do not maintain a full-time emergency room. Also, describe any emergency services that you provide.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>b</b> Do you have a policy on providing emergency services to persons without apparent means to pay? If "Yes," provide a copy of the policy.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>c</b> Do you have any arrangements with police, fire, and voluntary ambulance services for the delivery or admission of emergency cases? If "Yes," describe the arrangements, including whether they are written or oral agreements. If written, submit copies of all such agreements.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>5a</b> Do you provide for a portion of your services and facilities to be used for charity patients? If "Yes," answer 5b through 5e.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>b</b> Explain your policy regarding charity cases, including how you distinguish between charity care and bad debts. Submit a copy of your written policy.   |  |
| <b>c</b> Provide data on your past experience in admitting charity patients, including amounts you expend for treating charity care patients and types of services you provide to charity care patients.  |  |
| <b>d</b> Describe any arrangements you have with federal, state, or local governments or government agencies for paying for the cost of treating charity care patients. Submit copies of any written agreements.  |  |
| <b>e</b> Do you provide services on a sliding fee schedule depending on financial ability to pay? If "Yes," submit your sliding fee schedule.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>6a</b> Do you or will you carry on a formal program of medical training or medical research? If "Yes," describe such programs, including the type of programs offered, the scope of such programs, and affiliations with other hospitals or medical care providers with which you carry on the medical training or research programs.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>b</b> Do you or will you carry on a formal program of community education? If "Yes," describe such programs, including the type of programs offered, the scope of such programs, and affiliation with other hospitals or medical care providers with which you offer community education programs.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>7</b> Do you or will you provide office space to physicians carrying on their own medical practices? If "Yes," describe the criteria for who may use the space, explain the means used to determine that you are paid at least fair market value, and submit representative lease agreements.  | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>8</b> Is your board of directors comprised of a majority of individuals who are representative of the community you serve? Include a list of each board member's name and business, financial, or professional relationship with the hospital. Also, identify each board member who is representative of the community and describe how that individual is a community representative.   | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |
| <b>9</b> Do you participate in any joint ventures? If "Yes," state your ownership percentage in each joint venture, list your investment in each joint venture, describe the tax status of other participants in each joint venture (including whether they are section 501(c)(3) organizations), describe the activities of each joint venture, describe how you exercise control over the activities of each joint venture, and describe how each joint venture furthers your exempt purposes. Also, submit copies of all agreements. | <input type="checkbox"/> <b>Yes</b> <input type="checkbox"/> <b>No</b> |

**Note.** Make sure your answer is consistent with the information provided in Part VIII, line 8.

**Schedule C. Hospitals and Medical Research Organizations (Continued)****Section I Hospitals (Continued)**

- 10** Do you or will you manage your activities or facilities through your own employees or volunteers? If "No," attach a statement describing the activities that will be managed by others, the names of the persons or organizations that manage or will manage your activities or facilities, and how these managers were or will be selected. Also, submit copies of any contracts, proposed contracts, or other agreements regarding the provision of management services for your activities or facilities. Explain how the terms of any contracts or other agreements were or will be negotiated, and explain how you determine you will pay no more than fair market value for services.  
**Note.** Answer "Yes" if you do manage or intend to manage your programs through your own employees or by using volunteers. Answer "No" if you engage or intend to engage a separate organization or independent contractor. Make sure your answer is consistent with the information provided in Part VIII, line 7b.  **Yes**  **No**
- 11** Do you or will you offer recruitment incentives to physicians? If "Yes," describe your recruitment incentives and attach copies of all written recruitment incentive policies.  **Yes**  **No**
- 12** Do you or will you lease equipment, assets, or office space from physicians who have a financial or professional relationship with you? If "Yes," explain how you establish a fair market value for the lease.  **Yes**  **No**
- 13** Have you purchased medical practices, ambulatory surgery centers, or other business assets from physicians or other persons with whom you have a business relationship, aside from the purchase? If "Yes," submit a copy of each purchase and sales contract and describe how you arrived at fair market value, including copies of appraisals.  **Yes**  **No**
- 14** Have you adopted a **conflict of interest policy** consistent with the sample health care organization conflict of interest policy in Appendix A of the instructions? If "Yes," submit a copy of the policy and explain how the policy has been adopted, such as by resolution of your governing board. If "No," explain how you will avoid any conflicts of interest in your business dealings.  **Yes**  **No**

**Section II Medical Research Organizations**

- 1** Name the hospitals with which you have a relationship and describe the relationship. Attach copies of written agreements with each hospital that demonstrate continuing relationships between you and the hospital(s).
- 2** Attach a schedule describing your present and proposed activities for the direct conduct of medical research; describe the nature of the activities, and the amount of money that has been or will be spent in carrying them out.
- 3** Attach a schedule of assets showing their fair market value and the portion of your assets directly devoted to medical research.



**Schedule D. Section 509(a)(3) Supporting Organizations**

**Section I Identifying Information About the Supported Organization(s)**

**1** State the names, addresses, and EINs of the supported organizations. If additional space is needed, attach a separate sheet.

