

Michigan State University Extension Children and Youth Institute 4-H Youth Development East Lansing, Michigan

February 2012



### Acknowledgments

This document was a

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response to a variety of legislation such as the Patriot Act and the 2006	Becoming an Authorized 4-H Group1 The Authorization Process1
Pension Protection Act. Measures such as these	Employer Identification Numbers (EINs)2
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Priscilla Martin, Editor, MSU Extension 4-H Youth Development originally developed this information in 2007 and revised it in 2008 and 2012. Priscilla Martin designed it.	Frequently Asked Questions8EINs8Charters8IRS Reporting84-H Tax-Exempt Status94-H Clubs or Groups That Disband9
We extend our appreciation to all of the county staff who piloted this document and who have continued to ask insightful questions.	Appendices – Sample Forms10Completed SS-4 Form11Request for Official Approval to Establish a Michigan4-H Youth Group12Order Form for Michigan 4-H Charters13
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Agriculture. Thomas G. Coon, Director, MSU Extension, East Lansing, MI 48824. This information is for educational purposes only. Reference to commercial products or trade names does not imply endorsement by MSU Extension or bias against those not mentioned. The name "4-H" and the emblem consisting of a four-leaf clover with stem and the "H" on each leaflet are protected under Title 18 U.S.C. 707. 3P-02:12-MSUE-PJM

# **Becoming an Authorized 4-H Group**

## The Authorization Process

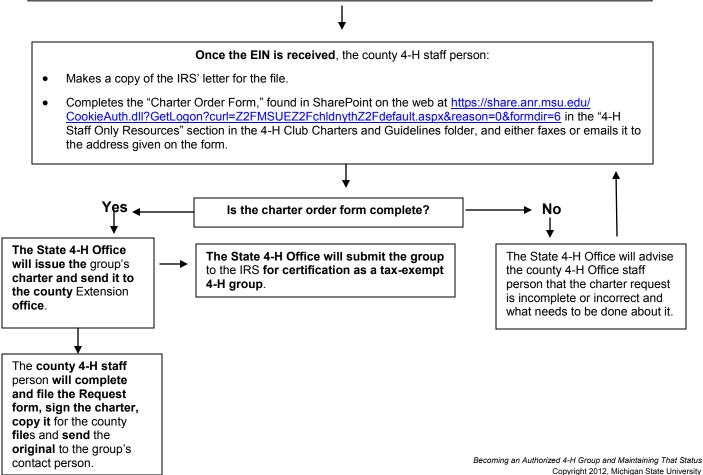
All 4-H entities (such as clubs, councils, boards and committees) must go through an authorization process in order to operate under the name of 4-H and receive tax-exempt, nonprofit status with the Internal Revenue Service (IRS). The authorization process consists of three parts:

- 1. Obtaining an Employer Identification Number (EIN)
- 2. Receiving a 4-H charter
- 3. Having Michigan State University certify to the IRS that it is a 4-H entity.

The procedure for becoming a certified 4-H group is illustrated in the following flow chart.

A volunteer who wishes to charter the group completes the "Request for Official Approval to Establish a Michigan 4-H Youth Group." This form is found on the web in the SharePoint https://share.anr.msu.edu/ CookieAuth.dll?GetLogon?curl=Z2FMSUEZ2FchldnythZ2Fdefault.aspx&reason=0&formdir=6 in the "4-H Staff Only Resources" section in the 4-H Club Charters and Guidelines folder. The group's official name must include "4-H" (e.g., "4-H Happy Clovers") so that it is absolutely clear from the group's name that this is a 4-H group.

The county 4-H staff can assist the individual in completing (or can complete) and filing an SS-4 to obtain an EIN for the proposed group.



**In summary**, the complete procedure for becoming an authorized 4-H group involves:

- A volunteer's application to the local county Extension office using the "Request for Official Approval to Establish a Michigan 4-H Youth Group"
- Obtaining an Employer Identification Number (EIN)
- A county 4-H staff person requesting a charter
- The State 4-H Office issuing a charter and submitting the group's information to the IRS for certification as a taxexempt 4-H entity

#### Being an authorized 4-H entity is beneficial because:

- Such duly authorized 4-H entities may use the 4-H name and emblem.
- Authorized 4-H entities are exempt from paying federal income tax on funds raised on behalf of 4-H to support educational programs.
- Donors who contribute to authorized 4-H entities may deduct donations such as gifts, bequests, legacies, devises or transfers under the IRS Code.

# **Employer Identification Numbers (EINs)**

Once the county Extension office makes the decision to accept a group's application to become a 4-H entity, the first step in the authorization process is to obtain an EIN for the group.

