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Return of Private Foundation

or Section 4947(a)(1) Nonexempt Charitable Trust

Treated as a Private Foundation

OMB No 1545-0052

2009Department of the Treasury
Internal Revenue Service

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements.

For calendar year 2009, or tax year beginning,

and ending

G Check all that apply:

☐ Initial return☐ Initial return of a former public charity☐ Final return☐ Amended return☐ Address change☐ Name changeUse the IRS
label.
Otherwise,
print
or type.
See Specific
Instructions

Name of foundation

THE BOS FAMILY FOUNDATION

C/O LYNN MARIE SCHAKEL

Number and street (or P O box number if mail is not delivered to street address)

10420 MULLIGAN DRIVE

Room/suite

City or town, state, and ZIP code

WHEATFIELD, IN 46392

A Employer identification number

20-3716147

B Telephone number

219-987-5696

C If exemption application is pending, check here ☐D 1. Foreign organizations, check here ☐2. Foreign organizations meeting the 85% test,
check here and attach computation ☐E If private foundation status was terminated
under section 507(b)(1)(A), check here ☐F If the foundation is in a 60-month termination
under section 507(b)(1)(B), check here ☐

H Check type of organization:

☒ Section 501(c)(3) exempt private foundation☐ Section 4947(a)(1) nonexempt charitable trust☐ Other taxable private foundationI Fair market value of all assets at end of year
(from Part II, col. (c), line 16)

\$ 223,300. (Part I, column (d) must be on cash basis.)

J Accounting method:

☒ Cash☐ Accrual☐ Other (specify)**Part I Analysis of Revenue and Expenses**

(The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a).)

(a) Revenue and
expenses per books(b) Net investment
income(c) Adjusted net
income(d) Disbursements
for charitable purposes
(cash basis only)

1 Contributions, gifts, grants, etc., received

70,000.

N/A

2 Check ☐ if the foundation is not required to attach Sch. B3 Interest on savings and temporary
cash investments

235.

STATEMENT 1

Dividends and interest from securities

5a Gross rents

b Net rental income or (loss)

6a Net gain or (loss) from sale of assets (see line 10)

b Gross sales price for all
assets on line 6a

7 Capital gain net income (from Part IV, line 2)

0.

8 Net short-term capital gain

9 Income modifications

10a Gross sales less returns
and allowances

b Less Cost of goods sold

c Gross profit or (loss)

11 Other income

12 Total. Add lines 1 through 11

70,235.

0.

13 Compensation of officers, directors, trustees, etc

0.

0.

0.

14 Other employee salaries and wages

15 Pension plans, employee benefits

16a Legal fees

b Accounting fees

STMT 2

1,895.

0.

0.

c Other professional fees

17 Interest

18 Taxes

19 Depreciation and depletion

4,888.

0.

20 Occupancy

21 Travel, conferences, and meetings

22 Printing and publications

23 Other expenses

STMT 3

60.

0.

0.

24 Total operating and administrative
expenses. Add lines 13 through 23

6,843.

0.

0.

25 Contributions, gifts, grants paid

88,500.

88,500.

26 Total expenses and disbursements.
Add lines 24 and 25

95,343.

0.

88,500.

27 Subtract line 26 from line 12:

a Excess of revenue over expenses and disbursements

<25,108.>

b Net investment income (if negative, enter -0-)

0.

c Adjusted net income (if negative, enter -0-)

N/A

Part II Balance Sheets		Attached schedules and amounts in the description column should be for end-of-year amounts only			
		Beginning of year	End of year		
		(a) Book Value	(b) Book Value	(c) Fair Market Value	
Assets	1 Cash - non-interest-bearing	35,538.	15,318.	15,318.	
	2 Savings and temporary cash investments				
	3 Accounts receivable ▶				
	Less: allowance for doubtful accounts ▶				
	4 Pledges receivable ▶				
	Less: allowance for doubtful accounts ▶				
	5 Grants receivable				
	6 Receivables due from officers, directors, trustees, and other disqualified persons				
	7 Other notes and loans receivable ▶				
	Less: allowance for doubtful accounts ▶				
	8 Inventories for sale or use				
	9 Prepaid expenses and deferred charges				
	10a Investments - U.S. and state government obligations				
	b Investments - corporate stock				
	c Investments - corporate bonds				
	11 Investments - land, buildings, and equipment: basis ▶				
	Less: accumulated depreciation ▶				
	12 Investments - mortgage loans				
	13 Investments - other				
	14 Land, buildings, and equipment: basis ▶	224,479.			
	Less: accumulated depreciation STMT 4 ▶	16,497.			
	15 Other assets (describe ▶)				
	16 Total assets (to be completed by all filers)	248,408.	223,300.	223,300.	
	Liabilities	17 Accounts payable and accrued expenses			
		18 Grants payable			
19 Deferred revenue					
20 Loans from officers, directors, trustees, and other disqualified persons					
21 Mortgages and other notes payable					
22 Other liabilities (describe ▶)					
23 Total liabilities (add lines 17 through 22)		0.	0.		
Net Assets or Fund Balances	Foundations that follow SFAS 117, check here ▶ <input type="checkbox"/>				
	24 Unrestricted				
	25 Temporarily restricted				
	26 Permanently restricted				
	Foundations that do not follow SFAS 117, check here ▶ <input checked="" type="checkbox"/>				
	27 Capital stock, trust principal, or current funds	0.	0.		
	28 Paid-in or capital surplus, or land, bldg., and equipment fund	0.	0.		
	29 Retained earnings, accumulated income, endowment, or other funds	248,408.	223,300.		
30 Total net assets or fund balances	248,408.	223,300.			
31 Total liabilities and net assets/fund balances	248,408.	223,300.			

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	248,408.
2 Enter amount from Part I, line 27a	2	<25,108.>
3 Other increases not included in line 2 (itemize) ▶	3	0.
4 Add lines 1, 2, and 3	4	223,300.
5 Decreases not included in line 2 (itemize) ▶	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	223,300.

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Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)	(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a			
b NONE			
c			
d			
e			

(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)
a			
b			
c			
d			
e			

(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any	(l) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))
a			
b			
c			
d			
e			

Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69		
(i) F.M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any
a		
b		
c		
d		
e		

2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }	2
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8	{ }	3

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

☐ Yes ☒ No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	196,500.	45,455.	4.322957
2007	5,000.	14,262.	.350582
2006	224,479.	5,558.	40.388449
2005			
2004			

2 Total of line 1, column (d)	2	45.061988
3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years	3	15.020663
4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5	4	21,341.
5 Multiply line 4 by line 3	5	320,556.
6 Enter 1% of net investment income (1% of Part I, line 27b)	6	0.
7 Add lines 5 and 6	7	320,556.
8 Enter qualifying distributions from Part XII, line 4	8	88,500.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate.
See the Part VI instructions.