Name	Address	EIN
		-
		-

**2** Are all supported organizations listed in line 1 public charities under section 509(a)(1) or (2)? If "Yes," go to Section II. If "No," go to line 3.  **Yes**     **No**

**3** Do the supported organizations have tax-exempt status under section 501(c)(4), 501(c)(5), or 501(c)(6)?  **Yes**     **No**

If "Yes," for each 501(c)(4), (5), or (6) organization supported, provide the following financial information:

- Part IX-A. Statement of Revenues and Expenses, lines 1–13 and
- Part X, lines 6b(ii)(a), 6b(ii)(b), and 7.

If "No," attach a statement describing how each organization you support is a public charity under section 509(a)(1) or (2).

**Section II Relationship with Supported Organization(s)—Three Tests**

To be classified as a supporting organization, an organization must meet one of three relationship tests:

- Test 1: "Operated, supervised, or controlled by" one or more publicly supported organizations, or
- Test 2: "Supervised or controlled in connection with" one or more publicly supported organizations, or
- Test 3: "Operated in connection with" one or more publicly supported organizations.

**1** Information to establish the "operated, supervised, or controlled by" relationship (Test 1) Is a majority of your governing board or officers elected or appointed by the supported organization(s)? If "Yes," describe the process by which your governing board is appointed and elected; go to Section III. If "No," continue to line 2.  **Yes**     **No**

**2** Information to establish the "supervised or controlled in connection with" relationship (Test 2) Does a majority of your governing board consist of individuals who also serve on the governing board of the supported organization(s)? If "Yes," describe the process by which your governing board is appointed and elected; go to Section III. If "No," go to line 3.  **Yes**     **No**

**3** Information to establish the "operated in connection with" responsiveness test (Test 3) Are you a trust from which the named supported organization(s) can enforce and compel an accounting under state law? If "Yes," explain whether you advised the supported organization(s) in writing of these rights and provide a copy of the written communication documenting this; go to Section II, line 5. If "No," go to line 4a.  **Yes**     **No**

**4** Information to establish the alternative "operated in connection with" responsiveness test (Test 3)  
**a** Do the officers, directors, trustees, or members of the supported organization(s) elect or appoint one or more of your officers, directors, or trustees? If "Yes," explain and provide documentation; go to line 4d, below. If "No," go to line 4b.  **Yes**     **No**

**b** Do one or more members of the governing body of the supported organization(s) also serve as your officers, directors, or trustees or hold other important offices with respect to you? If "Yes," explain and provide documentation; go to line 4d, below. If "No," go to line 4c.  **Yes**     **No**

**c** Do your officers, directors, or trustees maintain a close and continuous working relationship with the officers, directors, or trustees of the supported organization(s)? If "Yes," explain and provide documentation.  **Yes**     **No**

**d** Do the supported organization(s) have a significant voice in your investment policies, in the making and timing of grants, and in otherwise directing the use of your income or assets? If "Yes," explain and provide documentation.  **Yes**     **No**

**e** Describe and provide copies of written communications documenting how you made the supported organization(s) aware of your supporting activities.

**Schedule D. Section 509(a)(3) Supporting Organizations (Continued)****Section II Relationship with Supported Organization(s)—Three Tests (Continued)**

- 5** Information to establish the “operated in connection with” integral part test (Test 3)  
Do you conduct activities that would otherwise be carried out by the supported organization(s)? If “Yes,” explain and go to Section III. If “No,” continue to line 6a.  **Yes**  **No**
- 
- 6** Information to establish the alternative “operated in connection with” integral part test (Test 3)
- a** Do you distribute at least 85% of your annual **net income** to the supported organization(s)? If “Yes,” go to line 6b. (See instructions.)  **Yes**  **No**  
If “No,” state the percentage of your income that you distribute to each supported organization. Also explain how you ensure that the supported organization(s) are attentive to your operations.
- b** How much do you contribute annually to each supported organization? Attach a schedule.
- c** What is the total annual revenue of each supported organization? If you need additional space, attach a list.
- d** Do you or the supported organization(s)  **earmark**  your funds for support of a particular program or activity? If “Yes,” explain.  **Yes**  **No**
- 
- 7a** Does your organizing document specify the supported organization(s) by name? If “Yes,” state the article and paragraph number and go to Section III. If “No,” answer line 7b.  **Yes**  **No**
- b** Attach a statement describing whether there has been an historic and continuing relationship between you and the supported organization(s).

**Section III Organizational Test**

- 1a** If you met relationship Test 1 or Test 2 in Section II, your organizing document must specify the supported organization(s) by name, or by naming a similar purpose or charitable class of beneficiaries. If your organizing document complies with this requirement, answer “Yes.” If your organizing document does not comply with this requirement, answer “No,” and see the instructions.  **Yes**  **No**
- b** If you met relationship Test 3 in Section II, your organizing document must generally specify the supported organization(s) by name. If your organizing document complies with this requirement, answer “Yes,” and go to Section IV. If your organizing document does not comply with this requirement, answer “No,” and see the instructions.  **Yes**  **No**

**Section IV Disqualified Person Test**

You do not qualify as a supporting organization if you are **controlled** directly or indirectly by one or more **disqualified persons** (as defined in section 4946) other than **foundation managers** or one or more organizations that you support. Foundation managers who are also disqualified persons for another reason are disqualified persons with respect to you.