### What Is an EIN?

An EIN is the organizational equivalent of an individual's social security number.

### Which Groups Need to Get an EIN?

All 4-H groups that need a charter must first get an EIN.

### How Does a Group Acquire an EIN?

- The contact person for the group completes, dates and signs an application form (SS-4). This form may be found on the web at <u>http://www.irs.gov/pub/irs-pdf/fss4.pdf?</u> <u>portlet=3</u>. Use the sample SS-4 on page 11 to complete the form. This sample explains which questions need to be answered and how to do so.
- Fax the completed SS-4 form to (859) 669-5760 between 7:30 a.m. and 5:30 p.m. Eastern Time. An IRS representative will use the information on the SS-4 to assign the EIN number. You may also mail the completed SS-4 to EIN Operation, Cincinnati, OH 45999.
- The IRS will send you a letter with the EIN. Send the original letter to the group and keep the copy for your records.



# Charters

### What Are 4-H Charters and Why Are They Important?

**A 4-H charter**, provided by the United States Department of Agriculture (USDA), and signed by the Secretary of Agriculture, the national 4-H leader, the State 4-H leader and the county 4-H program coordinator or supervisor, **is the only document that officially recognizes a 4-H group and authorizes its use of the 4-H Name and Emblem** for the conduct of 4-H Youth Development programs.

### Which 4-H Groups Should Be Chartered?

The chart below contains general information about the kinds of groups that need charters and those that do not. It is important to consider the entire picture, when deciding whether a group needs a charter.

	Group Description	If this column has a check, the group <b>needs</b> a charter	If this column has a check, the group <b>does not</b> <b>need</b> a charter	If this column has a check, the group <b>may need</b> a charter
Туре	Club or Cloverbud group County, regional or state 4-H council, board or committee	✓ ✓		
	4-H leader association			$\checkmark$
	Foundation that expends funds exclusively for 4-H purposes			✓
	4-H camp and training center			$\checkmark$
	If the group is a:			
	Alumni association		✓	
	Event or program		$\checkmark$	
	Fair board		✓	
	Professional association		✓	
	School-enrichment program		✓	
	Single-family group		$\checkmark$	
Duration	If the group is ongoing (for more than a couple of weeks)	✓		
Leader	If the group's leader is a volunteer	✓		
Function	If the group functions to further 4-H objectives and programs	✓		
	If the group's primary function is advocacy or lobbying for 4-H		✓	
Authority	If the group functions under the direct guidance and control of Cooperative Extension	~		
	If the group functions under the authority of its own board of directors		$\checkmark$	
501(c)(3) Status	If the group has its own 501(c)(3) status		$\checkmark$	



### How Does a Group Obtain a Charter?

1. A volunteer who wishes to charter the group must obtain the "Request for Official Approval to establish a Michigan 4-H Youth Group" form from the 4-H program coordinator. The form can be found on the web in the SharePoint <u>https://share.anr.msu.edu/</u> <u>CookieAuth.dll?GetLogon?</u>

curl=Z2FMSUEZ2FchldnythZ2Fdefault.aspx&reason=0&formdir =6 "4-H Staff Only Resources" section in the "4-H Club Charters and Guidelines" folder. The volunteer completes the form and returns it to the county Extension office for processing. Remember, **the group's official name must include** "**4-H**" (e.g., "4-H Happy Clovers") so that it is absolutely clear from the name that this is a 4-H group.

- After the group obtains an EIN, the county 4-H staff person completes the "Charter Order Form" found in SharePoint on the web at <u>https://share.anr.msu.edu/CookieAuth.dll?GetLogon?</u> <u>curl=Z2FMSUEZ2FchldnythZ2Fdefault.aspx&reason=0&formdir</u> <u>=6</u> in the "4-H Staff Only Resources" section in the "4-H Club Charters and Guidelines" folder, and either faxes or emails it to the address given on the form.
- 3. Once the State 4-H Office receives a completed form, it issues a blank charter to the county office along with a copy of the request form.
- 4. The county 4-H staff person fills in the charters, gives the original to the group leader and makes a copy for the county file.