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Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a	Exempt operating foundations described in section 4940(d)(2), check here <input type="checkbox"/> and enter "N/A" on line 1. Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)	1	0.
b	Domestic foundations that meet the section 4940(e) requirements in Part V, check here <input type="checkbox"/> and enter 1% of Part I, line 27b	2	0.
c	All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)	3	0.
2	Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	4	0.
3	Add lines 1 and 2	5	0.
4	Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)	6a	
5	Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-	6b	
6	Credits/Payments:	6c	
a	2009 estimated tax payments and 2008 overpayment credited to 2009	6d	
b	Exempt foreign organizations - tax withheld at source	7	0.
c	Tax paid with application for extension of time to file (Form 8868)	8	
d	Backup withholding erroneously withheld	9	0.
7	Total credits and payments. Add lines 6a through 6d	10	
8	Enter any penalty for underpayment of estimated tax. Check here <input type="checkbox"/> if Form 2220 is attached	11	
9	Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed		
10	Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid		
11	Enter the amount of line 10 to be: Credited to 2010 estimated tax <input type="checkbox"/> Refunded <input type="checkbox"/>		

Part VII-A Statements Regarding Activities

	Yes	No
1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?		X
1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)? If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities.		X
1c Did the foundation file Form 1120-POL for this year?		X
d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year: (1) On the foundation. <input type="checkbox"/> \$ 0. (2) On foundation managers. <input type="checkbox"/> \$ 0.		
e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. <input type="checkbox"/> \$ 0.		
2 Has the foundation engaged in any activities that have not previously been reported to the IRS? If "Yes," attach a detailed description of the activities.		X
3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes		X
4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?		X
b If "Yes," has it filed a tax return on Form 990-T for this year?		
5 Was there a liquidation, termination, dissolution, or substantial contraction during the year? If "Yes," attach the statement required by General Instruction T.		X
6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either: • By language in the governing instrument, or • By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?	X	
7 Did the foundation have at least \$5,000 in assets at any time during the year? If "Yes," complete Part II, col. (c), and Part XV.	X	
8a Enter the states to which the foundation reports or with which it is registered (see instructions) <input type="checkbox"/> TX		
b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation	X	
9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV		X
10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses	X	

N/A

STMT 5

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Part VII-A Statements Regarding Activities (continued)

11	At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions)	11		X
12	Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008?	12		X
13	Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► <u>N/A</u>	13	X	
14	The books are in care of ► <u>LYNN MARIE SCHAKEL</u> Telephone no. ► <u>219-987-5696</u> Located at ► <u>10420 MULLIGAN DRIVE, WHEATFIELD, IN</u> ZIP+4 ► <u>46392</u>			
15	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year	► 15 N/A		

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

	Yes	No
1a During the year did the foundation (either directly or indirectly):		
(1) Engage in the sale or exchange, or leasing of property with a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)? Organizations relying on a current notice regarding disaster assistance check here	N/A	1b
c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009?		1c X
2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)):		
a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
If "Yes," list the years ► _____		
b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.)	N/A	2b
c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here. ► _____		
3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009.)	N/A	3b
4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes?		4a X
b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009?		4b X

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Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a During the year did the foundation pay or incur any amount to:

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? ☐ Yes ☒ No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? ☐ Yes ☒ No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? ☐ Yes ☒ No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? ☐ Yes ☒ No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? ☐ Yes ☒ No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

5b

Organizations relying on a current notice regarding disaster assistance check here

☐

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant?

N/A

☐ Yes ☒ No

If "Yes," attach the statement required by Regulations section 53.4945-5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

☐ Yes ☒ No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

6b

X

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

☐ Yes ☒ No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

7b

Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
MARY BETH BOS 9451 N STATE RD 10 DEMOTTE, IN 46310-8830	PRESIDENT 1.00	0.	0.	0.
LYNN SCHAKEL 10420 MULLGAN DRIVE WHEATFIELD, IN 46392	SECRETARY 2.00	0.	0.	0.
MARY BETH BOS 9451 N STATE RD 10 DEMOTTE, IN 46310-8830	TREASURER 1.00	0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000

0

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Part X Minimum Investment Return (All domestic foundations must complete this part. Foreign foundations, see instructions.)

1 Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:		
a Average monthly fair market value of securities	1a	0.
b Average of monthly cash balances	1b	21,666.
c Fair market value of all other assets	1c	
d Total (add lines 1a, b, and c)	1d	21,666.
e Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e	0.
2 Acquisition indebtedness applicable to line 1 assets	2	0.
3 Subtract line 2 from line 1d	3	21,666.
4 Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4	325.
5 Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5	21,341.
6 Minimum investment return. Enter 5% of line 5	6	1,067.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain foreign organizations check here ☐ and do not complete this part.)

1 Minimum investment return from Part X, line 6	1	1,067.
2a Tax on investment income for 2009 from Part VI, line 5	2a	
b Income tax for 2009. (This does not include the tax from Part VI.)	2b	
c Add lines 2a and 2b	2c	0.
3 Distributable amount before adjustments. Subtract line 2c from line 1	3	1,067.
4 Recoveries of amounts treated as qualifying distributions	4	0.
5 Add lines 3 and 4	5	1,067.
6 Deduction from distributable amount (see instructions)	6	0.
7 Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7	1,067.

Part XII Qualifying Distributions (see instructions)

1 Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:		
a Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a	88,500.
b Program-related investments - total from Part IX-B	1b	0.
2 Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2	
3 Amounts set aside for specific charitable projects that satisfy the:		
a Suitability test (prior IRS approval required)	3a	
b Cash distribution test (attach the required schedule)	3b	
4 Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4	88,500.
5 Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5	0.
6 Adjusted qualifying distributions. Subtract line 5 from line 4	6	88,500.

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				1,067.
2 Undistributed income, if any, as of the end of 2009				
a Enter amount for 2008 only			0.	
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005				
c From 2006	224,201.			
d From 2007	4,287.			
e From 2008	194,227.			
f Total of lines 3a through e	422,715.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$ 88,500.				
a Applied to 2008, but not more than line 2a			0.	
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				1,067.
e Remaining amount distributed out of corpus	87,433.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a).)	0.			0.
6 Enter the net total of each column as indicated below:				
a Corpus Add lines 3f, 4c, and 4e Subtract line 5	510,148.			
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	510,148.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006	224,201.			
c Excess from 2007	4,287.			
d Excess from 2008	194,227.			
e Excess from 2009	87,433.			

