



## State Employee Charitable Campaign 2020 Statewide Application Instructions

***Please review the following State Employee Charitable Campaign (SECC) instructions thoroughly before completing the SECC application.*** Before submitting your application, please check to ensure that all required information is included and accurate. Not providing accurate and complete documentation may result in a denial.

The application deadline for a local charitable organization or federation in the Galveston SECC region is: **Friday, April 3, noon CST.**

**All application documentation must be received in the Local Campaign Manager (United Way of Galveston)'s office 2200 Market St. #850, Galveston, TX 77550, by 12 PM CST on this date.**

Submit applications to:

**Lindsey White, United Way of Galveston, 2200 Market St. #850, Galveston, TX 77550**

**Please contact United Way of Galveston with any questions: Lindsey White, (409) 762-4357  
lwhite@uwgalv.org**

Keep the following in mind when submitting applications:

- **2020 is a re-certification year for applicable charity federation members (see 2 and following for details).**
- **Applications may be submitted in either an electronic format (Flash drive or CD) or hard copy (paper)**
  - **If submitting an application in an electronic format (Flash drive or CD)**, attachments must be organized as follows:
    - One e-folder for the federation and one for each charitable organization, including all respective attachments;
    - E-folders must be alphabetized with the Federation appearing first (use a special symbol if needed to ensure the Federation is listed first);
    - Attachments in each e-folder must be labeled "Attachment A - Texas Certificate of Authority or Articles of Incorporation", etc.
  - **If submitting an application in a hard copy format, please organize as follows:**
    - **Federation application and all federation affiliate charities' applications printed and bound in a 3-ring binder(s);**
    - Please include dividers, separating each individual charity application;
    - Organize in alphabetical order.
  - Faxed or emailed documentation will NOT be accepted.
  - **If submitting application through the mail, using "trackable" means of delivery (Certified USPS mail, UPS, etc.) is encouraged, but not required.**

- An electronic copy of the application form and these instructions may be found on [www.secctexas.org](http://www.secctexas.org) or by contacting **Lindsey White, United Way of Galveston, 2200 Market St. #850, Galveston, TX 77550 (409) 762-4357 or lwhite@uwgalv.org**

## INSTRUCTIONS FOR COMPLETION

Charities may only apply for participation in the SECC as a local organization if they are a federation, member of a federation or an unaffiliated organization.

### A statewide organization:

- (A) Provides direct or indirect health and human services (*\*see note below re: "direct or indirect health and human services and details on page 4 "Area of Service"*) to residents of two or more noncontiguous standard metropolitan statistical areas of this state; and
- (B) Demonstrates that the federation or affiliate charity is accessible to state employees by maintaining:
  - a. a staff or volunteer representative residing in this state who is accessible at least 20 hours a week during normal working hours; and
  - b. a toll-free long-distance **telephone number.**

### **NOTE RE: "DIRECT OR INDIRECT HEALTH AND HUMAN SERVICES":**

**Per statutory requirements in Tex. Gov't Code, Sec. 659.131, "direct or indirect health and human services" is defined as follows:**

*"(3) "Direct services" means providing funds or programs for health and human services that directly benefit the recipients.*

*(7) "Health and human services" means services provided by a charitable organization that:*

*(A) benefit residents of this state, including children, youth, adults, elderly individuals, ill or infirm individuals, or individuals with a mental or physical disability; and*

*(B) consist of:*

*(i) human care, medical or other research in the field of human health, education, social adjustment, or rehabilitation;*

*(ii) relief for victims of natural disaster or other emergencies; or*

*(iii) assistance to impoverished individuals in need of food, shelter, clothing, or other basic needs.*

*(8) "Indirect services" means services that:*

*(A) enable, augment, or otherwise support the direct delivery of health and human services; and*

*(B) demonstrably benefit residents of this state."*

## INSTRUCTIONS FOR FEDERATIONS ONLY

All federations applying for admission to the State Employee Charitable Campaign must submit an application for the federation itself, as well as collect and submit appropriate application information/documentation from member charities that are applying as a member of the federation.

## RE-CERTIFICATION IN THE 2020 APPLICATION PROCESS

The State Employee Charitable Campaign (SECC) State Policy Committee (SPC) allows for a re-certification process for eligible charities applying for the 2020 campaign. While eligible federation affiliated charities will still have to submit a full application to their federation representatives, re-certification guidelines will lessen the amount of documentation that federations in turn will be required to send to the State Committee for their review. Local unaffiliated charities are not eligible for re-certification.

It shall be the responsibility of each federation to certify that all member charities applying for admission under its federation comply with the campaign's regulations and have submitted complete application documentation to the federation.