### **More Information**

For more information about using the 4-H Name and Emblem, visit the National 4-H Headquarters' web site at <u>http://www.national4-hheadquarters.gov/library/4-Hguidelines-v4-26-04.pdf</u>

# **Certification of Tax-Exempt Status With the IRS**

The third step in the process is the certification of the entity as a taxexempt 4-H group by Michigan State University. When the chartering process is completed at the State 4-H Office, the group's information will be forwarded to the IRS. A group is not recognized as an authorized, tax-exempt, 4-H entity until Michigan State University issues a formal certification letter. This means groups cannot raise funds in the name of 4-H prior to receiving their tax-exempt certification letter. If necessary, newly forming groups can begin fund-raising under the tax-exempt status of the county 4-H program until the certification letter is received. In this situation, all fund-raising materials would need to reflect the (your county name) County 4-H Program, not the XYZ 4-H Club, as the fund-raising entity.

# Maintaining a 4-H Group's Tax-Exempt Status With the IRS

There are really only two things necessary for a 4-H group to maintain its tax-exempt status with the IRS. **Each year, it needs to report:** 

- To the local 4-H Office any changes in its legal name or contact person. The county staff person then faxes, sends or emails that information to the State 4-H Office. The county staff person should also report to the State 4-H Office any group that has dissolved. These changes, as well, as new charter requests, may be sent to the State 4-H Office at any time during the year.
- Its annual gross receipts to the IRS. For most groups, this means the county 4-H staff person will file a 990-N (epostcard) for them. Groups with more than \$50,000 in annual gross receipts for three consecutive years must file an IRS 990 or IRS 990-EZ form. Due to the forms' complexity, they should be completed by an accountant. Determining what to file is explained below.

If the group raises:	It needs to file:
\$0 - \$49,999	<b>Form 990-N</b> , "Electronic Notice <b>(e-postcard)</b> for Tax-Exempt Organizations Not Required To File Form 990 or 990-EZ"
\$50,000 or more	<ul> <li>Either:</li> <li>Form 990, "Return of Organization Exempt From Income Tax"</li> </ul>
	<ul> <li>Form 990-EZ, "Short Form Return of Organization Exempt from Income Tax"</li> </ul>

# What Will a County Extension Office Need to Know and Do to File an E-Postcard?

The IRS has developed an electronic filing system (there is no paper form) for the e-postcard. To complete the electronic filing requirement, each county Extension office will need to have the following information about all authorized 4-H entities:

- EIN
- **Tax year** (do not try to change what appears there)
- Whether your group has dissolved ("terminated" is the word the IRS uses) during the year
- That gross annual receipts are less than \$50,000
- Legal name (as it appears on the charter or on the SS-4 when it applied for its Employer Identification Number [EIN]) which goes on the "DBA name" line

- Other names used (if applicable), a club leader or the president or treasurer of a council, board or committee)
- Mailing address (use your county Extension office mailing address)
- Web site address (if applicable)
- Name of principal officer (use the group's principal contact, a club leader or the president or treasurer of a council, board or committee)
- **Principal officer's address** (use your county Extension office mailing address)

# All of this information should be found in the group's files in the county Extension office.

**To file an e-postcard**, go to <u>http://epostcard.form990.org</u>. There you will find instructions to:

- 1. Register as a new user. Be sure to register as a "preparer."
- 2. Create and submit your e-postcards.
- 3. You will need to log in using the group's EIN. Once you have completed one group's e-postcard, you will **print** the response you get from the IRS **and** go on to the next group.

# When Is the Filing Deadline for a Michigan 4-H Group?

To ensure compliance of all Michigan 4-H groups, **county MSUE** offices are asked to take responsibility for filing the IRS 990 e-postcard for all groups each December or January. This should be done as a part of the county's reenrollment process. At that time, you will report your groups' annual gross receipts for September through August of the previous year. Groups that meet the IRS requirements for filing Form 990 or 990-EZ must continue to file this report on an annual basis.

### System Requirements and Tips for Using the E-Postcard Web Site

The following are just a few words about the system that is required and technical tips to work on the epostcard site.

- 1. To enter the e-postcard site, you must use one of the following Window-based browsers:
  - Microsoft Internet Explorer (version 5.5 or newer)
  - Mozilla Firefox (version 1.0 or newer)
  - Netscape version 6.2 or newer
- 2. Use the "Next" and "Previous" buttons to move through the pages because using the "Back" or "Forward" buttons on your browser may cause you to lose changes you have made.
- 3. Save your work frequently so you do not lose changes due to technological glitches or inactivity.



# **Dissolving a 4-H Club or Group**

When a 4-H club or group disbands (which it may do for a variety of reasons), there are, naturally, some procedures to be completed. However, as may be seen in the following checklist, the process begins before the group decides to dissolve.

### **Deciding What to Do**

Has the club or group's membership (volunteers, members and parents) held a meeting(s) to explore options for continuing with changes? For example, could the club or group continue:

- Under different leadership?
- By dividing into smaller clubs or groups, if it has gotten too large to function effectively?
- By changing the group's focus to better meet the current membership's needs?

