

Hosted by **SCORE**  | Southern Maryland

Starting a Nonprofit Organization

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Your Presenter



Bob Whitcomb

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- 44-year business career, concluding as Controller for 25-person firm
- Community activist, serving in numerous roles for community associations, including Treasurer and President
- Founder and President of county-wide non-profit water alliance
- Past-President of Severn River Association, and led largest group of volunteer oyster growers
- Served on two County Commissions
- Member of local Rotary Club
- Treasurer and Lead Fundraiser for local SCORE Chapter

About SCORE

As a resource partner of the SBA, we help small businesses by:



Providing free
business advice
and mentoring



Offering low or
no-cost business
training



Sharing free business
templates and
resources

Request a SCORE mentor at www.score.org/find-mentor

Agenda

- Is a Nonprofit right for you?
- Create the Nonprofit Entity
- Governance & Initial Meetings
- Reporting Requirements
- Questions
- Appendix- State Specifics & Additional Resources

Before Starting a Nonprofit:

- Define overall mission and **validate the need** for the services
- Are others passionate about the idea? Willing to be board members? Volunteers?
- Determine if these **services are already supported** in the community
- Find other groups with a similar missions:
 - **Volunteer** - to gain valuable experience and knowledge
 - **Partnership** - work with the existing organization; become a chapter of a larger Nonprofit organization
 - **Fiscal sponsorship** - Consider a fiscal sponsorship - an arrangement between an NFP with 501(c)(3) tax-exempt status (the sponsor NFP) and another party without tax-exempt status. The sponsor is legally accountable for the sponsored group and some control maybe given up as a result

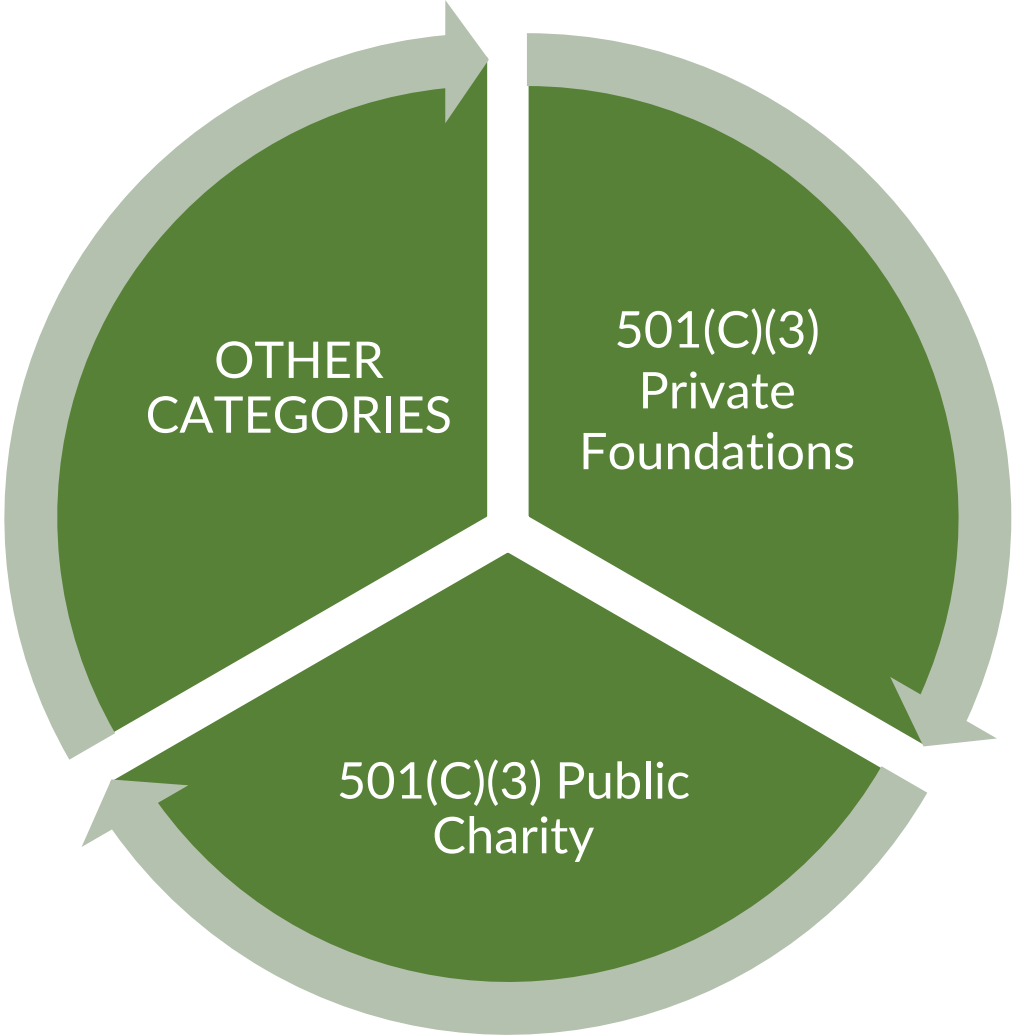
Is a Nonprofit Right for You?

