

2010

Instructions for Schedule A (Form 990 or 990-EZ)



Department of the Treasury
Internal Revenue Service

Public Charity Status and Public Support

Section references are to the Internal Revenue Code unless otherwise noted.

General Instructions

Note. Terms in **bold** are defined in the *Glossary* of the Instructions for Form 990.

Purpose of Schedule

Schedule A (Form 990 or 990-EZ) is used by an organization that files Form 990 or Form 990-EZ to provide the required information regarding **public charity** status and public support.

Who Must File

An organization that answered "Yes" to Form 990, Part IV, line 1, must complete and attach Schedule A (Form 990 or 990-EZ) to Form 990. Any section 501(c)(3) organization or section 4947(a)(1) nonexempt charitable trust that files a Form 990-EZ must complete and attach this schedule to Form 990-EZ. These include:

- Organizations that are described in section 501(c)(3) and are **public charities**;
- Organizations that are described in sections 501(e), 501(f), 501(k), or 501(n); and
- **Nonexempt charitable trusts** described in section 4947(a)(1) that are not treated as private foundations.

If an organization is not required to file Form 990 or 990-EZ but chooses to do so, it must file a complete return and provide all of the information requested, including the required schedules.

 *Any organization that is exempt from tax under section 501(c)(3) but is a private foundation and not a public charity should not file Form 990, Form 990-EZ, or Schedule A (Form 990 or 990-EZ), but should file Form 990-PF. See instructions to Part I.*

Accounting Method

When completing Schedule A (Form 990 or 990-EZ), the organization must use the same accounting method it checked on Form 990, Part XII, line 1, or Form 990-EZ, line G. The organization must use this accounting method in reporting all amounts on Schedule A (Form 990 or 990-EZ), regardless of the accounting method it used in completing Schedule A (Form 990 or 990-EZ) for prior years.

If the accounting method the organization used in completing the 2009

Schedule A (Form 990 or 990-EZ) was different from the accounting method checked on the 2010 Form 990, Part XII, line 1, or the 2010 Form 990-EZ, line G, the organization should not report, in either Part II or Part III, the amounts reported in the applicable columns of the 2009 Schedule A (Form 990 or 990-EZ). Instead, the organization should report all amounts in Part II or Part III using the accounting method checked on the 2010 Form 990, Part XII, line 1, or the 2010 Form 990-EZ, line G.

Example 1. An organization checks "Cash" on Form 990, Part XII, line 1. It should report the amounts in Part II or Part III using the cash method. If the organization filed a 2009 Schedule A (Form 990 or 990-EZ) using the cash method, it should report in the 2006 through 2009 columns on the 2010 Schedule A (Form 990 or 990-EZ) the same amounts that it reported in the 2006 through 2009 columns on the 2009 Schedule A (Form 990 or 990-EZ).

Example 2. An organization checks "Accrual" on Form 990, Part XII, line 1. The organization reports grants on Form 990, Part VIII, line 1, in accordance with **SFAS 116** (ACS 958) (see instructions for Form 990, Part VIII, line 1). The organization receives a grant to be paid in future years. The organization should report the grants's present value on the 2010 Schedule A (Form 990 or Form 990-EZ). The organization should report accruals of present value increments to the unpaid grant on Schedule A (Form 990 or 990-EZ) in future years.



The IRS has eliminated the advance ruling process for section 501(c)(3) organizations described in sections 170(b)(1)(A)(vi) and 509(a)(2). Organizations with an advance ruling that expired on or after June 9, 2008 no longer need to file Form 8734, Support Schedule for Advance Ruling Period, after 5 years to receive a definitive ruling. Organizations described in sections 170(b)(1)(A)(vi) and 509(a)(2) now use a 5-year period that includes the current tax year and the four preceding tax years in computing their public support percentages.

Specific Instructions

Part I. Reason for Public Charity Status

Lines 1–11

Check only one of the boxes on lines 1 through 11 to indicate the reason the organization is a **public charity** for the **tax year**. The reason can be the same as stated in the organization's tax-exempt determination letter from the IRS ("exemption letter") or subsequent IRS determination letter, or it can be different. An organization that does not check any of the boxes on lines 1 through 11 should not file Form 990, Form 990-EZ, or Schedule A (Form 990 or 990-EZ) for the tax year, but should file Form 990-PF instead.

If an organization believes there is more than one reason why it is a public charity, it should check only one box but can explain the other reasons it qualifies for public charity status in Part IV.

The IRS does not update its records on an organization's public charity status based on a change the organization makes on Schedule A (Form 990 and Form 990-EZ). Thus, an organization that checks a public charity status different from the reason stated in its exemption letter or subsequent determination letter, although not required, may submit a request to the IRS Exempt Organizations Determinations Office for a determination letter confirming that it qualifies for the new public charity status if the organization wants the IRS records to reflect that new public charity status. See Section 9 of Rev. Proc. 2010-4, 2010-1 I.R.B. 122 (or latest annual update) for instructions. No user fee is required to be paid.

A **subordinate organization** of a **group exemption** that is filing its own return, but has not received its own tax exemption determination letter from the IRS, should check the public charity status box which most accurately describes its public charity status.

An organization that does not know the public charity status stated in its exemption letter or subsequent determination letter should call the Exempt Organizations Customer Account Services toll free at 1-877-829-5500 or write to Internal Revenue Service, TE/GE

Customer Account Services, P.O. Box 2508, Cincinnati, OH 45201. See the examples below.

Example 1. The organization received an exemption letter that it is a public charity under section 170(b)(1)(A)(vi). For the tax year, it meets the requirements for public charity status under section 170(b)(1)(A)(vi). The organization should check the box on line 7 and complete Part II.

