

CREATING A 501(c)(3) A STEP BY STEP GUIDE

Stephen Jeanetta, author 1998 (revised 1999, 2002 & 2007)

ABOUT THE AUTHOR

Stephen Jeanetta joined the MU Community Development Program faculty as State Extension Specialist for Community Development Process in December 1998 where he serves as coordinator for the Community Development Academy and provides leadership to programs in Organizational Development and Nonprofit Management, Community and Economic Planning and Building Inclusive Communities. Steve has worked as a community development specialist with the University of Missouri since December of 1992. His mix of experience includes two years in the rural area of Ste. Genevieve County, Missouri, and then four years in the urban areas of St. Louis County and the City of St. Louis before moving to campus.

Mr. Jeanetta has a Ph.D. in Adult Education from the University of Missouri-St. Louis and an M.A. in Community and Regional Planning and a B.S. in International Affairs from the University of Nebraska-Lincoln. From 1997 - 1999, along with other leaders from the U.S., Latin America, and the Caribbean, Steve was a fellow in an the International Leadership Development Program sponsored by the Partners of the Americas and the Kellogg Foundation. Steve has conducted community development programs in the Amazon region of Brazil, Guyana, Canada, and Germany.

Steve is a member of the International Community Development Society and served as its secretary form 1999 - 2001 and was president of the Missouri Chapter of the Community Development Society in 1997. He is also a certified planner with the American Institute of Certified Planners and has memberships in the American Planning Association, American Association of Adult and Continuing Education, and the National Association of Community Development Extension Professionals.

ABOUT THE PUBLISHER

Missouri's electric cooperatives, which provide electric services to more than 80 percent of Missouri, have established a priority of assisting rural development statewide. This initiative continues to provide research, funding and information to work with communities in improving their economies. This publication is part of a series designed to successfully guide volunteers and professionals through the process of establishing a 501(c)(3) non-profit organization.

Missouri's electric cooperatives are pleased to continue providing this type of technical assistance. It is yet another resource made available to you through your electric cooperative.

© 1998, Stephen Jeanetta Revised 1999, 2002

All rights reserved. No portion of this book may be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, fax or any information storage or retrieval system without permission in writing from the author.

Printed in the United States of America

During the past several years, Steve Jeanetta has assisted more than 200 groups that have gone on to incorporate as 501(c)(3) organizations. Countless other organizations have decided that other organizational structures better meet their needs after considering the options. This workbook has been patterned after a series of workshops that Jeanetta has been using to help groups decide how to work their way through the maze of paperwork to determine if they need to become a 501(c)(3). Wendy Myers, graphic design specialist at Associated Electric Cooperative Inc., has worked with Jeanetta to provide a format that allows the reader to view his tips on how to complete the application forms while having the forms in easy view. Our desire is to assist you and your organization in making the appropriate decision for your group on whether you should apply for 501(c)(3) tax-exempt status.

CONTENTS

Section 1—What is a 501(c)(3)?

Pros and Cons of a 501(c)(3)	2
Introduction	3
What is a 501(c)(3)?	3
Do I need a 501(c)(3) for my not-for-profit organization?	4
Benefits of a 501(c)(3)	4
What do we want to accomplish?	5
How can we best organize to meet our goals?	5
How will we make decisions?	7
Can our organization manage the accounting	
necessary for a 501(c)(3)?	7
Incorporating as a 501(c)(3)	
Additional Resources	

Section 2—Creating Your Organization's Bylaw

Bylaws – The rules of the game	. 12
Article I – Name	. 14
Article II – Purpose	. 15
Article III – What kind of corporate structure	
will be established?	. 15
Article IV - Terms and election of directors	. 18
Article V – Officers	19
Article VI – Committees	. 21
Article VII – Amendments	22
Article VIII - Parliamentary authority	22

Section 3—Completing the Application Process

Application steps	24
Major Components of a 501(c)(3) application	25
Approval process	26
Once you are approved	27
Incorporating in Missouri	28
Important notice for forming Missouri	
not-for-profit organizations	31
501(c)(3) application forms	33
Application for Employer Identification Number	
(Form SS4)	34
Application for Recognition of Exemption (Form 1023)	36
Schedule E	60
Schedule G	64
Procedural Checklist	66
Conclusion—Additional Resources	69