- 1a** Do any persons who are disqualified persons with respect to you, (except individuals who are disqualified persons only because they are foundation managers), appoint any of your foundation managers? If “Yes,” (1) describe the process by which disqualified persons appoint any of your foundation managers, (2) provide the names of these disqualified persons and the foundation managers they appoint, and (3) explain how control is vested over your operations (including assets and activities) by persons other than disqualified persons.  **Yes**  **No**
- b** Do any persons who have a family or business relationship with any disqualified persons with respect to you, (except individuals who are disqualified persons only because they are foundation managers), appoint any of your foundation managers? If “Yes,” (1) describe the process by which individuals with a family or business relationship with disqualified persons appoint any of your foundation managers, (2) provide the names of these disqualified persons, the individuals with a family or business relationship with disqualified persons, and the foundation managers appointed, and (3) explain how control is vested over your operations (including assets and activities) in individuals other than disqualified persons.  **Yes**  **No**
- c** Do any persons who are disqualified persons, (except individuals who are disqualified persons only because they are foundation managers), have any influence regarding your operations, including your assets or activities? If “Yes,” (1) provide the names of these disqualified persons, (2) explain how influence is exerted over your operations (including assets and activities), and (3) explain how control is vested over your operations (including assets and activities) by individuals other than disqualified persons.  **Yes**  **No**

**Schedule E. Organizations Not Filing Form 1023 Within 27 Months of Formation**

Schedule E is intended to determine whether you are eligible for tax exemption under section 501(c)(3) from the postmark date of your application or from your date of incorporation or formation, whichever is earlier. If you are not eligible for tax exemption under section 501(c)(3) from your date of incorporation or formation, Schedule E is also intended to determine whether you are eligible for tax exemption under section 501(c)(4) for the period between your date of incorporation or formation and the postmark date of your application.

- |  |                                     |                                    |
|--|-------------------------------------|------------------------------------|
| <b>1</b> Are you a church, association of churches, or integrated auxiliary of a church? If "Yes," complete Schedule A and stop here. Do not complete the remainder of Schedule E.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>2a</b> Are you a public charity with annual <b>gross receipts</b> that are normally \$5,000 or less? If "Yes," stop here. Answer "No" if you are a private foundation, regardless of your gross receipts.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>b</b> If your gross receipts were normally more than \$5,000, are you filing this application within 90 days from the end of the tax year in which your gross receipts were normally more than \$5,000? If "Yes," stop here.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>3a</b> Were you included as a subordinate in a group exemption application or letter? If "No," go to line 4.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>b</b> If you were included as a subordinate in a group exemption letter, are you filing this application within 27 months from the date you were notified by the organization holding the group exemption letter or the Internal Revenue Service that you cease to be covered by the group exemption letter? If "Yes," stop here.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>c</b> If you were included as a subordinate in a timely filed group exemption request that was denied, are you filing this application within 27 months from the postmark date of the Internal Revenue Service final adverse ruling letter? If "Yes," stop here.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>4</b> Were you created on or before October 9, 1969? If "Yes," stop here. Do not complete the remainder of this schedule.   | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>5</b> If you answered "No" to lines 1 through 4, we cannot recognize you as tax exempt from your date of formation unless you qualify for an extension of time to apply for exemption. Do you wish to request an extension of time to apply to be recognized as exempt from the date you were formed? If "Yes," attach a statement explaining why you did not file this application within the 27-month period. Do not answer lines 6, 7, or 8. If "No," go to line 6a. | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>6a</b> If you answered "No" to line 5, you can only be exempt under section 501(c)(3) from the postmark date of this application. Therefore, do you want us to treat this application as a request for tax exemption from the postmark date? If "Yes," you are eligible for an advance ruling. Complete Part X, line 6a. If "No," you will be treated as a private foundation.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |
| <b>Note.</b> Be sure your ruling eligibility agrees with your answer to Part X, line 6.  |                                     |                                    |
| <b>b</b> Do you anticipate significant changes in your sources of support in the future? If "Yes," complete line 7 below.  | <input type="checkbox"/> <b>Yes</b> | <input type="checkbox"/> <b>No</b> |

**Schedule E. Organizations Not Filing Form 1023 Within 27 Months of Formation** *(Continued)*

**7** Complete this item only if you answered "Yes" to line 6b. Include projected revenue for the first two full years following the current tax year.

Type of Revenue	Projected revenue for 2 years following current tax year		
	(a) From _____ To	(b) From _____ To	(c) Total
<b>1</b> Gifts, grants, and contributions received (do not include unusual grants)			
<b>2</b> Membership fees received			
<b>3</b> Gross investment income			
<b>4</b> Net unrelated business income			
<b>5</b> Taxes levied for your benefit			
<b>6</b> Value of services or facilities furnished by a governmental unit without charge (not including the value of services generally furnished to the public without charge)			
<b>7</b> Any revenue not otherwise listed above or in lines 9–12 below (attach an itemized list)			
<b>8</b> Total of lines 1 through 7			
<b>9</b> Gross receipts from admissions, merchandise sold, or services performed, or furnishing of facilities in any activity that is related to your exempt purposes (attach itemized list)			
<b>10</b> Total of lines 8 and 9			
<b>11</b> Net gain or loss on sale of capital assets (attach an itemized list)			
<b>12</b> Unusual grants			
<b>13</b> Total revenue. Add lines 10 through 12			

**8** According to your answers, you are only eligible for tax exemption under section 501(c)(3) from the postmark date of your application. However, you may be eligible for tax exemption under section 501(c)(4) from your date of formation to the postmark date of the Form 1023. Tax exemption under section 501(c)(4) allows exemption from federal income tax, but generally not deductibility of contributions under Code section 170. Check the box at right if you want us to treat this as a request for exemption under 501(c)(4) from your date of formation to the postmark date.

