



Barry Silverberg, Executive Director
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nonprofitaustin.org

Employer’s Identification Number (EIN)

	<i>Please type responses below (space will expand as needed):</i>
Organization’s Formal Name	
Name of Key Contact Person:	
Key Contact Person Social Security Number	
Key Contact Person Phone Number	
Address of Key Contact or Organization – Please use street address not PO Box	
County of Key Contact Address	
Do you expect to have employees? And if so, how many and what month do you expect to have your first payroll	
EIN – if you already have one	

Certificate of Formation/ Articles of Incorporation (within Texas)

	<i>Please type responses below (space will expand as needed):</i>
Purposes for which being formed: e.g., "To promote understanding of	
Will this be a membership or non-membership organization (i.e., members will have right to elect the Board of Directors. <i>RECOMMENDATION: non-membership with possibility of members who pay dues and otherwise support the organization but do not have the right to vote</i>)	
Street address of the organization's registered office	
Name of the registered agent	
Name <u>and street addresses</u> of at least three (3) individuals who will serve as the initial Board of Directors	
Are any of the initial Board members related by family or business relationships? If yes, please describe that relationship.	
Organizer/ Incorporator	<i>Barry Silverberg will serve in that capacity to expedite the processing. If you prefer otherwise, the person selected will need to sign the Certificate of Formation. If so, please indicate whom that person is:</i>

IMPORTANT

Will your annual revenue exceed \$50,000 for each of your first three years?	
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Bylaws

The following is intended to gather basic information for use in drafting Proposed Bylaws. We will review the proposed bylaws in depth with you and modify at that point based on Board's decisions.

	<i>Please type responses below (space will expand as needed):</i>
If the organization has members, how does a person become a member?	
What are the voting rights and/or entitlements of a member? (e.g., vote for Board of Directors, etc.)	
What other matters will require approval by the members?	
Will there be regular membership meetings, and, if so, when? (e.g., Annual meeting, etc.)	
How can special or emergency membership meetings be called	
Are there any special specific qualifications for someone to serve on your Board of Directors?	
How many Board members do you project when you are in full operation?	
How many years will constitute a term on the Board and how many terms may a Board member serve before rotating off? <i>RECOMMENDATION: Terms of 3 years and allow up to 2 terms then 1 year off Board until eligible for re-nomination. You have the option of no term limits as well, but we encourage you to use term limits.</i>	
How many Board meetings will take place a year and at what frequency (e.g., monthly, bi-monthly, quarterly)?	
What officers will the organization have? <i>RECOMMENDATION: President, Vice-President, Secretary & Treasurer. However, one person may hold two or more offices, except that the same person cannot serve as President & Secretary.</i>	
Are there any special duties any Officer may have different than the usual duties of that office?	

<p>How many years will constitute a term for each Officer and how many terms may an Officer serve before being required to change office or no longer be an Officer <i>RECOMMENDATION: Term of 1 year and allow up to 3 terms then an Officer must vacate his or her position for at least one year before seeking re-election to another term in that particular office. S/he may be elected to a different office. You have the option of no term limits as well, but we encourage you to use term limits as this is best practice.</i></p>	
<p>What committees will the organization have (i.e., fundraising, membership)?</p>	
<p>Who will serve on the committees, how are they appointed and by whom, and how long will each member serve?</p>	
<p>What authority will the committees have?</p>	
<p>Who will have the authority to write checks for the organization? <i>RECOMMENDATION: Executive Director, President & Treasurer</i></p>	
<p>Does spending over a certain amount require approval of the board? <i>RECOMMENDATION: Amounts over \$5000</i></p>	
<p>What is the organization's fiscal year (e.g., Jan. 1-Dec. 31; Sept. 1-Aug. 30)?</p>	
<p>Other Information you would like to see incorporated in your bylaws</p>	