Example 2. The organization received an exemption letter that it is a public charity under section 170(b)(1)(A)(vi). For the tax year, it does not meet the requirements for public charity status under section 170(b)(1)(A)(vi). Instead, it meets the requirements for public charity status under section 509(a)(2). The organization should check the box on line 9 and complete Part III.

Example 3. The organization received an exemption letter that it is a public charity under section 509(a)(2). For the tax year, it does not meet the requirements for public charity status under section 509(a)(2) or 170(b)(1)(A)(vi). Instead, it meets the requirements for public charity status as a **supporting organization** under section 509(a)(3). The organization should (a) check the box on line 11; (b) check the box on either line 11a, 11b, 11c, or 11d; (c) complete lines 11e through 11g; and (d) complete the table on line 11h.

Example 4. The organization received an exemption letter that it is a **supporting organization** under section 509(a)(3). Based on Announcement 2009-62, 2009-33 I.R.B. 247, the organization submitted a request to the IRS to change its classification to public charity status under section 509(a)(2). The organization received a determination letter that it has been reclassified as a public charity under section 509(a)(2). The organization should check the box on line 9 and complete Part III.

Example 5. The organization received an exemption letter that it is a public charity under section 170(b)(1)(A)(vi). For the tax year, it does not meet the requirements for public charity status under section 170(b)(1)(A)(vi) or 509(a)(2), or as a supporting organization under section 509(a)(3). Nor does it meet the requirements for public charity status under any other provision of the Internal Revenue Code. The organization is a **private foundation** and should not file Form 990, Form 990-EZ, or Schedule A (Form 990 or Form 990-EZ) for the tax year but should file Form 990-PF instead.

Line 1. Check the box for a **church**, convention of churches, or association of churches. Pub. 1828, Tax Guide for Churches and Religious Organizations, provides certain characteristics generally attributed to churches. These attributes of a church have been developed by the IRS

and by court decisions. They include: distinct legal existence; recognized creed and form of worship; definite and distinct ecclesiastical government; formal code of doctrine and discipline; distinct religious history; membership not associated with any other church or denomination; organization of ordained ministers; ordained ministers selected after completing prescribed courses of study; literature of its own; established places of worship; regular congregations; regular religious services; Sunday schools for the religious instruction of the young; schools for the preparation of its ministers. The IRS generally uses a combination of these characteristics, together with other facts and circumstances, to determine whether an organization is considered a church for federal tax purposes.

Line 2. Check the box for a **school** whose primary function is the presentation of formal instruction, which regularly has a faculty, a curriculum, an enrolled body of students, and a place where educational activities are regularly conducted. A private school must have a racially nondiscriminatory policy toward its students. For details about these requirements, see Schedule E (Form 990 or 990-EZ), and its related instructions.

TIP An organization that checks the box on line 2 must also complete Schedule E (Form 990 or 990-EZ).

Line 3. Check the box for an organization whose main purpose is to provide hospital or medical care. A rehabilitation institution or an outpatient clinic can qualify as a hospital if its principal purposes or functions are the providing of hospital or medical care, but the term does not include medical schools, medical research organizations, convalescent homes, homes for children or the aged, or vocational training institutions for handicapped individuals.

Check the box on line 3 also for a cooperative hospital service organization described in section 501(e).

TIP The definition of hospital for Schedule A (Form 990 or 990-EZ), Part I, is different from the definition for Schedule H (Form 990), Hospitals. Accordingly, see Who Must File in the Instructions for Schedule H (Form 990) regarding whether the organization also is required to complete Schedule H (Form 990), Hospitals.

Line 4. Check the box for an organization whose principal purpose or function is to engage in **medical research**, and that is directly engaged in the continuous active conduct of medical research in conjunction with a hospital. The hospital must be described in section 501(c)(3) or operated by the federal government, a state or its political subdivision, a U.S. possession or its political subdivision, or the District of Columbia.

If the organization primarily gives funds to other organizations (or grants and scholarships to individuals) for them

to do the research, the organization is not a medical research organization.

The organization is not required to be an affiliate of the hospital, but there must be a joint effort by the organization and the hospital to maintain continuing close cooperation in the active conduct of medical research.

TIP The definition of medical research for Schedule A (Form 990 or 990-EZ), Part I, is different from the definition for Schedule H (Form 990). Accordingly, research that constitutes medical research for purposes of determining whether an organization is a medical research organization is not necessarily medical research for Schedule H (Form 990) reporting purposes.

Assets test/expenditure test. An organization qualifies as a medical research organization if its principal purpose is medical research, and if it devotes more than half its assets, or spends at least 3.5% of the **fair market value** of its endowment, directly in conducting **medical research**. Either test can be met based on a computation period consisting of the immediately preceding tax year or the immediately preceding 4 tax years.

If an organization does not satisfy either the assets test or the expenditure test, it can still qualify as a medical research organization based on the circumstances involved.

These tests are discussed in Regulations sections 1.170A-9(d)(2)(v) and (vi). Under these tests, value the organization's assets as of any day in its tax year using the same day every year, and value the endowment at fair market value, using commonly accepted valuation methods. See Regulations section 20.2031.

Line 5. Check the box and complete Part II if the organization receives and manages property for and expends funds to benefit a college or university that is owned or operated by one or more states or political subdivisions. The school must be an organization described in the instructions for line 2.

Expending funds to benefit a college or university includes acquiring and maintaining the campus, its buildings and equipment, granting scholarships and student loans, and making any other payments in connection with the normal functions of colleges and universities.

The organization must meet the same public support test described below for line 7. See Rev. Rul. 82-132, 1982-2 C.B. 107.

Line 6. Only a federal, state, or local government or **governmental unit** that has received an exemption letter recognizing it as exempt from tax under section 501(c)(3) should check this box. See Rev. Rul. 60-384, 1960-2 C.B. 172.