Attach a completed Page 1 of Form 1024, Application for Recognition of Exemption Under Section 501(a), to this application.

**Schedule F. Homes for the Elderly or Handicapped and Low-Income Housing****Section I General Information About Your Housing**

1 Describe the type of housing you provide.

2 Provide copies of any application forms you use for admission.

3 Explain how the public is made aware of your facility.

4a Provide a description of each facility.

b What is the total number of residents each facility can accommodate?

c What is your current number of residents in each facility?

d Describe each facility in terms of whether residents rent or purchase housing from you.

5 Attach a sample copy of your residency or homeownership contract or agreement.

6 Do you participate in any joint ventures? If "Yes," state your ownership percentage in each joint venture, list your investment in each joint venture, describe the tax status of other participants in each joint venture (including whether they are section 501(c)(3) organizations), describe the activities of each joint venture, describe how you exercise control over the activities of each joint venture, and describe how each joint venture furthers your exempt purposes. Also, submit copies of all joint venture agreements.  Yes  No

**Note.** Make sure your answer is consistent with the information provided in Part VIII, line 8.

7 Do you or will you contract with another organization to develop, build, market, or finance your housing? If "Yes," explain how that entity is selected, explain how the terms of any contract(s) are negotiated at arm's length, and explain how you determine you will pay no more than fair market value for services.  Yes  No

**Note.** Make sure your answer is consistent with the information provided in Part VIII, line 7a.

8 Do you or will you manage your activities or facilities through your own employees or volunteers? If "No," attach a statement describing the activities that will be managed by others, the names of the persons or organizations that manage or will manage your activities or facilities, and how these managers were or will be selected. Also, submit copies of any contracts, proposed contracts, or other agreements regarding the provision of management services for your activities or facilities. Explain how the terms of any contracts or other agreements were or will be negotiated, and explain how you determine you will pay no more than fair market value for services.  Yes  No

**Note.** Answer "Yes" if you do manage or intend to manage your programs through your own employees or by using volunteers. Answer "No" if you engage or intend to engage a separate organization or independent contractor. Make sure your answer is consistent with the information provided in Part VIII, line 7b.

9 Do you participate in any government housing programs? If "Yes," describe these programs.  Yes  No

10a Do you own the facility? If "No," describe any enforceable rights you possess to purchase the facility in the future; go to line 10c. If "Yes," answer line 10b.  Yes  No

b How did you acquire the facility? For example, did you develop it yourself, purchase a project, etc. Attach all contracts, transfer agreements, or other documents connected with the acquisition of the facility.

c Do you lease the facility or the land on which it is located? If "Yes," describe the parties to the lease(s) and provide copies of all leases.  Yes  No

**Schedule F. Homes for the Elderly or Handicapped and Low-Income Housing** (Continued)**Section II Homes for the Elderly or Handicapped**

- 1a** Do you provide housing for the elderly? If "Yes," describe who qualifies for your housing in terms of age, infirmity, or other criteria and explain how you select persons for your housing.  **Yes**  **No**
- b** Do you provide housing for the handicapped? If "Yes," describe who qualifies for your housing in terms of disability, income levels, or other criteria and explain how you select persons for your housing.  **Yes**  **No**
- 
- 2a** Do you charge an entrance or founder's fee? If "Yes," describe what this charge covers, whether it is a one-time fee, how the fee is determined, whether it is payable in a lump sum or on an installment basis, whether it is refundable, and the circumstances, if any, under which it may be waived.  **Yes**  **No**
- b** Do you charge periodic fees or maintenance charges? If "Yes," describe what these charges cover and how they are determined.  **Yes**  **No**
- c** Is your housing affordable to a significant segment of the elderly or handicapped persons in the community? Identify your **community**. Also, if "Yes," explain how you determine your housing is affordable.  **Yes**  **No**
- 
- 3a** Do you have an established policy concerning residents who become unable to pay their regular charges? If "Yes," describe your established policy.  **Yes**  **No**
- b** Do you have any arrangements with government welfare agencies or others to absorb all or part of the cost of maintaining residents who become unable to pay their regular charges? If "Yes," describe these arrangements.  **Yes**  **No**
- 
- 4** Do you have arrangements for the healthcare needs of your residents? If "Yes," describe these arrangements.  **Yes**  **No**
- 
- 5** Are your facilities designed to meet the physical, emotional, recreational, social, religious, and/or other similar needs of the elderly or handicapped? If "Yes," describe these design features.  **Yes**  **No**