Part XIV Private Operating Foundations (see instructions and Part VII-A, question 9) **N/A**

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling ▶

b Check box to indicate whether the foundation is a private operating foundation described in section ☐ 4942(j)(3) or ☐ 4942(j)(5)

	Tax year	Prior 3 years			(e) Total
	(a) 2009	(b) 2008	(c) 2007	(d) 2006	
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities. Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon:					
a "Assets" alternative test - enter:					
(1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test - enter:					
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(iii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV Supplementary Information (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year-see the instructions.)

1 **Information Regarding Foundation Managers:**

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)

MARY BETH BOS

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.

NONE

2 **Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs**

Check here ☐ if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d.

a The name, address, and telephone number of the person to whom applications should be addressed:

SEE STATEMENT 6

b The form in which applications should be submitted and information and materials they should include:

c Any submission deadlines:

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors:

Part XV **Supplementary Information** (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment				
Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
a Paid during the year				
BARNABAS FOUNDATION 18601 N. CREEK DRIVE, STE B TINLEY PARK, IL 60477	NONE	PUBLIC CHARITY	EUTS FUND	25,000.
BETHAL CHRISTIAN REFORMED CHURCH 521 S. HALLECK STREET DEMOTTE, IN 46310	NONE	PUBLIC CHARITY	HISPANIC MINISTRY FUND	5,000.
CHICAGO CHRISTIAN COUNSELING CENTER 15127 S. 73RD AVE, STE G ORLAND PARK, IL 60462	NONE	PUBLIC CHARITY	FAITH-BASED COUNSELING	5,000.
ELIM CHRISTIAN SERVICES 13020 S. CENTRAL AVE PALOS HEIGHTS, IL 60463	NONE	PUBLIC CHARITY	SPECIAL EDUCATION SERVICES	25,000.
SUNSHINE COMMUNITY CHURCH 11601 MONTWOOD DRIVE EL PASO, TX 79936	NONE	PUBLIC CHARITY	RIVER'S EDGE - HELP WITH START UP	28,500.
Total			3a	88,500.
b Approved for future payment				
NONE				
Total			3b	0.

[illegible][illegible]

2009.03010 THE BOS FAMILY FOUNDATION C 60196-11

Schedule B(Form 990, 990-EZ,
or 990-PF)Department of the Treasury
Internal Revenue Service**Schedule of Contributors**

▶ Attach to Form 990, 990-EZ, or 990-PF.

OMB No 1545-0047

2009

Name of the organization

THE BOS FAMILY FOUNDATION
C/O LYNN MARIE SCHAKEL

Employer identification number

20-3716147

Organization type(check one):

Filers of:

Section:

Form 990 or 990-EZ

☐

501(c)() (enter number) organization

☐

4947(a)(1) nonexempt charitable trust not treated as a private foundation

☐

527 political organization

Form 990-PF

☒

501(c)(3) exempt private foundation

☐

4947(a)(1) nonexempt charitable trust treated as a private foundation

☐

501(c)(3) taxable private foundation

Check if your organization is covered by the **General Rule** or a **Special Rule**.**Note.** Only a section 501(c)(7), (8), or (10) organization can check boxes for both the General Rule and a Special Rule. See instructions**General Rule**

- ☒ For an organization filing Form 990, 990-EZ, or 990-PF that received, during the year, \$5,000 or more (in money or property) from any one contributor. Complete Parts I and II.

Special Rules

- ☐ For a section 501(c)(3) organization filing Form 990 or 990-EZ that met the 33 1/3% support test of the regulations under sections 509(a)(1) and 170(b)(1)(A)(vi), and received from any one contributor, during the year, a contribution of the greater of (1) \$5,000 or (2) 2% of the amount on (i) Form 990, Part VIII, line 1h or (ii) Form 990-EZ, line 1. Complete Parts I and II.
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, aggregate contributions of more than \$1,000 for use *exclusively* for religious, charitable, scientific, literary, or educational purposes, or the prevention of cruelty to children or animals. Complete Parts I, II, and III
- ☐ For a section 501(c)(7), (8), or (10) organization filing Form 990 or 990-EZ that received from any one contributor, during the year, contributions for use *exclusively* for religious, charitable, etc., purposes, but these contributions did not aggregate to more than \$1,000. If this box is checked, enter here the total contributions that were received during the year for an *exclusively* religious, charitable, etc., purpose. Do not complete any of the parts unless the **General Rule** applies to this organization because it received nonexclusively religious, charitable, etc., contributions of \$5,000 or more during the year. ▶ \$ _____

Caution. An organization that is not covered by the General Rule and/or the Special Rules does not file Schedule B (Form 990, 990-EZ, or 990-PF), but it **must** answer "No" on Part IV, line 2 of its Form 990, or check the box on line H of its Form 990-EZ, or on line 2 of its Form 990-PF, to certify that it does not meet the filing requirements of Schedule B (Form 990, 990-EZ, or 990-PF).

LHA For Privacy Act and Paperwork Reduction Act Notice, see the Instructions
for Form 990, 990-EZ, or 990-PF.

Schedule B (Form 990, 990-EZ, or 990-PF) (2009)

Name of organization

THE BOS FAMILY FOUNDATION
C/O LYNN MARIE SCHAKEL

Employer identification number

20-3716147

Part I Contributors (see instructions)

(a) No.	(b) Name, address, and ZIP + 4	(c) Aggregate contributions	(d) Type of contribution
<u>1</u>	<u>STEVE AND JEANELL BOS</u> <u>12328 DRIFTWOOD DRIVE</u> <u>DEMOTTE, IN 46310</u>	\$ <u>10,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
<u>2</u>	<u>TONY AND MARY BETH BOS</u> <u>10777 WEST 700 NORTH</u> <u>FAIR OAKS, IN 49943</u>	\$ <u>60,000.</u>	Person <input checked="" type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$ _____	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$ _____	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$ _____	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)
		\$ _____	Person <input type="checkbox"/> Payroll <input type="checkbox"/> Noncash <input type="checkbox"/> (Complete Part II if there is a noncash contribution.)

2009 DEPRECIATION AND AMORTIZATION REPORT

FORM 990-PF PAGE 1

990-PF

Asset No	Description	Date Acquired	Method	Life	Line No	Unadjusted Cost Or Basis	Bus % Excl	* Reduction In Basis	Basis For Depreciation	Accumulated Depreciation	Current Sec 179	Current Year Deduction
1	LAND	080306L				33,848.			33,848.			0.
2	BUILDING	080306SL		39.00	17	190,631.			190,631.	11,609.		4,888.
	* TOTAL 990-PF PG 1					224,479.		0.	224,479.	11,609.	0.	4,888.
	DEPR											

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
KENTLAND BANK	235.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	235.