Line 7. Check the box and complete Part II if the organization meets one of the

section 170(b)(1)(A)(vi) public support tests. See instructions for Part II regarding how an organization can qualify as a publicly supported organization under section 170(b)(1)(A)(vi).

Line 8. Check the box and complete Part II if the organization is a community trust and meets a section 170(b)(1)(A)(vi) public support test. A community trust is a charity that attracts large **contributions** for the benefit of a particular community or area, often initially from a small number of donors, and is generally governed by representatives of its particular community or area. See Temporary Regulations sections 1.170A-9T(f)(10), (11), and (12).



A community trust claiming it qualifies as a public charity should check the box on line 8 whether it is structured as a corporation or as a trust.

Line 9. Check the box and complete Part III if the organization meets both of the section 509(a)(2) support tests. See the instructions for Part III regarding how an organization can qualify as a publicly supported organization under section 509(a)(2).

Line 10. Check the box only if the organization has received a ruling from the IRS that it is organized and operated primarily to test for public safety.

Line 11. Check the box if the organization is a supporting organization. For more information about supporting organizations, see Regulations section 1.509(a)-4, and sections 509(a)(3) and 509(f).

If the organization is a supporting organization, it also must check either box 11a, 11b, 11c, or 11d to show the type of supporting organization it is. The organization also must complete lines 11e through 11g, and the table on line 11h.

Lines 11a–11d. Use the information below to determine the supporting organization's type. If the organization checks the box on line 11f, the letter the organization received from the IRS identifies its type. If the box checked on any of lines 11a through 11d is different from the type stated in the letter, provide an explanation in Part IV. If the organization does not check the box on line 11f, it should check the box on lines 11a to 11d that best describes the type of supporting organization it is.

• **Type I. A Type I supporting organization** is operated, supervised, or controlled by one or more publicly supported organizations. If the organization can answer "Yes" to the following question, check the box for Type I.

Does the **governing body**, officers or membership of the supported public charity(ies) select a majority of the supporting organization's officers, directors, or trustees?

• **Type II. A Type II supporting organization** is supervised or controlled in connection with one or more publicly

supported organizations. If the organization can answer "Yes" to the following question, check the box for Type II.

Do the same persons, such as directors, trustees, and officers, supervise or control the **supported organization(s)** and the supporting organization?

• **Type III—Functionally Integrated.** Check this box if:

1. The organization is not described in Type I or Type II above;

2. The organization's activities perform the functions of, or carry out the purposes of, the publicly supported organizations; and

3. But for the organization's involvement, such activities would normally be engaged in by the publicly supported organizations themselves.

See Regulations section 1.509(a)-4(i)(3)(ii); Rev. Proc. 2009-32, 2009-28 I.R.B. 142; and any further related guidance for more information.

• **Type III—Other.** Check this box if the organization is not described as a Type I, Type II, or Type III — Functionally Integrated organization.

Line 11e. A section 509(a)(3) supporting organization cannot be controlled by **disqualified persons**, other than foundation managers. Section 509(a)(1) or (2) organizations and foundation managers who are disqualified persons only as a result of being foundation managers are not treated as disqualified persons.

Line 11f. The organization's exemption letter or subsequent determination letter may state the type of **supporting organization** it is. If it does, check the box on this line. If the letter does not state the type, leave this line blank.

A grantor to a section 509(a)(3) supporting organization, acting in good faith, can rely on this letter in determining whether the organization is a Type I, Type II, or Type III organization. The grantor also can rely on certain representations made by the organization, or can rely on a written reasoned opinion of counsel of either the grantor or the organization that the organization is a functionally integrated Type III supporting organization. See Rev. Proc. 2009-32, 2009-28 I.R.B. 142.

Line 11g. This information is necessary to determine whether the organization is controlled by certain donors. Section 509(f)(2), which became effective August 17, 2006, prohibits certain **supporting organizations** from accepting gifts or contributions from certain persons associated with the supported organization of such supporting organization. For example, if a Type I or Type III supporting organization accepts a gift or contribution from a person who controls the governing body of a supporting organization or from certain related persons, then the supporting

organization loses its status as a supporting organization.

Line 11h. An organization checking a box on line 11 must complete the table on line 11h.

• **Columns (i) and (ii).** Enter the name and employer identification number (EIN) for each **supported organization**.

• **Column (iii).** For each supported organization named in column (i), show which line number (from lines 1 through 9) best describes the supported organization. For example, if the organization supported a hospital, enter "3" in column (iii). If the organization supported a federal, state, local government, or **governmental unit**, or foreign government, enter "6" in column (iii).

• **Column (iv).** Check "Yes" if the supported organization named in column (i) is specifically named as a supported organization in the organization's declaration of trust, articles of incorporation, or other governing document. An organization that supports non-designated publicly supported organizations and meets the requirements of Regulations section 1.509(a)-4(d)(2)(i) (relating to designating the publicly supported organizations by class or purpose rather than by name) should not complete column (iv) but should provide a statement in Part IV explaining how it meets these requirements.

• **Column (v).** Only Type III organizations are required to answer this question. Check "Yes" if the organization notified the supported organization named in column (i) of its support.

• **Column (vi).** Only Type III organizations are required to answer this question. Check "Yes" if the supported organization named in column (i) is organized in the United States.

• **Column (vii).** Enter the total amount of monetary support paid to, or for the benefit of, the supported organization named in column (i) during the tax year. If no monetary support was provided during the tax year, enter "-0-." Do not report non-monetary support in column (vii). However, the organization can describe such support in Part IV. If the organization provided to or purchased for the benefit of the supported organization services, facilities, or goods, explain in Part IV.

Part II. Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)



If the organization checked a box on line 5, 7, or 8 of Part I, it should complete Part II. If the organization checks the box on line 13 of Part II, it should stop there and not complete the rest of Part II.