- Nonprofits are organizations that are not required to pay income tax on revenues related to their purpose. They do pay income tax on unrelated business income.
- Incorporate in appropriate State; specific rules apply by state
- The Board of Directors makes all major policy decisions for the organization, including the hiring & evaluation of the CEO/Executive Director
- A founder of a nonprofit does not own or control the organization & involvement in the organization is **at the discretion of the board of directors**
- Recognized by IRS and subject to its rules such as reasonable compensation
- Must file Annual Financial Report (990) with the IRS that is available for public view
- Must report to State Regulator(s) for charitable solicitation registration & reporting

Many Types of Nonprofits

Other Categories:

- 501c4
Social Advocacy
Groups
- 501c6
Trade Association
- 501c7
Social & Sports Clubs



For Profit Entities
With a nonprofit component

Benefits Corporation (B corp)

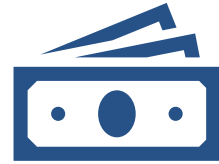
Low profit, limited liability
company LC3 company

And all other for-profit legal
entities, if they want to make
charitable donations.

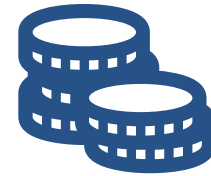
Public Charities 501(c)(3)



Serve a charitable, religious, educational scientific, literary purpose



Contributions **may be exempt** from donor's income taxes.
Consult with your tax advisor.



Receive funds from many sources, needed for most government and private foundation Grants



May obtain income from activities that further charity's exempt purpose -
Programming revenues and memberships

Other Business Matters



Cannot be operated for the benefit of private interests such as the Founder, Officers, Board Members and Members



If organization is dissolved remaining assets must go to another 501(c)(3)



Must pay income taxes on Unrelated Business income – extra space rent income; parking lot fees; etc.



Must pay payroll taxes and follow all regulations for employers / employees

Effect of Size

	SMALL	MEDIUM	LARGE
GROSS RECEIPTS	<\$50,000	\$50,000 TO \$200,000	> \$200,000
TOTAL ASSETS	<\$250,000	LESS THAN \$500,000	> \$500,000
ANNUAL INCOME TAX REPORT FORM	990-N	990-EZ	990
FILING	ONLINE e-Postcard	ONLINE- 4 Pages + Schedule A	ONLINE-12 Pages + Schedules
ROLE OF BOARD	Workers	Manage Staff	Policy making
	Fundraising	Fundraising	Fundraising
	Governance	Governance	Governance

Question

What's the difference between a NONPROFIT and a NOT-FOR-PROFIT?

- It depends on who you are talking with:
 - For some NOTHING—It's the same thing
 - NOT-FOR-PROFITS are not 501(c)(3) such as homeowners & condominium associations
 - Groups that are not formally organized that work for a common good



A Successful Nonprofit Operates Much Like a For-Profit Business

Remember a
Nonprofit is
your tax status
not your
Business Plan.