The SECC Local Employee Committee and the State Policy Committee have the authority to request detailed information from a federation regarding a member charity as it relates to requirements for the SECC. Please carefully review the guidelines below to ensure that you are submitting the correct documentation. Should you have any questions in this process, please contact **Lindsey White, United Way of Galveston, 2200 Market St. #850, Galveston, TX 77550 (409) 762-4357 or [lwhite@uwgalv.org](mailto:lwhite@uwgalv.org).**

**If you have not already received a list of charities eligible for re-certification in 2020 and a State Policy Committee re-certification authorization letter,** please **Lindsey White, United Way of Galveston, 2200 Market St. #850, Galveston, TX 77550 (409) 762-4357 or [lwhite@uwgalv.org](mailto:lwhite@uwgalv.org).**

## RE-CERTIFICATION ELIGIBILITY CRITERIA

- Local federation and affiliates must have not spent more than 25% of their annual revenue for administrative and fund-raising expenses in the prior year's campaign; and
- Local federation and affiliates must have participated in the prior year's SECC.

### Required Documentation

**If eligible, local federations must submit the following to the Local Employee Committee:**

- Letter from the State Policy Committee stating eligibility to apply to the State Employee Charitable Campaign via the re-certification process;
- All documentation in compliance with [34 TAC § 329.1](#) (relating to Audit and Review Requirements); and
- Current operating budget.

**If eligible, federation affiliate charities must submit the following to their federation representative to submit to the Local Employee Committee:**

- Letter from the State Policy Committee stating eligibility to apply to the State Employee Charitable Campaign via the re-certification process; and
- Internal Revenue Service (IRS) Form 990, specifically, all pages of the Form 990 preceding and including the signature page, which shall contain the signature and attestation of the individual preparing the form. The form must be less than 18 months old.

**Also, the affiliates, if eligible, must submit a complete application to the federation for their records.**

## Important Notes

- A complete application with all documentation shall be maintained by the federation for three years from the date of the application. The LEC or the SPC may conduct a random audit of any and all documentation prior to and subsequent to approval of the federation or its affiliate charity(ies) for any year's State Employee Charitable campaign.
- Every third year, the federation must submit a complete application for itself and for each of its affiliate charities.
- Each re-certification application is subject to review and approval or rejection by the current Local Employee Committee or State Policy Committee, is subject to the rules then in effect, and can be denied for any of the reasons that a full application can be denied.

Source Note: The provisions of [34 TAC § 329.5](#) adopted to be effective March 16, 2006, 31 TexReg 1721; amended to be effective July 2, 2008, 33 TexReg 5024; amended to be effective December 4, 2014, 39 TexReg 9363

## GENERAL APPLICATION DETAILS

### **PART A** – Required Information For All Applicants

**Legal Name of Organization:** The name of the applicant charity as filed with the Texas Secretary of State.

**Other Name:** The DBA or program name as it should be listed for SECC. If left blank the charity will be listed under the legal name. Legal documentation should be available listing the DBA or program name.

**Physical Mailing Address:** List the physical mailing address of the organization.

**Contact Person:** List the primary contact person for communication related to SECC.

**Website:** List the complete internet address to be used for SECC campaign materials.

**Tax ID Number:** Provide the TAX ID/Employer Identification Number as provided by the Internal Revenue Service.

**Fundraising & Administrative Costs (FRA):** The FRA is the total support and revenue that an organization allocates to fundraising and administrative expenses. The FRA is calculated using your most recent IRS Form 990. A 990-EZ is not acceptable however a 990 Pro Forma document may be completed and used for calculation.

**Description of services:** Describe, in 25 words or less, applicant organization's program(s). This description will be printed in the donor brochure. For purposes of the 25-word description, each part of a hyphenated term will count as a separate word. Applications and materials that contain a description of more than 25 words will be denied approval by the SPC. (See 34 TAC § 331.3).

**Checkbox(es) indicating which direct or indirect health and human services that your organization provides:** This section is meant to reflect the description of services but asked in a different way. Your organization should select one or more boxes that highlight the category(ies) of services that you provide.

**Area of Service:** Check the appropriate service area. Definitions regarding local and statewide charitable organizations are listed above. Provide the direct or indirect health and human services that demonstrably benefit residents of two or more noncontiguous standard metropolitan statistical areas of this state, Tex. Gov't Code Ann. Section 659.150(a) and Section 659.131(7), (8), and (21)(A).

If an organization only provides services internationally, that organization must have participated in the SECC at least once between 1994 – 2003. Please provide confirmation of this prior participation, including which years an organization participated in SECC.

If an organization provides statewide services, list the specific counties served in the state of Texas.

## **PART B – Required Attachments For All Applicants**

### **Attachment A: Texas Certificate of Authority or Articles of Incorporation**

Submit a letter indicating that applicant organization is organized for charitable purposes under the Texas Non-Profit Corporation Law, as covered by applicable sections of Texas Business Organizations Code, Chs. 1, 20, and 22, and Title I or the certificate of authority issued under that law. Tex. Gov't Code Ann. Section 659.131(2)(A).