Has the group's membership reached agreement that discontinuation is the best alternative?

#### If the Decision Is Made to Disband

Has the group's administrative leader submitted written documentation of the 4-H club or group's intent to dissolve to the county Extension office? If so, keep this documentation on file in the county office.

\_ Have you sent a letter to the club or group's current members notifying them of the decision? This letter should include information about options for joining other clubs or groups.

Has the disbanding group discussed how it would like its financial and noncash assets used within the county 4-H program? There are detailed instructions in the *Michigan 4-H Treasurer's Record Book* (in a section entitled "Disbanded Group Treasury"), found on the web at <a href="http://expeng.anr.msu.edu/sites/4h/resources/4H1203Web.pdf">http://expeng.anr.msu.edu/sites/4h/resources/4H1203Web.pdf</a>. Have you sent confirmation of decisions about disbursement of cash and noncash assets to all club or group

members?

### **Closing Out the Club or Group**

Have the members and volunteers of the disbanding group been placed with new 4-H clubs and groups, as appropriate?

Have a final financial report and all club financial records (i.e., treasurer's records, club minutes, bank statements, checkbook, etc.) been compiled and submitted to the local MSU Extension office?

Has a final inventory list of noncash club assets been compiled and submitted to the local MSU Extension office?
 Have the club or group's bank accounts been closed and its financial assets turned in to the local MSU Extension office?

\_\_\_\_ Have the group's noncash assets been delivered to the local MSU Extension office?

Have you notified the State 4-H Office so that it can, in turn, report the group's dissolution to the IRS?

Have you filed a final e-postcard for the group? To do so, you will simply complete the e-postcard and check the box that indicates the group dissolved or is inactive.

Have you filed documentation of decisions about financial and noncash asset disbursement in the club or group's file?

\_\_\_\_ Have you moved the club or group's file to the inactive list?

### EINs

#### Q. What is an EIN?

**A.** An EIN is the organizational equivalent of an individual's social security number.

#### Q. Which groups need to get an EIN?

**A. All 4-H groups that need a charter** must first get an EIN.

#### Q. Why is an EIN necessary?

**A.** It is the unique, numeric identifier that a group uses to obtain a charter, open a bank account and to file its appropriate IRS paperwork. The State 4-H Office uses the EIN to add or delete groups, and to make changes, to the tax-exempt list it submits to Michigan State University and the IRS. The IRS uses an EIN to verify the tax-exempt status of individual 4-H groups.

# Q. Why can't we apply for our EINs online? How about applying by telephone?

**A.** Currently, the IRS' online application system does not allow us to enter a Group Exemption Number (GEN) which identifies the group as belonging to 4-H. In addition, the online application system requires giving out a social security number. We do not recommend you apply by telephone because, **in some cases**, the IRS representative also insists on receiving a social security number. We have also heard of instances in which the IRS representative refused to accept applications over the telephone, or would only do a limited number of them.

# Q. What is the procedure for an existing 4-H group that wants to change its name or contact person?

**A.** Fax or send changes to the State 4-H Office. The State 4-H Office will forward the request to make these changes to the IRS.

#### Q. How do I report a group that has dissolved?

**A.** You may report a dissolved group to the State 4-H Office by using the same method discussed above. The State 4-H Office will follow the same

### Charters

# Q. What are 4-H charters and why are they important?

**A. 4-H charter**, provided by the United States Department of Agriculture (USDA) and signed by the Secretary of Agriculture, the national 4-H leader, the State 4-H leader and the county Extension educator representative, **is the only document that officially recognizes a 4-H group and authorizes its use of the 4-H Name and Emblem** for the conduct of 4-H Youth Development programs.

#### Q. What happens to the charter if the 4-H group:

- Changes names? The county needs to request a new charter.
- **Disbands**? The county needs to revoke the charter.
- Does not have a valid charter? It cannot be recognized as a valid 4-H group and it will lose its tax- exempt status.

## Q. Can an EIN be placed on a charter so that all of the information is in one place?

**A.** Yes, when filling in a blank charter, the county staff may enter the EIN after the group's name on the face of the charter.

### **IRS Reporting**

# Q. When is the filing deadline for a Michigan 4-H group?

**A.** The deadline for 4-H groups to file Form 990-N (the e-postcard) is January 15. At that time, you will need to report your groups' annual gross receipts for September through August of the previous year. Groups that meet the IRS requirements for filing Form 990 or 990-EZ must continue to file this report on an annual basis. MSU Extension offices will need to file an e-postcard for all authorized groups by January 15, each year.