Business Plan

- Just like any other business a new Nonprofit needs an initial plan to test viability
 - **Problem Statement** (problem you intend to solve)
 - **Community Need**
 - Local ? National? Both?
 - **Community Support**
 - Will they support it with action and money?
 - **Competition**
 - Local ? National ? Both?
 - **Operational Plan**
 - How will it operate on a daily basis
 - **Financial Plan**
 - Revenue based on projected fundraisings
 - Expenses based on cost to operate
 - **Board members & Volunteers**
 - Recruitment of both

To Register a Nonprofit with the State

- Determine if name is available - each state has a site for name validation
- Mission that has been clearly defined in the business planning process
- A minimum number of board of directors identified that meet state requirements or more:
 - Minimum of 3 board members – President, Secretary, Treasurer roles (State specific)
 - Passion for mission of organization
 - Unrelated by business or family relationship.
 - Variety/diversity: skills, resources, funds.
 - Not looking for financial gain.
 - Reliable, work well with others.
 - Board members must **Give, Get or Go!**

To Register a Nonprofit with the State (Cont.)

- **Articles of incorporation**
 - Business Name
 - Incorporator
 - Purpose
 - Initial Board of Directors
 - Registered Agent & Principal location
- **State specific forms**
 - Membership
 - Duration
 - Powers
 - Dissolution
- **Ensure IRS clauses are included**
- **Funds sufficient to pay state specific registration fees**

Legal / Administrative Steps



Incorporate with Secretary of State or equivalent



Obtain Employer Identification Number (EIN) from IRS



File 1023/1023EZ with the IRS to obtain a Determination Letter



If you project less that \$50,000 gross receipts per year for first 3 years you can file a 1023EZ.



All can / must be done online



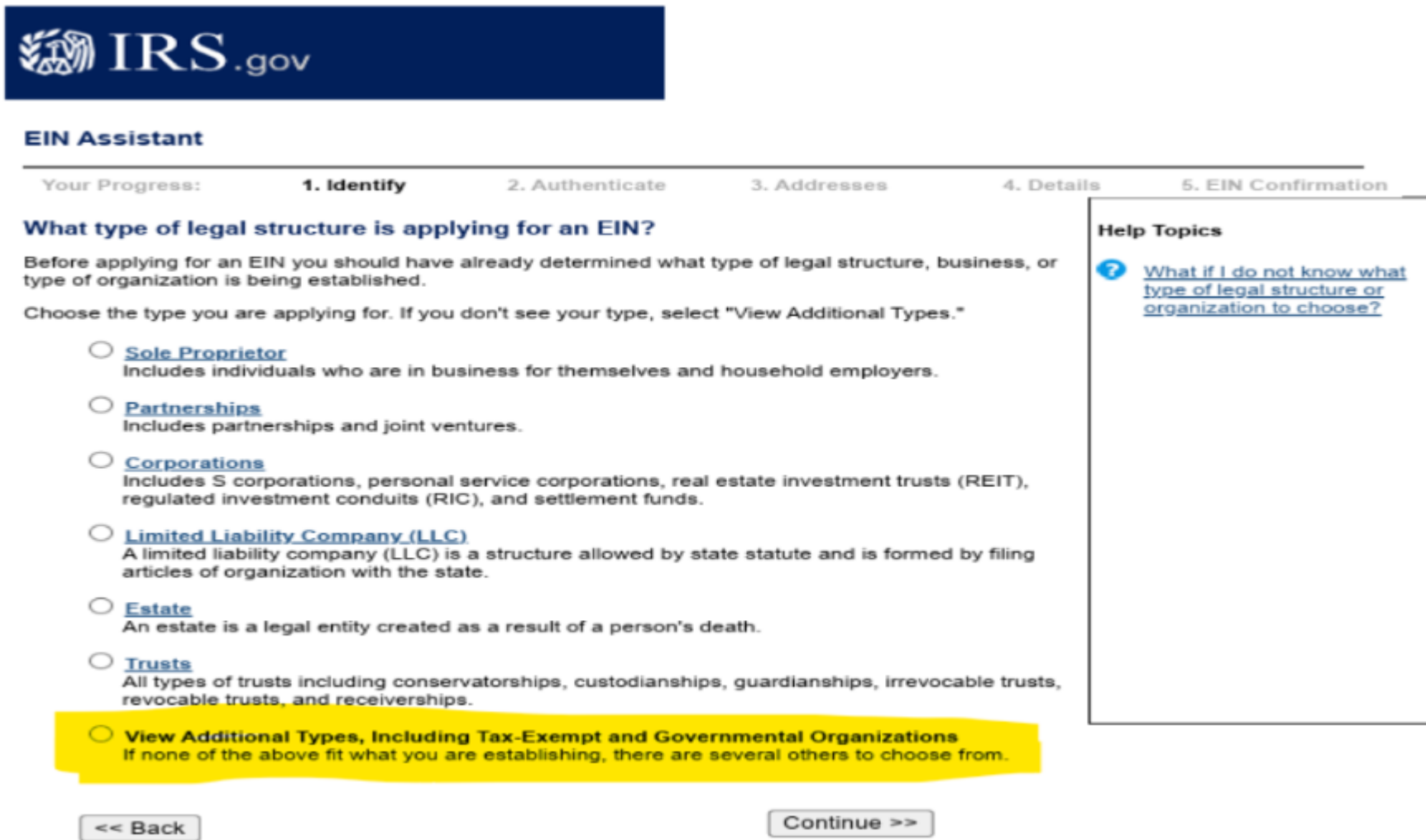
See SCORE mentors in your state for assistance with this process