If the organization checked a box on line 5, 7, or 8 of Part I and also checks the box on line 18 of Part II, the organization should complete Part III to determine if it qualifies as a publicly supported organization under section 509(a)(2). If it does qualify, the organization should instead check the box on line 9 of Part I.

Public Support Test. For an organization to qualify as a publicly supported organization under section 170(b)(1)(A)(vi), either:

- 33 $\frac{1}{3}$ % or more of its total support must come from governmental agencies, contributions from the general public, and contributions or grants from other public charities, or
- 10% or more of its total support must come from governmental agencies, contributions from the general public, and contributions or grants from other public charities and the facts and circumstances indicate it is a publicly supported organization.

Note. An organization will not meet either of these public support tests if almost all of its support comes from gross receipts from related activities and an insignificant amount of its support comes from **governmental units** and **contributions** made directly or indirectly by the general public.

Public support is measured using a 5-year computation period. If the organization was not a section 501(c)(3) organization for the entire 5-year period in Part II, report amounts only for the years the organization was a section 501(c)(3) organization.

Line 1. Do not include any “unusual grants.” See *Unusual grants* on this page. Include membership fees only to the extent to which the fees are payments to provide support for the organization rather than to purchase admissions, merchandise, services, or the use of facilities. To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in a related activity, report the membership fees on line 12. To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in an unrelated business activity, report the membership fees on line 9. See Temporary Regulations section 1.170A-9T(f)(7)(iv).

Use any reasonable method to determine the value of noncash contributions reported on line 1.

If an organization records a loss on an uncollectible pledge that it reported on a prior year’s Schedule A, it should deduct that loss from the contribution amount for the year in which it originally counted that contribution as revenue. For example, if the organization reported a pledged contribution of \$50,000 during tax year 2008 but learned during tax year 2010 that it would not receive \$20,000 of that

pledged contribution, it should deduct \$20,000 from the amount reported in Part II, line 1, column (c) for tax year 2008.

Support from a governmental unit.

Include on line 1 support received from a **governmental unit**. This includes any amounts received from a governmental unit, including donations or **contributions** and amounts received in connection with a contract entered into with a governmental unit for the performance of services or in connection with a government research grant, unless the amounts are received from exercising or performing the organization’s tax-exempt purpose or function, which should be reported on line 12. An amount received from a governmental unit is not treated as received from exercising or performing the organization’s tax-exempt purpose or function if the payment is to enable the organization to provide a service to, or maintain a facility for, the direct benefit of the public (for example, to maintain library facilities that are open to the public). See Temporary Regulations section 1.170A-9T(f)(8) and Rev. Rul. 81-276, 1981-2 C.B. 128.

Unusual grants. An organization that received any unusual grants during the 5-year period should keep for its records a list showing, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the grant. If the organization used the cash method for the applicable year, show only the amounts the organization actually received during that year. If the organization used the accrual method for the applicable year, show only the amounts the organization accrued for that year. An example of this list is given below.



Do not file this list with the organization’s Form 990 or 990-EZ because it may be made available for public inspection.

Line 1. Example

Year ▶ 2010	Description
Name ▶ Mr. Distinguished Donor	Undeveloped land
Date of Grant ▶ January 15, 2010	
Amount of Grant ▶ \$60,000	

Include in Part IV a list showing the amount of each unusual grant actually received each year (if the cash accounting method is used), or accrued each year (if the accrual accounting method is used).



Do not include the names of the grantors because Part IV will be made available for public inspection.

Unusual grants generally are substantial contributions and bequests from disinterested persons and are:

1. Attracted because of the organization’s publicly supported nature,
2. Unusual and unexpected because of the amount, and
3. Large enough to endanger the organization’s status as normally meeting either the 33 $\frac{1}{3}$ % public support test or the 10% facts and circumstances test.

For a list of other factors to be considered in determining whether a grant is an unusual grant, see Temporary Regulations section 1.509(a)-3T(c)(4).

An unusual grant is excluded even if the organization receives or accrues the funds over a period of years.

Do not report gross investment income items as unusual grants. Instead, include all investment income on line 8.

See Rev. Rul. 76-440, 1976-2 C.B. 58; Temporary Regulations section 1.170A-9T(f)(6)(ii); and Temporary Regulations sections 1.509(a)-3T(c)(3) and (4) for details about unusual grants.

Reporting contributions not reported as revenue. If the organization reports any **contributions** on line 1 of this part that it does not report as revenue in Part VIII or assets in Part X of Form 990, or as revenue or assets in Form 990-EZ, explain in Part IV the basis for characterizing such transfers as contributions but not as revenue or assets. For example, if an organization is a community foundation that receives and holds a cash transfer for another tax-exempt organization and reports contributions of such property on line 1 without reporting it as revenue in Part VIII or assets in Part X, explain the basis for characterizing the property as contributions but not as revenue or assets.

Line 2. Enter tax revenue levied for the organization’s benefit by a **governmental unit** and either paid to the organization or expended on its behalf. Report this amount whether or not the organization includes this amount as revenue on its financial statements or elsewhere on Form 990 or 990-EZ.

Line 3. Enter the value of services or facilities furnished by a **governmental unit** to the organization without charge. Do not include the value of services or facilities generally furnished to the public without charge. For example, include the fair rental value of office space furnished by a governmental unit to the organization without charge but only if the governmental unit does not generally furnish similar office space to the public without charge. Report these amounts whether or not the organization includes these amounts as revenue on its financial statements or elsewhere on Form 990 or 990-EZ.