FORM 990-PF ACCOUNTING FEES STATEMENT 2

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
ACCOUNTING FEES	1,895.	0.		0.
TO FORM 990-PF, PG 1, LN 16B	1,895.	0.		0.

FORM 990-PF OTHER EXPENSES STATEMENT 3

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
MISCELLANEOUS	60.	0.		0.
TO FORM 990-PF, PG 1, LN 23	60.	0.		0.

FORM 990-PF DEPRECIATION OF ASSETS NOT HELD FOR INVESTMENT STATEMENT 4

DESCRIPTION	COST OR OTHER BASIS	ACCUMULATED DEPRECIATION	BOOK VALUE
LAND	33,848.	0.	33,848.
BUILDING	190,631.	16,497.	174,134.
TOTAL TO FM 990-PF, PART II, LN 14	224,479.	16,497.	207,982.

FORM 990-PF

LIST OF SUBSTANTIAL CONTRIBUTORS
PART VII-A, LINE 10

STATEMENT 5

NAME OF CONTRIBUTOR

ADDRESS

TONY AND MARY BETH BOS

10777 WEST 700 NORTH
FAIR OAKS, IN 49943

TONY T. AND LINDSEY BOS

7921 WEDGWOOD COURT
DEMOTTE, IN 46310

DEREK AND LARA HERREMA

12361 DRIFTWOOD DRIVE
DEMOTTE, IN 46310

STEVE AND JEANELL BOS

12328 DRIFTWOOD DRIVE
DEMOTTE, IN 46310

FRED AND LYNN SCHAKEL

10420 MULLIGAN DRIVE
WHEATFIELD, IN 46392

FORM 990-PF	GRANT APPLICATION SUBMISSION INFORMATION	STATEMENT	6
	PART XV, LINES 2A THROUGH 2D		

NAME AND ADDRESS OF PERSON TO WHOM APPLICATIONS SHOULD BE SUBMITTED

LYNN MARIE SCHAKEL
10420 MULLIGAN DRIVE
WHEATFIELD, IN 46392

TELEPHONE NUMBER

219-987-5696

FORM AND CONTENT OF APPLICATIONS

SEE ATTACHED "GRANT APPLICATION FOR CHARITABLE ORGANIZATIONS" AND " GRANT APPLICATION FOR INDIVIDUALS"

ANY SUBMISSION DEADLINES

RESTRICTIONS AND LIMITATIONS ON AWARDS

SEE ATTACHMENT WHICH IS A COPY OF "SCHEDULE H, GRANTMAKING PROCEDURES," WHICH WAS INCLUDED WITH FORM 1023

The Bos Family Foundation
EIN: 20-3716147

Attachment to Form 1023
Grant Application for Charitable Organizations

The Bos Family Foundation is a Texas nonprofit corporation organized and operated exclusively for charitable, religious, or educational purposes within the meaning of Internal Revenue Code section § 501(c)(3).

A. Identification

1. Name of grant applicant _____
2. Address _____
3. Telephone number () _____
4. Name and address of person with whom communication will be conducted (if different from that of grant applicant).

Name and title _____
Address _____
Telephone number () _____

Before the Foundation will process your application, you must sign the following statement:

The information provided on this page and on the following pages is furnished in consideration of a proposed grant, and it is intended that it may be relied upon, by The Bos Family Foundation, as of this date. The applicant will notify The Bos Family Foundation of any material change in the information provided herein.

Signed _____
(Designate position in grant-applicant organization if applicable)

Name of grant-applicant organization

Date _____

B. Tax-Exempt Status

1. The Bos Family Foundation makes grants only to organizations which are exempt under Section 501(c)(3) of the Internal Revenue Code. Please state the date your organization received its exemption ruling. _____. Please attach a copy of your ruling letter to this application.

2. Is your organization a public charity by virtue of its being an organization described in Section 509(a) of the Internal Revenue Code? _____. If yes, please indicate which of the following classifications describes your organization:

_____ IRC §509(a)(1)

_____ IRC §509(a)(2)

_____ IRC §509(a)(3)

_____ (other: describe) _____

3. If your organization has been described as either a Section 509(a)(1) organization described in Section 170(b)(1)(A)(vi) or a Section 509(a)(2) organization, will the amount of funds requested under the grant application adversely affect your organization's status as a publicly-supported organization? _____.

C. Applicant History

Please describe your organization's background, including its purpose, size, inception, past grants, past activities and any other information you believe will help us to understand your aims. Attach additional pages for purposes of completing this section. You may also enclose any material (e.g., newspaper articles, brochures, etc.) that provides further relevant detail about your organization.

D. Purposes and Nature of Requested Grant

Please describe in detail the specific purposes for which the grant requested will be used. You should attach additional pages for this section. Your response should include the following information:

1. Your proposed program or project - its goals, who it will serve, and anything else you think might assist us in understanding your purpose. If the funding is requested for an ongoing project or program, please describe the project or program and the results achieved to date.

2. Funding the program - what is the grant amount requested? You may approximate the amount within a range, e.g., \$10,000 - \$12,500. If you have

other present sources of funds for portions of your program or project or, if you are currently asking other funding sources for support, give this information. Please explain how funds from the Foundation will be used. For this purpose, you should include a budget of overall expenses, or use another form of allocation, and itemize the portion requested from us.

3. Personnel - list the personnel who will work on the project or program, and give the qualifications of those who will play a key role in its operations.

4. Timetable - show the timetable you have set to achieve your goals.

E. Processing the Grant Application

Your application will be reviewed carefully and discussed by our Reviewing Committee. The Committee may contact you for more information or possibly request a meeting with you. When the members of the Committee have thoroughly assured themselves that they understand what you hope to accomplish with the proposed grant, they will evaluate your proposal in the light of other applications for available funds and make a recommendation to our Board of Directors.

The members of the Board of Directors evaluate each proposal independently, take the Committee's recommendations into consideration, and vote either to approve (with or without conditions), to reject, or to table the grant proposal. The results of the Board of Directors' review will be communicated to you as soon as a decision has been reached.