Example: Maryland Registration

- File as a Nonprofit Corporation with State Department of Assessments and Taxation (SDAT)
- Can be done online or with paper filing
 - Web Page: <https://businessexpress.maryland.gov/>
 - Click on “START your business” and “Register Your Business”
 - Filing fees are approximately \$230 (includes cost of expediting).
- File to be exempt from sales taxes
 - Submit Combined Registration Form:
 - <https://www.marylandcomptroller.gov/content/dam/mdcomp/tax/filing-online/maryland-tax-connect/SUTEC-Application-Guide.pdf>

See Appendix for registration information for other states in the Mid-Atlantic Region

How to Get an EIN (Employer Identification Number)



IRS.gov

EIN Assistant

Your Progress: **1. Identify** 2. Authenticate 3. Addresses 4. Details 5. EIN Confirmation

What type of legal structure is applying for an EIN?

Before applying for an EIN you should have already determined what type of legal structure, business, or type of organization is being established.

Choose the type you are applying for. If you don't see your type, select "View Additional Types."

- [Sole Proprietor](#)
Includes individuals who are in business for themselves and household employers.
- [Partnerships](#)
Includes partnerships and joint ventures.
- [Corporations](#)
Includes S corporations, personal service corporations, real estate investment trusts (REIT), regulated investment conduits (RIC), and settlement funds.
- [Limited Liability Company \(LLC\)](#)
A limited liability company (LLC) is a structure allowed by state statute and is formed by filing articles of organization with the state.
- [Estate](#)
An estate is a legal entity created as a result of a person's death.
- [Trusts](#)
All types of trusts including conservatorships, custodianships, guardianships, irrevocable trusts, revocable trusts, and receiverships.
- View Additional Types, Including Tax-Exempt and Governmental Organizations**
If none of the above fit what you are establishing, there are several others to choose from.

[Help Topics](#)

- [? What if I do not know what type of legal structure or organization to choose?](#)

[<< Back](#) [Continue >>](#)

Keys for Successful Filing for 501 (c) 3 Status

- Form 1023-EZ \$275 fee
 - Complete Form 1023-EZ Eligibility online at: <https://www.irs.gov/forms-pubs/about-form-1023-ez>
 - Read the instructions - see accompanying instruction forms
 - Prepare a Narrative (even though this will not need to be submitted)
 - Keep all documentation in a file that is easily accessible.
- Form 1023 \$600 fee
 - Give yourself lots of time to complete the form
 - Read the instructions – see accompanying instruction forms
 - Only answer what is asked; provide detail, but not too much (most questions: one paragraph is enough; Section IV narrative should be two to three pages)
 - Label any attachments with EIN, name, and question being answered
 - Type it! Download forms from <http://www.irs.gov/>
- For guidance, go to <https://www.irs.gov/charities-non-profits/exempt-organization-types>

Governance & Initial Meetings



Governance - Board of Directors

- Board Makeup

- Business Leaders, not Friends
- Independent viewpoints
- Committed to the mission, not padding their resume
- Contributions:
 - 100% giving by the board. Many funders require it
 - Give or Get
- Board Responsibility Sheet to prospective Board Members
 - Ensures they are aware of what is expected, sign and date.
 - Minimum attendance, giving parameters, committee participation etc.
- More than just a monthly meeting
 - First responsibility of the Board is FUNDRAISING!
 - Committees: fundraising audit, public relations, etc.