#### Q. Why is filing necessary? A. Organizations that fail to file the notice on time will lose their tax-exempt status.

## Q. Will the IRS or the State 4-H Office remind me to file?

**A.** The State 4-H Office will remind county staff members of the upcoming deadline. County staff members are responsible for completing the epostcard filing for all groups by January 15 of each year.

#### Q. How will I know if the e-postcard worked?

**A.** Usually within 30 minutes of submitting a 990-N e-postcard, the IRS will email the submitter indicating whether the e-postcard was accepted or rejected.

# Q. After I hit the "submit filing to IRS" button, is there anything more I need to do?

**A.** Regardless of whether or not the attempted filing is successful, **print and file the message you receive from the IRS.** This will serve as documentation of your attempt to file.

### 4-H Tax-Exempt Status

**Q. Does tax-exempt status mean a 4-H group does not have to pay property or sales tax? A.** The tax-exempt status addresses only federal income tax and does not provide exemption from any state or local taxes such as property or sales tax. In Michigan, 4-H groups must pay sales tax on items sold. See the *Michigan 4-H Treasurer's Record Book* (4H-1203) for more information on sales tax requirements.

# 4-H Clubs or Groups That Disband

## Q. Are there special procedures to be completed when a 4-H club or group dissolves?

**A.** Yes, the procedures are described in the section entitled "Dissolving a 4-H Club or Group," found on page 7 of this publication.



# **Appendices – Sample Forms**



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#### Children and Youth Institute Michigan 4-H Youth Development Request for Official Approval to Establish a Michigan 4-H Youth Group

Chartering is the process by which Michigan State University Extension recognizes a group as belonging to Michigan 4-H Youth Development and grants it authority to use the 4-H name and emblem as long as its goal is to provide a positive, experiential and educational opportunity for and with the group's members.

INSTRUCTIONS: To apply for a 4-H charter, the organizational leader of a potential 4-H group must submit this form to the 4-H staff in the county Extension office. Groups meeting the following minimum requirements will be granted a charter.

#### The undersigned certifies the following group will:

- Be open to all without regard to race, color, national origin, sex, sexual identity, religion, age, height, weight, disability, political beliefs, sexual orientation, marital status, family status or veteran status.
- Provide a welcoming and safe environment to all members.
- Agree to follow state and county 4-H policies and procedures, and state and national 4-H guidelines for using the 4-H name and emblem.
- Have at least 5 members from 2 or more families.
- Have a volunteer leader who has successfully undergone the Michigan State University Extension Volunteer Process.
- Be appropriately structured, with a leadership team of officers.
- Have a calendar of planned educational programs and activities
- Follow all financial guidelines for 4-H groups outlined in the Michigan 4-H Treasurer's Record Book including preparing and providing to the county 4-H Extension staff an Annual Summary Financial Report for any funds raised or collected in the name of 4-H including account numbers and balances.
- Collect the 4-H member participation fees and submit them to the MSU county Extension office.
- Complete a year-end report of club activities and submit it to county Extension office.
- Complete a regular enrollment process for 4-H members and volunteers.
- In the case of group dissolution, turn over all property and funds to the county 4-H staff.

#### Proposed group name

Type of 4-H group

(e.g., afterschool, club, community, leaders' council, board, committee, school, special interest group)

Meeting location

Day, time and frequency of meetings

Group's purpose (check all that apply) □ Find and carry out ideas to help people in our community

- Learn more about
- To explore interest areas and careers through different learning activities
- Develop members' leadership skills Other

Name of volunteer leader in charge of the group \_\_\_\_

Phone number (

Email address

My signature below indicates I have read and agree to these provisions.

For 4-H Office Use Only				
Based on the information above, this group meets the requirements to	be eligible for a 4-H charter and is authorized to use the			
4-H name and emblem in connection with its program and activities and is considered an official 4-H unit of Michigan State				
University Extension.	aan araan aaraan aaraan aaraa ahaa aa ahaa aa ahaa ah			
4-H Extension staff	Date			
(Signature)				
This charter was <b>revoked</b> because the group dissolved.				
4-H Extension staff	Date			
(Signature)				

(Printed name)

Date

4-H Youth Development

Children and Youth Institute Michigan State University Extension 160 Agriculture Hall East Lansing MI 48824-1039 Phone: 517-432-7635 – Email: <u>pimartin@msu.edu</u> – Fax: 517-353-4846





\*Filing requirement 1 = annual gross receipts are expected to be more than \$50,000; filing requirement 2 = annual gross receipts are expected to be less than \$50,000