**Section III Low-Income Housing**

- 1** Do you provide low-income housing? If "Yes," describe who qualifies for your housing in terms of income levels or other criteria, and describe how you select persons for your housing.  **Yes**  **No**
- 
- 2** In addition to rent or mortgage payments, do residents pay periodic fees or maintenance charges? If "Yes," describe what these charges cover and how they are determined.  **Yes**  **No**
- 
- 3a** Is your housing affordable to low income residents? If "Yes," describe how your housing is made affordable to low-income residents.  **Yes**  **No**
- Note.** Revenue Procedure 96-32, 1996-1 C.B. 717, provides guidelines for providing low-income housing that will be treated as charitable. (At least 75% of the units are occupied by low-income tenants or 40% are occupied by tenants earning not more than 120% of the very low-income levels for the area.)
- b** Do you impose any restrictions to make sure that your housing remains affordable to low-income residents? If "Yes," describe these restrictions.  **Yes**  **No**
- 
- 4** Do you provide social services to residents? If "Yes," describe these services.  **Yes**  **No**

**Schedule G. Successors to Other Organizations**

- 1a** Are you a **successor** to a **for-profit organization**? If "Yes," explain the relationship with the **predecessor** organization that resulted in your creation and complete line 1b.  **Yes**     **No**
- b** Explain why you took over the activities or assets of a for-profit organization or converted from for-profit to nonprofit status.

- 2a** Are you a successor to an organization other than a for-profit organization? Answer "Yes" if you have taken or will take over the activities of another organization; or you have taken or will take over 25% or more of the fair market value of the net assets of another organization. If "Yes," explain the relationship with the other organization that resulted in your creation.  **Yes**     **No**
- b** Provide the tax status of the predecessor organization.  **Yes**     **No**
- c** Did you or did an organization to which you are a successor previously apply for tax exemption under section 501(c)(3) or any other section of the Code? If "Yes," explain how the application was resolved.  **Yes**     **No**
- d** Was your prior tax exemption or the tax exemption of an organization to which you are a successor revoked or suspended? If "Yes," explain. Include a description of the corrections you made to re-establish tax exemption.  **Yes**     **No**
- e** Explain why you took over the activities or assets of another organization.

**3** Provide the name, last address, and EIN of the predecessor organization and describe its activities.  
**Name:** \_\_\_\_\_ **EIN:** \_\_\_\_\_  
**Address:** \_\_\_\_\_

**4** List the owners, partners, principal stockholders, officers, and governing board members of the predecessor organization. Attach a separate sheet if additional space is needed.

Name	Address	Share/Interest (If a for-profit)

- 5** Do or will any of the persons listed in line 4, maintain a working relationship with you? If "Yes," describe the relationship in detail and include copies of any agreements with any of these persons or with any for-profit organizations in which these persons own more than a 35% interest.  **Yes**     **No**
- 6a** Were any assets transferred, whether by gift or sale, from the predecessor organization to you? If "Yes," provide a list of assets, indicate the value of each asset, explain how the value was determined, and attach an appraisal, if available. For each asset listed, also explain if the transfer was by gift, sale, or combination thereof.  **Yes**     **No**
- b** Were any restrictions placed on the use or sale of the assets? If "Yes," explain the restrictions.  **Yes**     **No**
- c** Provide a copy of the agreement(s) of sale or transfer.

**7** Were any debts or liabilities transferred from the predecessor for-profit organization to you? If "Yes," provide a list of the debts or liabilities that were transferred to you, indicating the amount of each, how the amount was determined, and the name of the person to whom the debt or liability is owed.  **Yes**     **No**

**8** Will you lease or rent any property or equipment previously owned or used by the predecessor for-profit organization, or from persons listed in line 4, or from for-profit organizations in which these persons own more than a 35% interest? If "Yes," submit a copy of the lease or rental agreement(s). Indicate how the lease or rental value of the property or equipment was determined.  **Yes**     **No**

**9** Will you lease or rent property or equipment to persons listed in line 4, or to for-profit organizations in which these persons own more than a 35% interest? If "Yes," attach a list of the property or equipment, provide a copy of the lease or rental agreement(s), and indicate how the lease or rental value of the property or equipment was determined.  **Yes**     **No**

**Schedule H. Organizations Providing Scholarships, Fellowships, Educational Loans, or Other Educational Grants to Individuals and Private Foundations Requesting Advance Approval of Individual Grant Procedures**

**Section I** *Names of individual recipients are not required to be listed in Schedule H.*

**Public charities and private foundations complete lines 1a through 7 of this section. See the instructions to Part X if you are not sure whether you are a public charity or a private foundation.**