Line 5. Enter in column (f) the portion of total **contributions** by each individual, trust, or corporation included on line 1 for the years reported that exceeds 2% of the amount reported on line 11, column (f). However, the 2% limitation does not apply to contributions from organizations qualifying as publicly supported organizations under section 170(b)(1)(A)(vi), governmental units described in section 170(b)(1)(A)(v), and other organizations, such as the following, but only if they also qualify as publicly supported organizations under section 170(b)(1)(A)(vi):

- Churches described in section 170(b)(1)(A)(i);
- Educational institutions described in section 170(b)(1)(A)(ii);
- Hospitals described in section 170(b)(1)(A)(iii); and
- Organizations operated for the benefit of a college or university owned or operated by a governmental unit described in section 170(b)(1)(A)(iv).

The organization should keep for its records a list showing the name of and amount contributed by each donor (other than a **governmental unit** or publicly supported organization) whose total gifts during the years reported exceed 2% of the amount reported on line 11, column (f). An example of this list is given below.



Do not file this list with the organization's Form 990 or 990-EZ because it may be made available for public inspection.

Line 8. Include the gross income from interest, dividends, payments with respect to securities loans (section 512(a)(5)), rents, royalties, and income from similar sources. Do not include on this line payments that result from activities of the organization that further its exempt

purpose. Instead, report these amounts on line 12.

Line 9. Enter the organization's net income from carrying on **unrelated business** activities, whether or not the activities are regularly carried on as a trade or business. See sections 512 and 513 and the applicable regulations. Include membership fees to the extent they are payments to purchase admissions, merchandise, services, or the use of facilities in an activity that is an unrelated business.

Net income and net losses from all of the organization's unrelated business activities should be aggregated. If a net loss results, enter "-0-" on this line.

Line 10. Include all support as defined in section 509(d) that is not included elsewhere in Part II. Explain in Part IV the nature and source of each amount reported. Do not include gain or loss from the sale of capital assets.

Line 12. Enter the total amount of gross receipts the organization received from related activities for all years reported in Part II. Although an organization may otherwise meet the section 170(b)(1)(A)(vi), 33 $\frac{1}{3}$ % public support test or the 10% facts and circumstances public support test, it will not be treated as meeting one of these tests if almost all of its support consists of gross receipts from related activities and an insignificant amount of support comes from **governmental units** and public **contributions**. See Temporary Regulations section 1.170A-9T(f)(7)(iii).

Include on line 12 gross receipts from admissions, sales of merchandise, performance of services, or furnishing of facilities in any activity which is not an unrelated trade or business (within the meaning of section 513). See section 509(d)(2). Include membership fees to the

extent they are payments to purchase admissions, merchandise, services, or the use of facilities in a related activity. For example, include on this line gross receipts from:

- A trade or business in which substantially all work is performed by **volunteers** (such as book fairs and sales of gift wrap paper). See section 513(a)(1).
- A trade or business carried on by the organization primarily for the convenience of its members, students, patients, **officers**, or **employees**. See section 513(a)(2).
- A trade or business which is the selling of merchandise, substantially all of which the organization received as gifts or **contributions**. See section 513(a)(3).
- "Qualified public entertainment activities" or "qualified convention and trade show activities" of certain organizations. See section 513(d).
- Furnishing certain hospital services. See section 513(e).
- A trade or business consisting of conducting **bingo** games, but only if the conduct of such games is lawful. See section 513(f).
- Qualified pole rentals by a mutual or cooperative telephone or electric company. See section 513(g).
- The distribution of certain low cost articles and exchange and rental of members lists. See section 513(h).
- Soliciting and receiving qualified sponsorship payments. See section 513(i).

Line 13. An organization that checks this box should stop here and should not complete the rest of Part II. It should not make a public support computation on line 14 or 15 or check any of the boxes on lines 16 through 18.

Example. An organization receives an exemption letter from the IRS that it is exempt from tax under section 501(c)(3)

Line 5. Example

Assumption: 2% of the amount on Schedule A (Form 990 or 990-EZ), Part II, line 11, column (f) is \$12,000							
Contributors whose total gifts from 2006 through 2010 were in excess of the 2% limitation							
Name	(a) 2006	(b) 2007	(c) 2008	(d) 2009	(e) 2010	(f) Total	(g) Excess contributions (col. (f) minus the 2% limitation)
XYZ Foundation			\$59,000	\$3,000	\$18,000	\$80,000	\$68,000
Banana Office Supply	\$12,000			3,000	1,000	16,000	4,000
Plum Corporation			15,000	15,000		30,000	18,000
John Smith	5,000	\$5,000	5,000	1,000		16,000	4,000
Sue Adams		10,000		10,000	10,000	30,000	18,000
Raisin Trade Assoc.			20,000	7,000		27,000	15,000
Total. Add the items in column (g). Enter the total here and on Part II, column (f), line 5							\$127,000

and qualifies as a public charity under section 170(b)(1)(A)(vi) effective March 25, 2010, its date of incorporation. The organization uses a calendar year accounting period. When the organization prepares Part II for 2010 through 2014, it should check the box on line 13 and should not complete the rest of Part II. When the organization prepares Part II for 2015 and subsequent years, it should not check the box on line 13 and should complete the rest of Part II.

TIP An organization in its first 5 years as a section 501(c)(3) organization should make the public support computations on a copy of Schedule A that it keeps for itself. An organization should carefully monitor its public support on an ongoing basis to ensure that it will meet a public support test in the sixth year and succeeding years.

Line 14. Round to the nearest hundredth decimal point in reporting the percentage of public support. For example, if the organization calculates its public support percentage as 58.3456%, this percentage would be rounded to 58.35% when reported on line 14.

Line 15. For 2010, enter the public support percentage from the 2009 Schedule A (Form 990 or 990-EZ), Part II, line 14. Round to the nearest hundredth decimal point in reporting the percentage of public support.

Line 16a. If the organization did not check the box on line 13, and line 14 is 33 $\frac{1}{3}$ % or more, **check the box on this line and do not complete the rest of Part II.** The organization qualifies as a publicly supported organization for 2010 and 2011.