F. Grant Monitoring

The trust placed in The Bos Family Foundation by its own donors and contributors, as well as its status as a tax-exempt charitable organization, requires the highest fiscal integrity and oversight of its funds. The Foundation has been given the stewardship of charitable dollars and, in return, its Directors are expected to ensure their proper and lawful use by our grantees. Our requirements from grantees are simple. First, the grant must be used in accordance with the purposes set forth in the grant proposal, for purposes clearly identifiable as charitable under applicable federal and state laws. Any variation from the proposal must be approved in advance by us. Secondly, where projects or programs are operated for less than anticipated budgeted figures, all excess (unexpended) funds must be returned to the Foundation. And thirdly, all grant recipients must submit a "mid-term" and final narrative report describing the progress of the program or project, as well as financial reports on how the appropriated funds are being used. These reports are reviewed by us to see if the program or project is progressing as anticipated and to verify that the expenditures are in accordance with the grant proposal. If these reports are not submitted or reflect discrepancies, the additional distribution of funds will be held in abeyance until satisfactory reports are received or the discrepancy is removed. Where necessary, it

may be necessary to cancel a grant entirely. Such action, however, is highly undesirable for the Foundation as well as for the grantee. The Bos Family Foundation, however, must always stand firmly on its obligation to ensure that all grants are spent solely in furtherance of charitable purposes. To do otherwise, would be to fail the public trust that our donors and contributors have invested in the Foundation.

G. Submission of Application

All applications should be mailed to the following address:

The Bos Family Foundation
11218 Enid Wilson
El Paso, Texas 79936

No original documents should be sent to us. We are not responsible for returning to you any portion of the applications or material attached thereto.

Organizations experiencing difficulty in assembling the required information may call _____ at _____ or write to the Directors of the Foundation at the address listed above for assistance without fear of prejudicing the eventual outcome of the application.

**The Bos Family Foundation
EIN: 20-3716147**

**Attachment to Form 1023
Grant Application for Individuals**

The Bos Family Foundation is a Texas nonprofit corporation organized and operated exclusively for charitable, religious, or educational purposes within the meaning of Internal Revenue Code § 501(c)(3). Individual grants will be awarded on an objective and nondiscriminatory basis pursuant to the procedure approved in advance by the Internal Revenue Service.

A. IDENTIFICATION

1. Name of grant applicant (or nominee) _____
2. Address _____
3. Telephone number () _____
4. Is applicant or sponsor an employee of the Foundation? ____ Yes ____ No
5. Please state your relationship, if any, to any member of the Foundation's Board of Directors _____
6. Name and address of person with whom communication will be conducted (if different from that of grant applicant). _____

Name and title _____

Address _____

Telephone number () _____

In order for us to process your application, you must sign the following statement:

The information provided on this page and on the following pages is furnished in consideration of a proposed grant, and it is intended that it may be relied upon, by The Bos Family Foundation as of this date. The applicant will notify The Bos Family Foundation of any material change in the information provided herein.

Signed _____
(Designate position of nominating organization if applicable)

Name of grant-applicant or nominee

Date _____

B. APPLICANT OR NOMINEE HISTORY

Please describe applicant's or nominee's background, including past grants, past activities and any other information you believe will help us to understand that the individual is particularly qualified to carry out the charitable or educational purposes of the grant or that selection of the individual is particularly calculated to effectuate the exempt purpose of the grant.

Attach additional pages for purposes of completing this section. You may also enclose any material (e.g., newspaper articles, brochures, etc.) that provides further relevant detail about the applicant or nominee.

C. INDIVIDUAL GRANT CATEGORIES

Only nominating organizations or persons not affiliated with the Foundation with relevant experience and involvement in the nominee's community or field of expertise may submit an application for a Prize category. (The Internal Revenue Service states that applicants cannot apply for the Prize category; recipients of prizes are selected without any action on his or her part.) Please check the appropriate grant category for which you are making this application:

1. Specific Objective Grant. This is a grant to assist the grantee in achieving a specific objective, producing a report or other similar product, or improving or enhancing a literary, artistic, musical, scientific, teaching, or other similar capacity, skill, or talent of the grantee. If you are applying for a Specific Objective Grant, please answer the following questions:

(a) Please describe in detail the specific purposes for which the grant requested will be used. You should attach additional pages for this section. Your response should include the following information:

(1.) Your proposed objective

i. Will you produce a report or similar product?

ii. In what way will the grant improve or enhance the literary, artistic, musical, scientific, teaching or other capacity of the grantee?

(2.) Funding the program - what is the grant amount requested? You may approximate the amount within a range, e.g., \$10,000 - \$12,500. If you have other present sources of funds for portions of your objective or, if you are currently asking other funding sources for support, give this information. Please explain how funds from us will be used. For this purpose, you should include a budget of overall expenses, or use another form of allocation, and itemize the portion requested from us.

(3.) Timetable - show the timetable you have set to achieve your goals.

2. Scholarship Grant. This is a grant to help finance the cost of the grantee's educational needs and is to be used for study at an educational organization where grantee is a candidate for a degree at such organization. Please provide the following information:

(a) the applicant's prior academic performance, performance on tests designed to measure ability and aptitude for college work, recommendations from instructors and others who have knowledge of the applicant's capabilities motivation, character, ability and potential, additional biographical information regarding a potential applicant's career experiences; and financial need;

(b) the cost of tuition, and fees of the educational organization and the cost of room and board, books, supplies, and equipment required for courses of instruction at such educational organization;

(c) the name, address and telephone number of the educational organization is attending or will attend.

3. Prizes. This is a grant which constitutes a prize or award in recognition of the recipient's outstanding contribution in a specific charitable area, i.e. religious, charitable, scientific, educational, artistic, literary, or civic improvement.

D. SUBMISSION OF APPLICATION

All applications should be mailed to the following address:

The Bos Family Foundation
11218 Enid Wilson
El Paso, Texas 79936

No original documents should be sent to us. We are not responsible for returning to you any portion of the applications or material attached thereto.

Individuals experiencing difficulty in assembling the required information may call _____ at _____ or write to the Directors of the Foundation at the address listed above for assistance without fear of prejudicing the eventual outcome of the application.

E. PROCESSING THE GRANT APPLICATION

First, your application will be reviewed carefully and discussed by our Reviewing Committee (the "Committee"). The Committee may contact you for more information or, possibly, ask for a meeting with you. When the members of the Committee have thoroughly assured themselves that they understand what you hope to accomplish with the proposed grant, they will evaluate your proposal in the light of other applications for available funds and make a recommendation to our Board of Directors.

The members of the Board of Directors evaluate each proposal independently, take the Committee's recommendations into their considerations, and vote either to approve (with or without conditions), to reject, or to table the grant proposal. The results of the Board of Directors' review will be communicated to you as soon as possible. Any grant approved will be administrated according to the instructions of the Board of Directors.

F. GRANT MONITORING

The trust placed in The Bos Family Foundation - by its own donors and contributors and its status as a tax-exempt charitable organization - requires the highest fiscal integrity. We have been given the "stewardship" of charitable dollars; in return, we are expected to ensure their proper and lawful use by our grantees.