- 1a Describe the types of educational grants you provide to individuals, such as scholarships, fellowships, loans, etc.
  - b Describe the purpose and amount of your scholarships, fellowships, and other educational grants and loans that you award.
  - c If you award educational loans, explain the terms of the loans (interest rate, length, forgiveness, etc.).
  - d Specify how your program is publicized.
  - e Provide copies of any solicitation or announcement materials.
  - f Provide a sample copy of the application used.
- 
- 2 Do you maintain case histories showing recipients of your scholarships, fellowships, educational loans, or other educational grants, including names, addresses, purposes of awards, amount of each grant, manner of selection, and relationship (if any) to officers, trustees, or donors of funds to you? If "No," refer to the instructions.  Yes  No
- 
- 3 Describe the specific criteria you use to determine who is eligible for your program. (For example, eligibility selection criteria could consist of graduating high school students from a particular high school who will attend college, writers of scholarly works about American history, etc.)
- 
- 4a Describe the specific criteria you use to select recipients. (For example, specific selection criteria could consist of prior academic performance, financial need, etc.)
- b Describe how you determine the number of grants that will be made annually.
  - c Describe how you determine the amount of each of your grants.
  - d Describe any requirement or condition that you impose on recipients to obtain, maintain, or qualify for renewal of a grant. (For example, specific requirements or conditions could consist of attendance at a four-year college, maintaining a certain grade point average, teaching in public school after graduation from college, etc.)
- 
- 5 Describe your procedures for supervising the scholarships, fellowships, educational loans, or other educational grants. Describe whether you obtain reports and grade transcripts from recipients, or you pay grants directly to a school under an arrangement whereby the school will apply the grant funds only for enrolled students who are in good standing. Also, describe your procedures for taking action if the terms of the award are violated.
- 
- 6 Who is on the selection committee for the awards made under your program, including names of current committee members, criteria for committee membership, and the method of replacing committee members?
- 
- 7 Are relatives of members of the selection committee, or of your officers, directors, or **substantial contributors** eligible for awards made under your program? If "Yes," what measures are taken to ensure unbiased selections?  Yes  No

**Note.** If you are a private foundation, you are not permitted to provide educational grants to **disqualified persons**. Disqualified persons include your substantial contributors and foundation managers and certain family members of disqualified persons.

**Section II** **Private foundations complete lines 1a through 4f of this section. Public charities do not complete this section.**

- 1a If we determine that you are a private foundation, do you want this application to be considered as a request for advance approval of grant making procedures?  Yes  No  N/A
  - b For which section(s) do you wish to be considered?
    - 4945(g)(1)—Scholarship or fellowship grant to an individual for study at an educational institution
    - 4945(g)(3)—Other grants, including loans, to an individual for travel, study, or other similar purposes, to enhance a particular skill of the grantee or to produce a specific product
- 
- 2 Do you represent that you will (1) arrange to receive and review grantee reports annually and upon completion of the purpose for which the grant was awarded, (2) investigate diversions of funds from their intended purposes, and (3) take all reasonable and appropriate steps to recover diverted funds, ensure other grant funds held by a grantee are used for their intended purposes, and withhold further payments to grantees until you obtain grantees' assurances that future diversions will not occur and that grantees will take extraordinary precautions to prevent future diversions from occurring?  Yes  No
- 
- 3 Do you represent that you will maintain all records relating to individual grants, including information obtained to evaluate grantees, identify whether a grantee is a disqualified person, establish the amount and purpose of each grant, and establish that you undertook the supervision and investigation of grants described in line 2?  Yes  No



**Schedule H. Organizations Providing Scholarships, Fellowships, Educational Loans, or Other Educational Grants to Individuals and Private Foundations Requesting Advance Approval of Individual Grant Procedures (Continued)**

**Section II Private foundations complete lines 1a through 4f of this section. Public charities do not complete this section. (Continued)**

- 4a Do you or will you award scholarships, fellowships, and educational loans to attend an educational institution based on the status of an individual being an *employee of a particular employer*? If "Yes," complete lines 4b through 4f.  Yes  No
  
- b Will you comply with the seven conditions and either the percentage tests or facts and circumstances test for scholarships, fellowships, and educational loans to attend an educational institution as set forth in Revenue Procedures 76-47, 1976-2 C.B. 670, and 80-39, 1980-2 C.B. 772, which apply to inducement, selection committee, eligibility requirements, objective basis of selection, employment, course of study, and other objectives? (See lines 4c, 4d, and 4e, regarding the percentage tests.)  Yes  No
  
- c Do you or will you provide scholarships, fellowships, or educational loans to attend an educational institution to employees of a particular employer?  Yes  No  N/A  
 If "Yes," will you award grants to 10% or fewer of the eligible applicants who were actually considered by the selection committee in selecting recipients of grants in that year as provided by Revenue Procedures 76-47 and 80-39?  Yes  No
  
- d Do you provide scholarships, fellowships, or educational loans to attend an educational institution to children of employees of a particular employer?  Yes  No  N/A  
 If "Yes," will you award grants to 25% or fewer of the eligible applicants who were actually considered by the selection committee in selecting recipients of grants in that year as provided by Revenue Procedures 76-47 and 80-39? If "No," go to line 4e.  Yes  No
  
- e If you provide scholarships, fellowships, or educational loans to attend an educational institution to children of employees of a particular employer, will you award grants to 10% or fewer of the number of employees' children who can be shown to be eligible for grants (whether or not they submitted an application) in that year, as provided by Revenue Procedures 76-47 and 80-39?  Yes  No  N/A  
  
 If "Yes," describe how you will determine who can be shown to be eligible for grants without submitting an application, such as by obtaining written statements or other information about the expectations of employees' children to attend an educational institution. If "No," go to line 4f.
  
- Note.** Statistical or sampling techniques are not acceptable. See Revenue Procedure 85-51, 1985-2 C.B. 717, for additional information.
  