1023 – 501 (c) 3 IRS Application

	<i>Please type responses below (space will expand as needed):</i>
Organization's Mailing Address	
Individual's name who is authorized to submit this on behalf of the organization?	
Organization's Phone Number:	
Organization's website	
Organization's e-mail	
Date incorporated	
<p>Narrative Description of your organization (either include here or do as separate attachment,</p> <p>Describe your <i>past, present, and planned</i> 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.</p> <p>The IRS guidelines suggest: <i>“Describe completely and in detail your past, present, and planned activities. Do not refer to or repeat the purposes in your organizing document. You may refer to other parts of the application rather than repeat information provided elsewhere</i></p> <ul style="list-style-type: none"> • <i>For each past, present, or planned activity, include information that answers the following questions:</i> • <i>What is the activity?</i> • <i>Who conducts the activity?</i> • <i>When is the activity conducted?</i> • <i>Where is the activity conducted (for example: Los</i> 	

<p><i>Angeles and San Francisco, California)?</i></p> <ul style="list-style-type: none"> • <i>How does the activity further exempt purposes?</i> • <i>What percentage of your total time is allocated to the activity?</i> • <i>How is the activity funded? (This should agree with the financial data in Part IX.)</i> • <i>List any alternate names under which you operate, including any “aka” (also known as) or “dba” (doing business as) names,</i> 	
<p>List the names, titles, and mailing addresses of all of your officers, directors, and trustees; include any remuneration any may receive</p>	
<p>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</p>	
<p>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.</p>	
<p>Are any of your officers, directors, or trustees related to your highest compensated employees or highest compensated independent contractors through family or business relationships? If “Yes,” identify the individuals and explain the relationship.</p>	
<p>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.</p>	
<p>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? 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</p>	

relating to such purchases.	
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? 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.	
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? If “Yes,” provide the following information: <ul style="list-style-type: none"> • 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. • Explain how you determine you pay no more than fair market value or you are paid at least fair market value. • Attach copies of any signed leases, contracts, loans, or other agreements relating to such arrangements. 	
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?	
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	
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.	
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	

<p>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.</p>	
<p>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? If “Yes,” explain how these related individuals are eligible for goods, services, or funds.</p>	
<p>Describe your fundraising program. List all states and local jurisdictions in which you conduct fundraising.</p>	
<p>Do you or will you make grants, loans, or other distributions to organization(s)? If “Yes:” Describe how your grants, loans, or other distributions to organizations further your exempt purposes;</p> <p>Do you have written contracts with each of these organizations? If “Yes,” attach a copy of each contract.</p> <p>Identify each recipient organization and any relationship between you and the recipient organization.</p> <p>Describe the records you keep with respect to the grants, loans, or other distributions you make.</p> <p>Describe your selection process, including whether you do any of the following:</p> <ul style="list-style-type: none"> • Do you require an application form? If “Yes,” attach a copy of the form. • 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. <p>Describe your procedures for oversight of distributions that</p>	

<p>assure you the resources are used to further your exempt purposes, including whether you require periodic and final reports on the use of resources.</p>	
<p>FINANCIAL DATA – Attach actuals and budgets for your organization in keeping with the following IRS guidelines:</p> <p><i>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.</i></p>	
<p>Attach a Balance Sheet (for your most recently completed tax year)</p>	
<p>Have there been any substantial changes in your assets or liabilities since the end of the period reflected in your Balance Sheet? If yes, please explain:</p>	

<p>If forming an entity that will operate outside the US, please provide the following information, N/A if not applicable:</p>	
<p>Do you or will you operate in a foreign country or countries? If “Yes:</p> <ul style="list-style-type: none"> • Name the foreign countries and regions within the countries in which you operate; • Describe your operations in each country and region in which you operate; • Describe how your operations in each country and region further your exempt purposes 	
<p>Do you or will you make grants, loans, or other distributions to foreign organizations? If “Yes,”:</p> <ul style="list-style-type: none"> • 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. 	

- 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.
- 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.
- 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.
- 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.