Our requirements from grantees are simple. First, the grant must be used in accordance with the purposes set forth in the grant proposal, for purposes clearly identifiable as charitable under applicable federal and state laws. Any variation from the proposal must be approved in advance by us. Secondly, where projects or programs are operated for less than anticipated budgeted figures, all excess (unexpended) funds must be returned to us. And thirdly, all Specific Object Grant recipients must submit a "mid-term" and final narrative report describing the progress of the program or project, as well as financial reports on how the appropriated funds are being used. These reports are reviewed by us to see if the program or project is progressing as anticipated and to verify that the expenditures are in accordance with the grant proposal. If these reports are not submitted or reflect discrepancies, the additional distribution of funds will be held in abeyance until satisfactory reports are received or the discrepancy is removed.

With respect to Scholarship Grants, the Foundation will arrange to receive an objective report of the grant recipient's courses taken (if any) and grades received (if any) in each academic period. This report must be verified by the educational institution attended by the grantee and will be obtained at least once a year. Where study at an institution does not involve the taking of courses but the preparation of research papers or projects, such as the writing of a doctoral thesis, the Foundation will require a brief report from the institution on the progress of the paper or project at least once a year. Such a report must be approved by the faculty member supervising the grantee or by another appropriate official of the institution. Upon completion of a grantee's study at an educational institution, a final report also will be obtained. However, if the Foundation

pays the scholarship or fellowship directly to the educational institution, the reports may not be required.

Sometimes, we will call for an independent audit, and on rare occasions, it may be necessary to cancel a grant entirely. Such action, however, is highly undesirable for us as well as for the grantee. The Bos Family Foundation, however, must always stand firmly on its obligation to ensure that all grants are spent solely in furtherance of the charitable purposes for which the funds were given to us. To do otherwise, would be to fail the public trust that our donors and contributors have invested in us.

**The Bos Family Foundation
EIN: 20-3716147**

**Attachment to Form 1023
Schedule H
Grantmaking Procedures**

I. GRANTS TO INDIVIDUALS

The Bos Family Foundation (the "Foundation") anticipates that it may from time to time make grants to individuals in the form of Scholarship Grants (to assist grantees in furthering their education) and Necessity Grants (to assist grantees in obtaining certain basic necessities of life, such as food, clothing, shelter, health care, child care and transportation). Recognizing that, under Internal Revenue Code §4945(d)(3), a grant to an individual for travel, study or any similar purpose is a taxable expenditure unless the grant satisfies §4945(g), the Foundation shall ensure that its individual grants are awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the IRS, and in addition, that one of the following three conditions are met:

1. The grant constitutes a scholarship or fellowship grant which would be subject to the provisions of §117(a) and is to be used for study at an educational organization described in §170(b)(1)(A)(ii);

2. The grant constitutes a prize or award which is subject to the provisions of §74(b) (without regard to paragraph (3) thereof), and the recipient of such prize or award is selected from the general public; or

3. The grant is awarded for the purpose of achieving a specific objective, producing a report or other similar product, or improving or enhancing a literary, artistic, musical, scientific, teaching, or other similar capacity, skill or talent of the grantee.

The Foundation is required to obtain advance approval from the Internal Revenue Service of its grantmaking procedures with respect to such grants to individuals.

Accordingly, the Foundation, in conjunction with the filing of Form 1023 and Schedule H thereto, sets forth the specific grantmaking procedures to be followed by the Foundation with respect to grants to individuals.

II. GRANTMAKING PROCEDURES FOR GRANTS TO INDIVIDUALS

The Foundation will follow the specific procedures set forth below in making grants to individuals. The Foundation expressly reserves the right to impose additional reasonable restrictions and/or requirements upon the selection of grantees and the administration of grants to individuals but in no event shall such additional restrictions and/or requirements be less stringent than those set forth below.

A. Scholarship Grants.

1. Scholarship Grants Defined.

The Foundation will make Scholarship Grants to individuals pursuant to IRC §4945(d)(3), subject to the additional requirements imposed by IRC §4945(g); specifically, these grants will be made to help finance the cost of the grantee's educational needs.

2. The Selection Process

Selection of grantees shall be made by the Foundation on an objective and non-discriminatory basis. In the case of grants based on proposals submitted by individuals, the basis for an award will include the merits of a proposal, the relationship of the purpose of a proposal to the Foundation's program activities, projects or areas of Foundation interest, and their priority in relation to other demands on Foundation funds. On the basis of these criteria, an individual grantee may be selected (i) from a group of qualified candidates; or (ii) without reference to a group of candidates because the

individual is particularly qualified to carry out the charitable or educational purposes of the grant or it is otherwise evident that the selection is particularly calculated to effectuate the exempt purpose of the grant rather than to benefit particular persons.

3. Nomination and Application for Grants.

a. The Foundation may announce in its annual reports or in other general and widely disseminated publications that, as part of the Foundation's activities, it will make grants to individuals for scholarships, fellowships, internships, travel, study, research, or similar activities intended to improve the recipient's competence, enable him or her to develop his or her career or professional interests, or enhance his or her contributions to the community with which he or she is associated. These announcements will specify how nominations or applications may be submitted. The Foundation will consider nominations of individuals by:

- (i) sponsoring institutions described in Section 501(c)(3) of the Internal Revenue Code (e.g., educational institutions);
- (ii) governments and governmental agencies or instrumentalities; and
- (iii) persons not affiliated with the Foundation with relevant experience and involvement in the nominee's community.

The Foundation also will consider applications received directly from individuals seeking grants.

b. All nominations or applications must be submitted in writing and are subject to review by the Foundation's staff. Nominations and applications that meet appropriate standards of quality and are relevant to the Foundation's program interests

are eligible for selection. From among those who are nominated or who apply, and within budget limitations set by the Foundation's Board of Trustees, Foundation staff members shall select grant recipients, with advice, as appropriate, of experts or persons outside the Foundation with relevant personal and/or professional experience. Nominations from sponsoring institutions which are described in Section 501(c)(3) or which are governments or governmental agencies or instrumentalities do not require further external review. In all other cases, the Foundation shall require written endorsement of the nominee from at least one expert or person with relevant personal and/or professional experience who are not employees of the Foundation. In exceptional cases where it is not practicable to obtain objective external endorsements because of the particular and personal circumstances of the individual under consideration, the grant shall be approved only by majority vote of the Board of Directors of the Foundation. The Foundation will take steps to ensure that persons engaged in the selection process are not in a position to derive direct or indirect private benefit from the selection of certain potential grantees over others. Employees of the Foundation are not eligible for grants to individuals awarded on the basis of individual nomination or application.