- f If you provide scholarships, fellowships, or educational loans to attend an educational institution to *children of employees of a particular employer* without regard to either the 25% limitation described in line 4d, or the 10% limitation described in line 4e, will you award grants based on facts and circumstances that demonstrate that the grants will not be considered compensation for past, present, or future services or otherwise provide a significant benefit to the particular employer? If "Yes," describe the facts and circumstances that you believe will demonstrate that the grants are neither compensatory nor a significant benefit to the particular employer. In your explanation, describe why you cannot satisfy either the 25% test described in line 4d or the 10% test described in line 4e.  Yes  No

# Form 1023 Checklist

(Revised June 2006)

## Application for Recognition of Exemption under Section 501(c)(3) of the Internal Revenue Code

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**Note.** Retain a copy of the completed Form 1023 in your permanent records. Refer to the General Instructions regarding Public Inspection of approved applications.

**Check each box to finish your application (Form 1023). Send this completed Checklist with your filled-in application. If you have not answered all the items below, your application may be returned to you as incomplete.**

- Assemble the application and materials in this order:
- Form 1023 Checklist
  - Form 2848, *Power of Attorney and Declaration of Representative* (if filing)
  - Form 8821, *Tax Information Authorization* (if filing)
  - Expedite request (if requesting)
  - Application (Form 1023 and Schedules A through H, as required)
  - Articles of organization
  - Amendments to articles of organization in chronological order
  - Bylaws or other rules of operation and amendments
  - Documentation of nondiscriminatory policy for schools, as required by Schedule B
  - Form 5768, *Election/Revocation of Election by an Eligible Section 501(c)(3) Organization To Make Expenditures To Influence Legislation* (if filing)
  - All other attachments, including explanations, financial data, and printed materials or publications. Label each page with name and EIN.
- User fee payment placed in envelope on top of checklist. DO NOT STAPLE or otherwise attach your check or money order to your application. Instead, just place it in the envelope.
- Employer Identification Number (EIN)
- Completed Parts I through XI of the application, including any requested information and any required Schedules A through H.
- You must provide specific details about your past, present, and planned activities.
  - Generalizations or failure to answer questions in the Form 1023 application will prevent us from recognizing you as tax exempt.
  - Describe your purposes and proposed activities in specific easily understood terms.
  - Financial information should correspond with proposed activities.
- Schedules. Submit only those schedules that apply to you and check either "Yes" or "No" below.
- |            |                |            |                |
|------------|----------------|------------|----------------|
| Schedule A | Yes ___ No ___ | Schedule E | Yes ___ No ___ |
| Schedule B | Yes ___ No ___ | Schedule F | Yes ___ No ___ |
| Schedule C | Yes ___ No ___ | Schedule G | Yes ___ No ___ |
| Schedule D | Yes ___ No ___ | Schedule H | Yes ___ No ___ |

- An exact copy of your complete articles of organization (creating document). Absence of the proper purpose and dissolution clauses is the number one reason for delays in the issuance of determination letters.
  - Location of Purpose Clause from Part III, line 1 (Page, Article and Paragraph Number) \_\_\_\_\_
  - Location of Dissolution Clause from Part III, line 2b or 2c (Page, Article and Paragraph Number) or by operation of state law \_\_\_\_\_
- Signature of an officer, director, trustee, or other official who is authorized to sign the application.
  - Signature at Part XI of Form 1023.
- Your name on the application must be the same as your legal name as it appears in your articles of organization.

Send completed Form 1023, user fee payment, and all other required information, to:

Internal Revenue Service  
P.O. Box 192  
Covington, KY 41012-0192

If you are using express mail or a delivery service, send Form 1023, user fee payment, and attachments to:

Internal Revenue Service  
201 West Rivercenter Blvd.  
Attn: Extracting Stop 312  
Covington, KY 41011

INTERNAL REVENUE SERVICE  
DISTRICT DIRECTOR  
PO BOX 2508  
CINCINNATI, OH 45201

Date: JUL 07 2010

Hollywood Drama Booster Club  
PO Box 227  
Famousfaces, TX 90210

Employer Identification Number:  
76-9999999

DLN:  
999999999999999

Contact Person:  
John Moneybags ID# 99999

Contact Telephone Number:  
(225) 333-4444

Accounting Period Ending:  
June 30

Foundation Status Classification:  
509(a)(2)

Dear Applicant:

Based on information you supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

Because you are a newly created organization, we are not now making a final determination of your foundation status under section 509(a) of the Code. However, we have determined that you can reasonably expect to be a publicly supported organization described in section 509(a)(2).

Accordingly, during an advance ruling period you will be treated as a publicly supported organization, and not as a private foundation. This advance ruling period begins and ends on the dates shown above.

Within 90 days after the end of your advance ruling period, you must send us the information needed to determine whether you have met the requirements of the applicable support test during the advance ruling period. If you establish that you have been a publicly supported organization, we will classify you as a section 509(a)(1) or 509(a)(2) organization as long as you continue to meet the requirements of the applicable support test. If you do not meet the public support requirements during the advance ruling period, we will classify you as a private foundation for future periods. Also, if we classify you as a private foundation, we will treat you as a private foundation from your beginning date for purposes of section 507(d) and 4940.

Grantors and contributors may rely on our determination that you are not a private foundation until 90 days after the end of your advance ruling period. If you send us the required information within the 90 days, grantors and contributors may continue to rely on the advance determination until we make a final determination of your foundation status.