- Board Demographics

- Chairperson - Effective Leader to keep meetings focused
- Secretary – Detail person who can keep minutes
- Treasurer – Financial background, Accountant
- Member – Attorney, for legal guidance
- Member(s)- Marketing/ Sales types for fundraising & PR



Approve Bylaws – Governing Rules of the Organization

- **Important Provisions to include:**
 - Name, purpose(s), and principal office
 - Membership: requirements and duties
 - Board of directors: requirements and duties
 - Officers: requirements and duties
 - Quorum and voting
 - Elections
 - Establishing bank relations
 - Amendments to the bylaws
 - Fiscal year
 - **Removal of members / directors**
 - Dissolution
 - Conflict of interest policy
- **Should be easy to understand.**
- **May be amended as necessary.**

Organizational Meeting after Incorporation



Approval of the bylaws

Elect directors & officers – *Establish delegation of authority*

Approve resolution for establishing a bank account

Authorize application for tax-exempt status

Approve purchase of insurance (*General Liability, Directors & Officers, etc.*)

Establish committees – *Executive; Finance; Governance; Fundraising; etc.*

Minutes must be maintained

Minutes of the Meetings

- Keep minutes of meetings
 - Any format (not a transcript of the meeting)
 - Include: what happened at the meeting, what decisions were made, the vote on the matter, who was present, and if requested by someone opposing the decision, the name of anyone opposed.
 - Signed and dated by the secretary, approved at the next meeting
 - Keep all meeting minutes together.
- Especially keep minutes when:
 - Decisions are made that affect third parties (e.g., hiring employees, signing contracts)
 - Decisions are made that affect the rights and responsibilities of people in the organization

Begin Operations



Open Bank account

- Check signers who do not reconcile the bank account
- Two signatures over specific dollar amount

Office Space, if necessary

Recruit Volunteers

- Just like Board, need committed volunteers – committee members need not be board members
- Volunteer responsibility sheet

Circulate Elevator Speech to all parties

- Consistent message coming from the organization

Decide on Financial Recordkeeping

- In house or outsourced
- Must be done routinely

Begin Operating

Always document results of the programs

- Track programs are doing what you intended; review business plan & finances at meetings
- Show the community and funders results (outcomes)

Initial Activities to Raise Funds



Foundations etc. usually do not fund startup Nonprofits

They want a track record on outcomes before grants approved; usually after 2 years; will not pay for past expenses.



How much does your Financial Plan say you need Year One?



Board members solicit their business connections

Personal meetings, letters, host a house party etc.



Volunteers solicit their friends and associates

Calls, letters, e mails, etc. Matching gifts
Peer to peer Fundraising (crowdfunding)



Kickoff event?

Keep cost low, looking for exposure. Local media attention



Goal is to not just raise funds but raise exposure in the community and build relationships



Identify services or products to raise revenue

May involve Unrelated Business Income – net of taxes

Charitable Solicitation Regulations

- States regulate fundraising by nonprofits and professional fundraisers
- Specifics vary from state-to-state but generally include:
 - Annual reporting of financial information
 - Information on officials and activities
 - Fees for registering
- Various thresholds and exclusions determine who must file
 - Small nonprofits in terms of contributions may be exempt until they reach specified dollar levels
 - Requirements depend on residency of contributors not where nonprofit is located
- Learn the requirements in states from which you obtain contributions