4. Criteria for Selection of Scholarship Grantees.

a. The criteria to be utilized for selecting grantees of scholarships or fellowships and internship awards include, but are not limited to: prior academic performance; additional biographical information regarding a potential grantee's career experiences, academic experiences and any other relevant experiences; and recommendations from a potential grantee's instructors and any others who have

knowledge of the potential grantee's capabilities. Financial need may be considered as an additional criterion but not as a required criterion. A scholarship recipient must be capable of matriculating at an educational institution described in IRC §170(b)(1)(A)(ii).

b. An express condition of each scholarship grant may be that the scholarship grant will be used only for qualified tuition and related expenses within the meaning of IRC §117(b)(2), and for room and board; specifically, the scholarship grant may be used solely for: (i) tuition and fees required for the enrollment or attendance of the student at a qualifying institution; (ii) fees, books, supplies, and equipment required for courses of instruction at such an educational institution; and (iii) room and board. The scholarship grant may be further expressly conditioned such that no part of the grant shall be used as payment for teaching, research, or other services by the scholarship recipient as a condition for receiving the scholarship.

5. Terms And Conditions of Scholarship Grants.

The terms and conditions of each grant to an individual shall be contained in a letter sent to and countersigned by each recipient of such grant. Terms and conditions include: specific purpose of the grant, its duration, the total amount of the grant, a budget and requirements for narrative and financial reports, including due dates for such reports.

6. Procedure for Exercising Supervision over Individual Grants

a. Scholarships and fellowships at educational institutions.

(1) With respect to scholarship or fellowship grants, the Foundation arranges to receive an objective report of the grantee's courses taken (if any) and grades received (if any) in each academic period. Such a report must be

verified by the educational institution attended by the grantee and shall be obtained at least once a year. Where study at an institution does not involve the taking of courses but the preparation of research papers or projects, such as the writing of a doctoral thesis, the Foundation requires a brief report from the institution on the progress of the paper or project at least once a year. Such a report must be approved by the faculty member supervising the grantee or by another appropriate official of the institution. Upon completion of a grantee's study at an educational institution, a final report also shall be obtained. However, the Foundation's review of a grantee's progress will not be limited to or based solely upon the grantee's grades. The Foundation also will make a subjective determination based on each grantee's individual circumstances, abilities and needs, taking a broad view designed to determine whether the grantee is putting forth his or her best efforts commensurate with his or her abilities to meet the Foundation's expectations with respect to that particular grantee.

(2) The Foundation does not consider it necessary to obtain the foregoing objective reports if the following conditions are met:

(i) the grant is a scholarship or fellowship subject to the provisions of Section 117(a) of the Internal Revenue Code and is to be used for study at an educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on;

(ii) the Foundation pays the scholarship or fellowship directly to the educational institution;

(iii) the educational institution agrees to use the grant funds to defray the grantee's expenses or pay funds to the grantee only if and while the grantee is enrolled at the educational institution and the grantee's standing at such institution is consistent with the purpose and conditions of the grant.

7. Procedures For Review Of Grantee Reports, For Investigation Where Diversion Of Grant Funds From Their Specified Purposes Is Indicated, And For Recovery Of Diverted Grant Funds

a. Review of grantee reports.

A staff member of the Foundation shall monitor and follow the progress of the individual grant. Such monitoring duties shall include (but need not be limited to): reviewing each report submitted by the educational institution or individual; determining whether the grant purposes are being or have been fulfilled; and looking into any issues or questions requiring further scrutiny or investigation.

b. Investigation where diversion of grant funds from their specified purposes is indicated.

(1) Where reports to the Foundation or other information (including failure to submit reports after a reasonable time has elapsed after their due date) indicates that all or any part of grant funds are not being used for the purposes of the grant, the Foundation shall initiate an investigation. While conducting the investigation, the Foundation shall withhold further payments to the extent possible until it has determined that no part of the grant has been used for improper purposes and until any delinquent reports have been submitted.

If the Foundation determines that any part of the grant has been used for improper purposes, the Foundation shall take all reasonable and appropriate steps to recover diverted grant funds or to insure the restoration of diverted funds and the

rededication of any other grant funds held by the grantee back to the intended purposes of the grant. These steps may include legal action unless such action, in all probability, would not result in the satisfaction of execution of a judgment. Legal action will not be considered reasonable and appropriate if, on the advice of legal counsel, the Foundation considers the costs of maintaining an action to be excessive (in gross or relative to the value of the diverted grant funds), or there is a little likelihood that a favorable judgment would be obtained.

(2) If the Foundation determines that any part of the grant has been used for improper purposes but the grantee has not previously diverted grant funds to any use not in furtherance of a purpose specified in the grant, the Foundation shall withhold further payments on that particular grant until (i) it has received the grantee's assurance that further diversions will not occur, (ii) any delinquent reports have been submitted; and (iii) it has required the grantee to take extraordinary precaution to prevent future diversions from occurring. If the Foundation determines that any part of the grant has been used for improper purposes and the grantee has previously diverted Foundation grant funds, the Foundation shall withhold further payment until the preceding three conditions have been met and the diverted funds have been recovered or restored.

B. Necessity Grants.

1. Necessity Grants Defined.

The Foundation will make Necessity Grants to needy individuals for general charitable purposes within the meaning of IRC §170(c)(2)(B); specifically, these grants will be made to help the grantees meet their basic needs for food, clothing, shelter,

health care, child care and transportation. These Necessity Grants are not grants to individuals for study, travel or similar purposes within the meaning of IRC §4945(d)(3) and, as indicated at Treas. Reg. §53.4945-4(a)(3)(i), they are not Taxable Expenditures under IRC §4945(d)(3) and therefore are not subject to the additional requirements of IRC §§4945(g) and (h).