Line 16b. If the organization did not check a box on line 13 or 16a, and line 15 is 33 $\frac{1}{3}$ % or more, **check the box on this line and do not complete the rest of Part II.** The organization qualifies as a publicly supported organization for 2010.

Line 17a. If the organization did not check a box on line 13, 16a or 16b, and line 14 is 10% or more, and if the organization meets the “facts and circumstances” test, **check the box on this line and do not complete the rest of Part II.** The organization qualifies as a publicly supported organization for 2010 and 2011.

If this box is checked, explain in Part IV how the organization meets the “facts and circumstances” test in Temporary Regulations section 1.170A-9T(f)(3). Include the following information.

- Explain whether the organization maintains a continuous and *bona fide* program for solicitation of funds from the general public, community, membership group involved, **governmental units** or other **public charities**.
- List all other facts and circumstances, including the sources of support, whether the organization has a **governing body** which represents the broad interests of the public, and whether the organization

generally provides facilities or services directly for the benefit of the general public on a continuing basis.

- If the organization is a membership organization, explain whether the solicitation for dues-paying members is designed to enroll a substantial number of persons from the community, whether dues for individual members have been fixed at rates designed to make membership available to a broad cross-section of the interested public, and whether the activities of the organization will likely appeal to persons having some broad common interest or purpose.

Line 17b. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the “facts and circumstances” test, **check the box on this line and do not complete the rest of Part II.** The organization qualifies as a publicly supported organization for 2010. If this box is checked, explain in Part IV how the organization meets the “facts and circumstances” test in Temporary Regulations section 1.170A-9T(f)(3). Include the same information identified in the instructions for line 17a on this page.

Note. The alternative test for organizations experiencing substantial and material changes in its sources of support, other than from unusual grants, has been eliminated.

Line 18. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, it does not qualify as a publicly supported organization under section 170(b)(1)(A)(iv) or 170(b)(1)(A)(vi) for the 2010 tax year and should check the box on this line. If the organization does not qualify as a public charity under any of the boxes in Part I, lines 1 through 11, it is a private foundation as of the beginning of the 2010 tax year and should not file Form 990, Form 990-EZ, or Schedule A (Form 990 or 990-EZ) for the 2010 tax year. Instead, the organization should file Form 990-PF, and check *Initial return of a former public charity* on the top of page 1 of Form 990-PF.

TIP If Form 990 or 990-EZ is for the organization's sixth tax year as a section 501(c)(3) organization, and it checked the box on line 18, it should compute the public support percentage on its Form 990 or 990-EZ for its first 5 tax years. If its public support percentage for its first 5 tax years is 33 $\frac{1}{3}$ % or more, or if it meets the 10% facts and circumstances test for its first five tax years, it will qualify as a public charity for its sixth tax year. If the organization qualifies in this manner, explain in Part IV.

TIP If the organization does not qualify as a publicly supported organization under section 170(b)(1)(A)(vi), it can complete Part III to determine if it qualifies as a publicly supported organization under section 509(a)(2).

Part III. Support Schedule for Organizations Described in Section 509(a)(2)

CAUTION If an organization checked the box on line 9 of Part I, it should complete Part III. If the organization checks the box on line 14 of Part III, it should stop there and not complete the rest of Part III.

TIP If the organization checked the box on line 9 of Part I and also checks the box on line 20 of Part III, the organization should complete Part II to determine if it qualifies as a publicly supported organization under section 170(b)(1)(A)(vi). If it does qualify, the organization should instead check the box on line 5, 7, or 8 of Part I, whichever applies.

Public Support Test. For an organization to qualify as a publicly supported organization under section 509(a)(2):

- More than 33 $\frac{1}{3}$ % of its support must come from **contributions**, membership fees, and gross receipts from activities related to its exempt functions or from amounts which are not **unrelated trades or businesses** under section 513, and
- No more than 33 $\frac{1}{3}$ % of its support must come from gross investment income and net **unrelated business income** (less section 511 tax) from businesses acquired by the organization after June 30, 1975.

Public support is measured using a 5-year computation period. If the organization was not a section 501(c)(3) organization for the entire 5-year period in Part III, report amounts only for the years the organization was a section 501(c)(3) organization.

Line 1. Do not include any “unusual grants.” See *Unusual grants* on page 7. Include membership fees only to the extent to which the fees are payments to provide support for the organization rather than to purchase admissions, merchandise, services, or the use of facilities. To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in a related activity, include the membership fees on line 2. See Regulations section 1.509(a)-3(h). To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in an activity that is not an **unrelated business** under section 513, report the membership fees on line 3. To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in an activity that is an unrelated business, report the net amount either on line 10b or line 11, as appropriate.

Use any reasonable method to determine the value of noncash contributions reported on line 1.

If an organization records a loss on an uncollectible pledge that it reported on a prior year's Schedule A, it should deduct that loss from the contribution amount for the year in which it originally counted that contribution as revenue. For example, if the organization reported a pledged contribution of \$50,000 during tax year 2008 but learned during tax year 2010 that it would not receive \$20,000 of that pledged contribution, it should deduct \$20,000 from the amount reported in Part III, line 1, column (c) for tax year 2008.

Support from a governmental unit.

Include on line 1 support received from a **governmental unit**. This includes any amounts received from a governmental unit, including donations or **contributions** and amounts received in connection with a contract entered into with a governmental unit for the performance of services or in connection with a government research grant, unless the amounts are received from exercising or performing the organization's tax-exempt purpose or function, which should be reported on line 2. An amount received from a governmental unit is not treated as received from exercising or performing the organization's tax-exempt purpose or function if the payment is to provide services, facilities, or products primarily for the economic benefit of the payee. For example, if a state agency pays an organization to operate an institute to train employees from various industries in the principles of management and administration, the funds received should be included on line 2 as support related to the exercise or performance of the organization's tax-exempt purpose. See Regulations section 1.509(a)-3(g).