Reporting Requirements



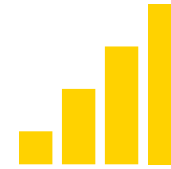
Reporting Requirements



**Corporate
Annual
Reports**



**File with state charity
regulator – fee based
on donations**



**File 990N, 990EZ
or 990 with IRS—no
charge**

Use 990N (Postcard) if under
\$50,000 gross revenue—very
simple

Other forms require much more
information—financial,
programmatic, individual
compensation

Maryland Additional Resources

- Maryland Government Guide
 - “How to start a Non-Profit Organization in Maryland”
 - <https://sos.maryland.gov/charity/pages/non-profit-organization.aspx>
- Self-help guidance and legal assistance
 - “Checklist for Starting a Nonprofit Organization in Maryland”
 - Community Law Center www.communitylaw.org
- Maryland Nonprofits Association (MANO)
 - Nonprofit Startup Package (\$1,500+up); Governance Webinars
<https://www.marylandnonprofits.org/start-a-nonprofit/>

See Appendix for state-specific resources for other states in the Mid-Atlantic region.

Helpful Links – Nonprofit Resources

- [National Council of Nonprofit](#) – Board member job descriptions; charitable solicitation map; fiscal sponsorship agreements; how to start a nonprofit; etc.
- [LinkedIn](#) / [Volunteer Match](#) / [AARP Create the Good](#) – for board members but also look at larger banks, accounting firms, insurance agencies and law firms for volunteers because they like community employee involvement.
- [Foundation Directory Online](#); [grantmaker.io](#); [grant station](#) – to search for potential private foundation funders and don't forget to connect with your local Community Foundation!
- [990 finder](#) – to view nonprofit tax returns for competitive intelligence; networking; benchmarking; etc.
- [Taproot](#) / [CatchAFire](#) / [Idealist](#) / [Calling All Heroes](#) / [Encore.org](#) – for nonprofit special project help; some are for 1 time use only.



Helpful Links – Nonprofit Resources (Cont.)

- [nolo.com](https://www.nolo.com) –DIY legal support; page down to bottom of opening page to find “Popular Categories” and find Nonprofits - nonprofits legal articles / documents on nonprofits.
- [Sam.gov](https://sam.gov) – A Sam # is needed if you will be seeking government grants and to establish your nonprofit’s credit rating.
- [bplans.com](https://www.bplans.com) – find sample business plans including those for nonprofits to see what is included.
- thenonproffitimes.com – prior period salary surveys; nonprofit marketplace; nonprofit career board
- **Trade Associations** – Assn. of Fundraising Professionals; Assn. of Grant writing Professionals; local / regional Alliances of Nonprofits.
- **Other resources** – boardsource.com; charitynavigator.com; guidestar.org



SCORE Helpful Links

- Find SCORE resources for small businesses at www.score.org/templates-resources
- Find more SCORE live and recorded workshops and courses at www.score.org/get-business-training
- A SCORE webinar on fundraising - <https://www.score.org/memphis/event/accessing-nonprofit-grants-sponsorships-resources>
- [Non-Profit Startup Checklist \(score.org\)](http://www.score.org)
- Book an appointment with a SCORE mentor at www.score.org/find-mentor



Google Ad Grants for Nonprofit Marketing and Advertising

Google Ad Grants: How to Get and Effectively Use \$10,000 Each Month to Promote Your Nonprofit



by Peter Sima

• December 20, 2022



Google Ad Grants is a Google initiative launched back in 2003, that allows qualifying nonprofit organizations to get \$10,000 of in-kind advertising every month.

<https://www.google.com/nonprofits/offerings/google-ad-grants/> or

<https://www.score.org/resource/blog-post/google-ad-grants-how-get-and-effectively-use-10000-each-month-promote-your>

The Bedrock of Success

- Consistency
- Persistence
- Excellence
- and some luck



Stay true to your mission and nurture your volunteers along the way !

Questions?

**THANK YOU FOR YOUR
PARTICIPATION**



Funded in part through a cooperative agreement with the U.S. Small Business Administration.

All opinions, conclusions, and/or recommendations expressed herein are those of the author(s) and do not necessarily reflect the views of the SBA.