### **Attachment B: 501c3 Letter**

Submit a copy of the Internal Revenue Service (IRS) determination letter indicating that applicant organization or affiliate is exempt from taxation under Section 501(a) of the United States Internal Revenue Code as an organization described in Section 501(c)(3) of that Code and to which contributions are deductible for income tax purposes under Section 170 of that Code. Tex. Gov't Code Ann. Section 659.131(2)(B).

### **Attachment C: IRS Form 990**

Submit a signed copy of the IRS Form 990. Since private foundations are not eligible for participation in the SECC, Tex. Gov't Code Ann. Section 659.131(2)(E), the Form 990 PF is not acceptable. If the Form 990 EZ is filed, please fill out the pro forma pages of the standard Form 990 and attach them to the filed form. Tex. Gov't Code Ann. Section 659.146(a)(2)(A). (See 34 TAC § 329.1). The IRS Form 990 and audit or accountant's review must cover the same fiscal year. The IRS Form 990 must be no older than 18 months (dated June 30, 2018 or later).

### **Attachment D: CPA Audit or Review**

If applicant organization's or affiliate's annual budget does not exceed \$250,000, attach an accountant's review offering full and open disclosure of the organization's internal operations, Tex. Gov't Code Ann. Section 659.146(a)(2)(A). If applicant organization's or affiliate's annual budget exceeds \$250,000, attach an independent audit of applicant organization completed by a certified public accountant in the immediately preceding year and conducted in accordance with generally accepted auditing standards (GAAS) of the American Institute of Certified Public Accountants, Tex. Gov't Code Ann. Section 659.146(a)(2)(B). The audit or accountant's review must cover the same fiscal year as the IRS Form 990.

**Important Instruction Regarding Attachments C & D (IRS Form 990 and CPA Audit or Review)**

If the revenue or expenses on the audit or accountant's review differ from those appearing in IRS Form 990, a reconciliation must be included in IRS Form 990 itself or be explained in a letter of reconciliation signed by the Executive Director and enclosed with the application. Should the accompanying reconciliation letter not clarify the differences to the satisfaction of the committee, the committee may require additional explanation from the applicant organization.

The State Policy Committee may also require additional explanation to be submitted in the form of a reconciliation letter signed by:

- (1) the auditor or firm that conducted the audit;
- (2) the accountant or firm that conducted the accountant's review; or
- (3) the accountant or firm who prepared IRS Form 990.

34 TAC § 329.1(c)(d)

**Attachment E: Fiscal Agent letter (ONLY APPLIES TO CHARITIES APPLYING UNDER A FEDERATION)**

Submit a letter from each affiliate of the federation or fund certifying that the federation or fund serves as the affiliate's representative and fiscal agent in the state employee charitable campaign. 34 Tex. Admin. Code Section 5.48(g)(2)(B) (Tex. Compt. of Public Accounts).

**PART C - Additional Required Attachments for Federations Only (Not For Charities applying Under a Federation)****Attachment F: Board of Directors Letter**

Attach a letter from the presiding officer of applicant organization's board of directors, certifying compliance by the federation or fund and its affiliated agencies with the governing statute. 34 Tex. Admin. Code Section 5.48(g)(2)(A) (Tex. Compt. of Public Accounts).

**Attachment G: Conflict of Interest Policy**

Attach a copy of the conflict of interest policy approved by the federation or fund's board of directors, which prohibits its board members, executive director, and staff from engaging in business transactions in which they have material conflicting interests. 34 Tex. Admin. Code Section 5.48(g)(2)(C) (Tex. Compt. of Public Accounts).

**Attachment H: Compensation Disclosure (if applicable)**

If the executive director of the federation or fund receives material compensation for services rendered to any organization other than the federation or fund, a full disclosure of: (i) the name of the organization, (ii) the nature and amount of the compensation, and (iii) the relationship of the organization to the federation or fund. 34 Tex. Admin. Code Section 5.48(g)(2)(D) (Tex. Compt. of Public Accounts).

**Attachment I: Operating Budget**

Attach a copy of the federation or fund's current operating budget, signed by the presiding officer of the federation or fund's board of directors. 34 Tex. Admin. Code Section 5.48(g)(2)(E) (Tex. Compt. of Public Accounts).

**Attachment J: Appeal Acknowledgement**

Attach an acknowledgment that the federation or fund is responsible for filing any appeals from its affiliated agencies that have not secured approval for statewide or local participation in the state employee charitable campaign. 34 Tex. Admin. Code Section 5.48(g)(2)(F) (Tex. Compt. of Public Accounts).

**Attachment L: Multiple Listing (if applicable)**

If a statewide charitable organization is applying under more than one federation in the statewide campaign, the organization must attach a document listing each federation under which it will apply. The organization must list the separate and distinct population(s) served under each federation. An organization failing to provide this attachment and establish that a separate and distinct population is served under each federation will not be listed under more than one federation in any campaign materials. 34 Tex. Admin. Code, Section 5.48 (a)(2), (n)(2)(J)(iii), and (n)(2)(J)(v).