Unusual grants. An organization that received any unusual grants during the 5-year period, should keep for its records a list showing, for each year, the name of the contributor, the date and amount of the grant, and a brief description of the grant. If the organization used the cash method for the applicable year, show only amounts the organization actually received during that year. If the organization used the accrual method for the applicable year, show only amounts the organization accrued for that year. An example of this list is given below.



Do not file this list with the organization's Form 990 or 990-EZ because it may be made available for public inspection.

Line 1. Example

Year ▶ 2010	Description
Name ▶ Mr. Distinguished Donor	Undeveloped land
Date of Grant ▶ January 15, 2010	
Amount of Grant ▶ \$60,000	

Include in Part IV a schedule showing the amount of each unusual grant actually received each year (if the cash accounting method is used), or accrued each year (if the accrual accounting method is used).



Do not include the names of the grantors because Part IV will be made available for public inspection.

Unusual grants generally are substantial **contributions** and bequests from disinterested persons and are:

1. Attracted because of the organization's publicly supported nature,
2. Unusual and unexpected because of the amount, and
3. Large enough to endanger the organization's status as normally meeting the 33 $\frac{1}{3}$ % public support test.

For a list of other factors to be considered in determining whether a grant is an unusual grant, see Temporary Regulations section 1.509(a)-3T(c)(4).

An unusual grant is excluded even if the organization receives or accrues the funds over a period of years.

Do not report gross investment income items as unusual grants. Instead, include all investment income on line 10a.

See Rev. Rul. 76-440, 1976-2 C.B. 58; Regulations section 1.170A-9(f)(6)(ii); and Temporary Regulations sections 1.509(a)-3T(c)(3) and 1.509(a)-3T(c)(4) for details about unusual grants.

Reporting contributions not reported as revenue. If the organization reports any **contributions** on line 1 of this Part that it does not report as revenue in Part VIII or assets in Part X of Form 990, or as revenue or assets in Form 990-EZ, explain in Part IV the basis for characterizing such transfers as contributions but not as revenue or assets. For example, if an organization is a community foundation that receives and holds a cash transfer for another tax-exempt organization and reports contributions of such property on line 1 without reporting it as revenue in Part VIII or assets in Part X, explain the basis for characterizing the property as contributions but not as revenue or assets.

Line 2. Include gross receipts from admissions, merchandise sold, services performed, or facilities furnished in any activity that is related to the organization's tax-exempt purpose (such as charitable, educational, etc.).

To the extent that the membership fees are payments to purchase admissions, merchandise, services, or the use of facilities in a related activity, include the membership fees on this line 2. See Regulations section 1.509(a)-3(h).

Line 3. Include gross receipts from:

- A trade or business in which substantially all work is performed by **volunteers** (such as book fairs and sales of gift wrap paper). See section 513(a)(1).
- A trade or business carried on by the organization primarily for the convenience of its members, students, patients, **officers**, or **employees**. See section 513(a)(2).
- A trade or business which is the selling of merchandise, substantially all of which the organization received as gifts or **contributions**. See section 513(a)(3).
- "Qualified public entertainment activities" or "qualified convention and trade show activities" of certain organizations. See section 513(d).
- Furnishing certain **hospital** services. See section 513(e).
- A trade or business consisting of conducting **bingo** games, but only if the conduct of such games is lawful. See section 513(f).
- Qualified pole rentals by a mutual or cooperative telephone or electric company. See section 513(g).
- The distribution of certain low cost articles and exchange and rental of members lists. See section 513(h).
- Soliciting and receiving qualified sponsorship payments. See section 513(i).

Line 4. Enter tax revenue levied for the organization's benefit by a **governmental unit** and either paid to the organization or expended on its behalf. Report this amount whether or not the organization includes this amount as revenue on its **financial statements** or elsewhere on Form 990 or 990-EZ.

Line 5. Enter the value of services or facilities furnished by a governmental unit to the organization without charge. Do not include the value of services or facilities generally furnished to the public without charge. For example, include the fair rental value of office space furnished by a governmental unit to the organization without charge, but only if the governmental unit does not generally furnish similar office space to the public without charge. Report these amounts whether or not the organization includes these amounts as revenue on its financial statements or elsewhere on Form 990 or 990-EZ.

Line 7a. Example

Disqualified Person	(a) 2006	(b) 2007	(c) 2008	(d) 2009	(e) 2010	(f) Total
David Smith	\$7,000	\$6,000			\$2,000	\$15,000
Anne Parker			\$5,000	\$7,000	4,000	16,000
Total	\$7,000	\$6,000	\$5,000	\$7,000	\$6,000	\$31,000

Line 7a. Enter the amounts that are included on lines 1, 2, and 3 that the organization received from **disqualified persons**. See second *Glossary* definition of disqualified person in the Instructions for Form 990.

For amounts included on lines 1, 2, and 3 that were received from a disqualified person, the organization should keep for its records a list showing the name of, and total amounts received in each year from, each disqualified person. Enter the total of such amounts for each year on line 7a. See an example of this list above.



Do not file this list with the organization's Form 990 or 990-EZ because it may be made available for public inspection.

Line 7b. For any gross receipts included on lines 2 and 3 from related activities received from a person or from a bureau or similar agency of a **governmental unit**, other than from a **disqualified person**, that exceed the greater of \$5,000 or 1% of the amount on line 13 for the applicable year, enter the excess on line 7b. The organization should keep for its records a list showing, for each year, the name of the person or government agency, the amount received during the applicable year, the larger of \$5,000 or 1% of the amount on line 13 for the applicable year, and the excess, if any. See an example of this list below.



Do not file this list with the organization's Form 990 or 990-EZ because it may be made available for public inspection.