Appendix:

Registration and Additional Resources for Other States in the Mid-Atlantic Region

Delaware Registration & Additional Resources

- You create your nonprofit entity by filing a Certificate of Incorporation for an Exempt Corporation with the Delaware Department of State. <https://icis.corp.delaware.gov/ecorp2/>
 - Filing fee is \$109
- Submit an Exempt Application form (FTB 3500) to the Franchise Tax Board to obtain state level tax exemption
- Within 90 days of filing the Articles of Incorporation with the Delaware Secretary of State, a nonprofit corporation must also file an initial Statement of Information (Form SI-100) along with a \$20 fee
- How to Form a New Business Entity - <https://corp.delaware.gov/howtoform/>
- Delaware Nonprofits: <https://delawarenonprofit.org/about/>
- Visit <https://www.score.org/delaware/local-resources> for additional resources to assist with your nonprofit including <https://sharedelaware.org/#map>

DC Registration & Additional Resources

- File with the DC Dept. of Consumer and Regulatory Affairs
 - Corporate papers refer to D.C. Nonprofit Corporation Act, Title 29, Chapter 4
<https://corponline.dcra.dc.gov/>
- File for a Basic Business License for charitable solicitations
- How to Start a Nonprofit in Washington D.C.
 - <https://dc.gov/page/nonprofit-organizations>
 - <https://www.lawhelp.org/dc/resource/starting-a-nonprofit-booklet>
- Contact Community Foundation
 - Greater Washington Area (DC, MD & VA surrounding counties)
<https://www.thecommunityfoundation.org/>

Pennsylvania Registration

- File as a Nonprofit Corporation with PA Bureau of Corporations & Charitable Organizations
- Can be done online or with paper filing
 - Online requires Keystone login
 - Filing Fee - \$125
 - Need to add IRS clauses to basic state form
 - May take several weeks to get approval
- Alternatives:
 - Online services advertise for \$350 to \$500
 - Attorney – much higher but personal preparation

Pennsylvania Additional Resources

Links for starting a nonprofit in Pennsylvania:

- 1- Sign up for a Business Hub account for online filing: <https://hub.business.pa.gov/>
- 2- File online to register as a PA Nonprofit Corporation: Log in to PA hub and select “File for nonprofit corporation. (when filing online be sure to upload the IRS clauses required on IRS Form 1023EZ Part II, lines 5-7)
- 3- When approaching \$25,000 of annual charitable contributions register at: <https://www.dos.pa.gov/BusinessCharities/Charities/RegistrationForms/Pages/CHARITIES-TUTORIALS.aspx>
- 4- For further, go to SCORE.org and search for the nearest SCORE PA chapter, and request mentoring.

New Jersey Registration

- File as a Nonprofit Corporation with New Jersey Department of the Treasury's Division of Revenue
<https://www.nj.gov/treasury/revenue/gettingregistered.shtml>
- Non-profit corporations, LLCs, LLPs and LPs must first [obtain an employer identification number \(EIN\) from the IRS](#).
- Once you obtain an EIN, complete the two filings below:
 - First, file a Certificate of formation/authorization.
 - The fee is \$75 for Domestic Non-Profit corporations.
 - File your certificate [online](#).
 - Second, after filing the certificate of formation/authorization, file the tax/employer registration form (Form NJ-REG).File the NJ-REG [online](#).
- Once you have successfully completed the two filings above, you will be able to obtain a Business Registration Certificate (BRC
- Need to register as a Charity if donations exceed \$10,000
 - Fee \$30 to \$250 depending on size of the organization
 - <https://www.njconsumeraffairs.gov/charities/pages/charities-registration-information.aspx>

New Jersey Nonprofit Resources

- [Center for Nonprofits - Home \(njnonprofits.org\)](http://njnonprofits.org)



- [Pro Bono Partnership | Lawyers Strengthening Nonprofits](#)
- [New Jersey Department of State - Nonprofit Information \(nj.gov\)](#)
- [New Jersey Department of State - Volunteer and National Service - Volunteering in NJ](#)

New Jersey State Library, Trenton – 2nd Floor



FIND INFORMATION ON:

- Corporate Grantmaking
- Proposal Writing
- Grantseeking Techniques
- Fundraising Techniques
- Nonprofit Management
- Managing Volunteers
- Grants to Individuals
- Federal Assistance