Letter 1045 (DO/CG)

If we publish a notice in the Internal Revenue Bulletin stating that we will no longer treat you as a publicly supported organization, grantors and contributors may not rely on this determination after the date we publish the notice. In addition, if you lose your status as a publicly supported organization, and a grantor or contributor was responsible for, or was aware of, the act or failure to act, that resulted in your loss of such status, that person may not rely on this determination from the date of the act or failure to act. Also, if a grantor or contributor learned that we had given notice that you would be removed from classification as a publicly supported organization, then that person may not rely on this determination as of the date he or she acquired such knowledge.

If you change your sources of support, your purposes, character, or method of operation, please let us know so we can consider the effect of the change on your exempt status and foundation status. If you amend your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, let us know all changes in your name or address.

As of January 1, 1984, you are liable for social security taxes under the Federal Insurance Contributions Act on amounts of \$100 or more you pay to each of your employees during a calendar year. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Organizations that are not private foundations are not subject to the private foundation excise taxes under Chapter 42 of the Internal Revenue Code. However, you are not automatically exempt from other federal excise taxes. If you have any questions about excise, employment, or other federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Internal Revenue Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of sections 2055, 2106, and 2522 of the Code.

Donors may deduct contributions to you only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, gives guidelines regarding when taxpayers may deduct payments for admission to, or other participation in, fundraising activities for charity.

You are not required to file Form 990, Return of Organization Exempt From Income Tax, if your gross receipts each year are normally \$25,000 or less. If you receive a Form 990 package in the mail, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return. Because you will be treated as a public charity for return filing purposes during your entire advance ruling period, you should file Form 990 for each year in your advance ruling period that you exceed the \$25,000 filing threshold even if your sources of support do not satisfy the public support test specified in the heading of this letter.

Letter 1045  
(DO/CG)

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$20 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$10,000 or 5 percent of your gross receipts for the year, whichever is less. For organizations with gross receipts exceeding \$1,000,000 in any year, the penalty is \$100 per day per return, unless there is reasonable cause for the delay. The maximum penalty for an organization with gross receipts exceeding \$1,000,000 shall not exceed \$50,000. This penalty may also be charged if a return is not complete. So, please be sure your return is complete before you file it.

You are not required to file federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-T, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You are required to make your annual return available for public inspection for three years after the return is due. You are also required to make available a copy of your exemption application, any supporting documents, and this exemption letter. Failure to make these documents available for public inspection may subject you to a penalty of \$20 per day for each day there is a failure to comply (up to a maximum of \$10,000 in the case of an annual return).

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, we will assign a number to you and advise you of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

If you distribute funds to individuals, you should keep case histories showing the recipients names, addresses, purposes of awards, manner of selection, and relationship (if any) to members, officers, trustees or donors of funds to you, so that you can substantiate upon request by the Internal Revenue Service any and all distributions you made to individuals. (Revenue Ruling 56-304, C.E. 1956-2, page 306.)

If we said in the heading of this letter that an addendum applies, the addendum enclosed is an integral part of this letter.

Because this letter could help us resolve any questions about your exempt status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

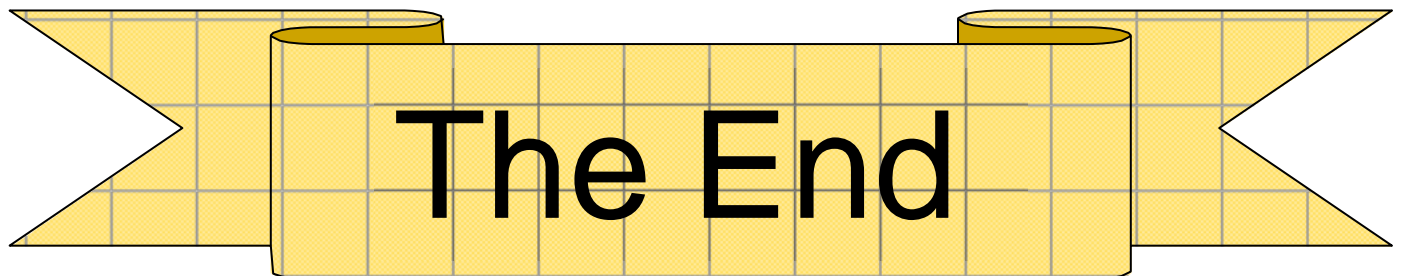
Sincerely yours,

Enclosure(s):  
Form 872-C

Example

We hope these guidelines have helped your organization with the various processes involved in becoming a Parent Organization/Booster Club and with being in compliance with the appropriate agencies. Please contact our office if you have any questions or need further assistance.

Thank you for the support you provide to our students and campuses!





# Fort Bend Independent School District

## Vision

*FBISD continuously improves teaching and learning by developing effective staff and building scalable systems.*

## Mission

*FBISD exists to inspire and equip all students to pursue futures beyond what they can imagine.*

### Fort Bend ISD 2021-2022 Board of Trustees

**Dave Rosenthal**.....*President*

**Jim Rice**.....*Vice President*

**Dr. Shirley Rose-Gilliam**.....*Secretary*

**Judy Dae**.....*Member*

**Kristen Davison Malone**.....*Member*

**Angie Hanan**.....*Member*

**Denetta Williams**.....*Member*