Line 10a. Include the gross income from interest, dividends, payments received on securities loans (section 512(a)(5)), rents, royalties, and income from similar sources. Do not include on this line payments that result from activities of the organization that further its exempt purpose. Instead, report these amounts on line 2.

Line 10b. Enter the excess of the organization's **unrelated business taxable income** (as defined in section

512) from trades or businesses that it acquired or commenced after June 30, 1975, over the amount of tax imposed on this income under section 511. Include membership fees to the extent they are payments to purchase admissions, merchandise, services, or the use of facilities in an unrelated business activity that is a trade or business that was acquired or commenced after June 30, 1975.

Net income and net losses from all of these trades or businesses should be aggregated. If a net loss results, enter -0- on this line. See Regulations section 1.509(a)-3(a)(3).

Line 11. Enter the organization's net income from carrying on **unrelated business** activities not included on line 10b, whether or not the activities are regularly carried on as a trade or business. See sections 512 and 513 and the applicable regulations. Include membership fees to the extent they are payments to purchase admissions, merchandise, services, or the use of facilities in an activity that is an unrelated business not included on line 10b.

Net income and net losses from all of the organization's unrelated business activities should be aggregated. If a net loss results, enter "-0-" on this line.

Line 12. Include all support as defined in section 509(d) that is not included elsewhere in Part III. Explain in Part IV the nature and source of each amount reported. Do not include gain or loss from sale of capital assets.

Line 14. An organization that checks this box should stop here and should not complete the rest of Part III. It should not make a public support computation on line 15 or 16 or an investment income computation on line 17 or 18, or check any of the boxes on line 19 or 20.

Example. An organization receives an exemption letter from the IRS that it is exempt from tax under section 501(c)(3) and qualifies as a **public charity** under section 509(a)(2) effective March 25, 2010, its date of incorporation. The organization uses a calendar year

accounting period. When the organization prepares Part III for 2010 through 2014, it should check the box on line 14 and should not complete the rest of Part III. When the organization prepares Part III for 2015 and subsequent years, it should not check the box on line 14 and should complete the rest of Part III.



An organization in its first 5 years as a section 501(c)(3) organization should make the public support and investment income computations on a copy of Schedule A (Form 990 or 990-EZ) that it keeps for itself. An organization should carefully monitor its public support on an ongoing basis to ensure that it will meet the public support tests in the sixth year and succeeding years.

Line 15. Round to the nearest hundredth decimal point in reporting the percentage of public support. For example, if the organization calculates its public support percentage as 58.3456%, this percentage would be rounded to 58.35% when reported on line 15.

Line 16. For 2010, enter the public support percentage from the 2009 Schedule A (Form 990 or 990-EZ), Part III, line 15. Round to the nearest hundredth decimal point in reporting the percentage of public support.

Line 17. Round to the nearest whole percentage.

Line 18. For 2010, enter the investment income percentage from the 2009 Schedule A (Form 990 or 990-EZ), Part III, line 17. Round to the nearest whole percentage.

Line 19a. If the organization did not check the box on line 14, line 15 is more than 33 $\frac{1}{3}$ %, and line 17 is not more than 33 $\frac{1}{3}$ %, **check the box on this line and do not complete the rest of this schedule.** The organization qualifies as a publicly supported organization for 2010 and 2011.

Line 19b. If the organization did not check the box on line 14 or 19a, line 16 is more than 33 $\frac{1}{3}$ %, and line 18 is not more than 33 $\frac{1}{3}$ %, **check the box on this line**

**Line 7b. Example
Year 2010**

(a) Name	(b) Amount received in 2010	(c) 1% of amount on line 13 in 2010	(d) Enter the larger of column (c) or \$5,000	(e) 2010 excess (column (b) minus column (d))
Word Processing, Inc.	\$25,000	\$2,000	\$5,000	\$20,000
Enter on Schedule A, column (e), line 7b				\$20,000

and do not complete the rest of this schedule. The organization qualifies as a publicly supported organization for 2010.

Note. The alternative test for organizations experiencing substantial and material changes in its sources of support, other than from unusual grants, has been eliminated.

Line 20. If the organization did not check the box on line 14, 19a, or 19b, it does not qualify as a publicly supported organization under section 509(a)(2) for the 2010 **tax year** and should check the box on this line. If the organization does not qualify as a public charity under any of the boxes on Schedule A (Form 990 or 990-EZ), Part I, lines 1 through 11, it is a private foundation as of the beginning of the tax year and should not file Form 990, Form 990-EZ, or Schedule A (Form 990 or 990-EZ) for the 2010 tax year. Instead, the organization should file Form 990-PF, and check *Initial return of a former public charity* on the top of page 1 of Form 990-PF.



If Form 990 or 990-EZ is for the organization's sixth tax year as a section 501(c)(3) organization, and it checked the box on line 20, it should compute the public support percentage and the investment income percentage on its Form 990 for its first 5 tax years. If its public support percentage for its first 5 tax years is more than 33⅓% and the investment income percentage for its first 5 tax years is not more than 33⅓%, it will qualify as a public charity for its sixth tax year. If the organization qualifies in this manner, explain in Part IV.



If the organization does not qualify as a publicly supported organization under section 509(a)(2), it can complete Part II to determine if the organization qualifies as a publicly supported organization under section 170(b)(1)(A)(vi).

Part IV. Supplemental Information

Use Part IV to provide the narrative explanations required, if applicable, by Part II, line 10, Part II, line 17a or 17b, and Part III, line 12. Also use Part IV to provide other narrative information required by these instructions or to supplement responses to questions on Schedule A (Form 990 or 990-EZ). Identify the specific part and line number that the response supports, in the order in which they appear on Schedule A (Form 990 or 990-EZ). Part IV can be duplicated if more space is needed.



Do not include in Part IV the names of any donors, grantors, or contributors because Part IV will be made available for public inspection.