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WWW.NJSTATELIB.ORG    

New Jersey Nonprofit Resources (cont'd)

[Home - Nonprofit Management - Research Guides at New Jersey State Library \(njstatelib.org\)](#)

Home

- COVID-19 Resources for Nonprofits
- Multidisciplinary Resources
- Ebooks

Starting a Nonprofit in NJ

Fundraising

Nonprofit Sector Information

Nonprofit Employment & Volunteering

Professional Associations/ Nonprofit Centers




Leigh Clark

[Email Me](#)

COVID-19 Resources for Nonprofits

- NJSL's Coronavirus (COVID-19) Resources Guide
- Center for Non-Profits - Resources for Non-Profits in Response to the COVID-19 (Coronavirus) Outbreak
- National Council of Nonprofits - Nonprofits and Coronavirus, COVID-19
- Council of New Jersey Grantmakers - Coronavirus Response
- Candid - Funding for coronavirus (COVID-19) RFPs
- Candid Learning - Where can I find emergency financial resources to help with COVID-19 hardships?
- L2B: Libraries to Business - Free business/workforce development webinars
L2B seeks to connect job seekers, businesses, and nonprofits of New Jersey with organizations and experts who are actively engaging in business and workforce development webinars.

Multidisciplinary Resources

-  Nonprofit - Frequently Asked Questions
Resources to help answer common questions related to the nonprofit sector.
- Candid Learning (formerly GrantSpace)
Website from the Candid (formerly the Foundation Center) designed specifically for grantseekers. Information is organized by subject and skill. Also available are training information (both free and fee-based) and tools which list resources, including sample documents, the knowledge base of frequently asked questions, and a database of nonprofit collaborations.
- BoardSource
Focuses on governance and developing strong boards for nonprofits through learning opportunities, publications, and other resources.
- GuideStar
Nonprofit basic search is free but to view 990 forms and other information, you must create a free account (some additional information can only be accessed with a paid subscription).
- Network for Good Learning Center
Stories, news items, training opportunities and more about nonprofit topics provided by Network for Good.
- Nonprofit Hub
Articles, news, webinars, and more about the nonprofit sector and nonprofit management. Searchable by topic. Free newsletter also available.

**FDO - Profession
Version available
In-person at the
NJ State Library!**

Virginia Registration & Additional Resources

- Register with the State Corporation Commission
 - <https://www.scc.virginia.gov/pages/New-Business-Resources>
- To solicit charitable donations, register at:
 - <https://www.vdacs.virginia.gov/food-charitable-solicitation.shtml>
- Register with Virginia Tax
- Business FAQs: Virginia Nonstock Corporations (including Nonprofits)
 - <https://scc.virginia.gov/pages/Virginia-Nonstock-Corporations-FAQs>
- Contact Community Foundation
 - Greater Washington Area (DC, MD & VA surrounding counties)
 - <https://www.thecommunityfoundation.org/>

West Virginia Registration & Additional Resources

- West Virginia Nonprofit Association
 - <https://wvnpa.org/starting-a-nonprofit/>
- Register with the West Virginia Secretary of State
 - <https://sos.wv.gov/business/Pages/RegStepsCharPFR.aspx>
 - <https://sos.wv.gov/FormSearch/Business/Charities/CHR-1.pdf>
 - <https://sos.wv.gov/business/Pages/CharityFAQ.aspx>
- To solicit charitable donations, register at:
 - <https://sos.wv.gov/business/Pages/FundFAQ.aspx>
 - <https://sos.wv.gov/FormSearch/Business/Charities/CHF.pdf>

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Or, [read the key findings.](#)

Or, [view the 2020 results video.](#)



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2021 Salary and Benefits Report

This comprehensive report provides current salary information on more than 200 nonprofit positions.



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We are excited to announce our Brand New Marketplace, the authoritative directory of suppliers to NonProfit Organizations.



Fresh Research Podcast

NPT's flagship podcast on the latest research in the world of NonProfits.



NonProfit Career Board

The NPT Career Board was rated as One of the TOP 7 places to find a Non Profit Job online by Forbes.