2. The Selection Process.

a. Definition of Needy. For purposes of determining eligibility for Necessity Grants to needy individuals by the Foundation, an individual is "needy" if he lacks any of the necessities of life involving physical, mental or emotional well-being, whether as a result of poverty or as a result of temporary distress. Examples of a needy individual for purposes of this Paragraph include, but are not limited to, an individual who is financially impoverished as a result of low income and lack of financial resources, an individual who temporarily or permanently lacks food or shelter, an individual who temporarily or permanently lacks the means to provide or obtain food or shelter for himself and/or family members who are dependent on him, an individual who is the victim of a natural disaster, an individual who is the victim of a civil disaster and/or civil disturbance, an individual who is temporarily not self-sufficient as a result of a sudden and severe personal or family crisis (such as violent crime, physical abuse, mental abuse, physical illness or mental illness), an individual who is a refugee or immigrant and who is experiencing communication, cultural or financial difficulties as a direct or indirect result of his refugee or immigrant status, a minor child who is not self-sufficient and is not being adequately cared for or provided for by a parent or guardian, and any

person who is temporarily or permanently not self-sufficient due to prior institutionalization (such as a former prisoner or a former patient in a mental institution).

b. Grantmaking Criteria. The criteria to be utilized in making Necessity Grants to needy individuals include, but are not limited to: financial need; family circumstances; physical health; and mental health. Necessity Grants will be made to needy individuals who demonstrate a specific need that can be addressed through a cash grant or through a gift of food, clothing, shelter, health care, child care and/or transportation assistance.

c. Conditions on Necessity Grants. A general condition of each non-scholarship grant may be that the grant will be used only for charitable purposes within the meaning of IRC §170(c)(2)(B); specifically, the grant may be used only for: (i) food; (ii) clothing; (iii) costs associated with obtaining, retaining, maintaining or repairing a residence for the recipient and immediate family members who are dependent upon the recipient; (iv) health care; (v) child care; and (vi) transportation required to obtain, secure, maintain or facilitate any of the aforementioned purposes. In addition, a grant recipient must demonstrate to the Foundation's satisfaction that a grant (whether in cash or in kind) made for certain specific need(s) of the grantee will be used solely to address the specific need(s) which enabled the grantee to qualify for the grant.

3. Nomination and Application for Grants.

a. The Foundation may announce in its annual reports or in other general and widely disseminated publications that, as part of the Foundation's activities, it will make Necessity Grants to individuals. These announcements will specify how nominations or applications may be submitted. The Foundation will consider nominations of individuals by:

(i) sponsoring institutions which are described in Section 501(c)(3);

(ii) governments and governmental agencies or instrumentalities; and

(iii) persons not affiliated with the Foundation with relevant experience and involvement in the nominee's community.

b. The Foundation also will consider applications received directly from individuals seeking Necessity Grants.

c. All nominations or applications for Necessity Grants must be submitted in writing and are subject to review by the Foundation's staff. Nominations and applications that meet appropriate standards of quality and are relevant to the Foundation's program interests are eligible for selection. From among those who are nominated or who apply, and within budget limitations set by the Foundation's Board of Trustees, Foundation staff members shall select Necessity Grant recipients, with the advice, as appropriate, of experts or persons outside the Foundation with relevant personal and/or professional experience.

Nominations from sponsoring institutions which are described in Section 501(c)(3) or which are governments or governmental agencies or instrumentalities do not require further external review.

With regard to all other nominations and all direct applications, the Foundation shall require written endorsement of the nominee or applicant from at least one expert or person with relevant personal and/or professional experience who is not an employee of the Foundation. In exceptional cases where it is not practicable to obtain objective external endorsements because of the particular and personal circumstances of the individual under consideration, the grant shall be approved only by majority vote of the Board of Directors of the Foundation. The Foundation will take steps to ensure that persons engaged in the selection process are not in a position to derive direct or indirect private benefit from the selection of certain potential grantees over others. Employees of the Foundation are not eligible for Necessity Grants awarded on the basis of individual nomination or application.

4. Terms And Conditions of Necessity Grants.

The terms and conditions of each Necessity Grant to an individual shall be contained in a letter sent to and countersigned by each recipient of such grant. Terms and conditions include: specific purpose of the grant, duration, total amount, budget and requirements (including due dates) for narrative and financial reports.

5. Monitoring Necessity Grants.

With respect to Necessity Grants to individuals, the Foundation shall require a report from the grantee within sixty (60) days after receipt of the grant on the use of the funds and the progress made toward achieving the purposes for which the grant was

made; if the grant is made to address on-going needs, additional reports shall be provided to the Foundation at least once every sixty (60) days after the initial report. Upon completion of the undertaking for which the grant was made or upon such time as the grantee has gained or regained the capability to meet his or her own basic needs without assistance from the Foundation, the grantee shall submit a final report to the Foundation describing the grantee's accomplishments with respect to the grant and/or accounting for the funds received under such grant, as appropriate to the specific nature of the grant.

6. Procedures For Review Of Grantee Reports and Action to Ensure Grant Funds Are Used For Their Specified Purposes

A staff member of the Foundation shall monitor and follow the progress of each Necessity Grant by reviewing each report submitted by the individual and determining whether the grant purposes are being or have been fulfilled; if warranted, the review process also may include an inquiry by the staff member into any issues or questions requiring further scrutiny and, where diversion of grant funds from their specified purposes is indicated, the staff member may take appropriate action to ensure the rededication of grant funds back to the intended purposes of the grant, to withhold further payments until proper remedial action is taken, or to recover diverted funds.

III. GENERAL POLICIES REGARDING ALL GRANTS TO INDIVIDUALS

A. No Grants to "Disqualified Persons."

No grant may be awarded to any member of the Foundation's Board of Trustees, to any "disqualified person" with respect to the Foundation, or for any purpose that is inconsistent with the purposes described in IRC § 170(c)(2)(B).

B. Limitations with Respect to Employees.

These General Procedures shall not apply to any grant program of the Foundation which (i) treats employees of Tayside Associates LLC or its affiliates or their children as a separate group from which grantees will be selected; (ii) limits potential grantees to individuals who are employees of Tayside Associates LLC or its affiliates or their children; or (iii) gives any preference or priority to employees of Tayside Associates LLC or its affiliates or their children over others in selecting grantees. Eligibility and selection standards shall be the same for all applicants.

C. Recordkeeping

The Foundation shall retain complete records in connection with all grants to individuals. These records shall include all information obtained by the Foundation with regard to the evaluation of the qualifications and particular needs of potential grantees, the identification of grantees (including any relationship of any grantee to the Foundation or to a Trustee or officer of the Foundation), the purpose and amount of each grant, the terms of payment of each grant, and any additional information the Foundation secured as part of the grant administration process.

D. Policy and Intent

1. Scholarship Grants. It is intended that all Scholarship Grants awarded under these General Procedures shall be made on an objective and nondiscriminatory basis; that all Scholarship Grants to individuals shall conform to the requirements set forth under IRC §§4945(d)(3) and 4945(g) of the Internal Revenue Code; and that all Scholarship Grants to individuals shall at all times be made and administered in conformance with procedures approved or prescribed by the Treasury Department under the provisions of the Internal Revenue Code applicable to grants to individuals by private foundations.

2. Necessity Grants. It is intended that any Necessity Grants to individuals shall at all times be made and administered in conformance with procedures approved or prescribed by the Treasury Department under the provisions of the Internal Revenue Code applicable to grants to individuals by private foundations.