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Form **990-EZ**

Short Form Return of Organization Exempt From Income Tax

OMB No 1545-1150

2009

Open to Public Inspection

Department of the Treasury
Internal Revenue Service

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code
(except black lung benefit trust or private foundation)

▶ Sponsoring organizations of donor advised funds and controlling organizations as defined in section 512(b)(13) must file Form 990. All other organizations with gross receipts less than \$500,000 and total assets less than \$1,250,000 at the end of the year may use this form

▶ The organization may have to use a copy of this return to satisfy state reporting requirements

A For the 2009 calendar year, or tax year beginning January 1st, 2009, and ending December 31st, 2009

B Check if applicable: <input checked="" type="checkbox"/> Address change <input type="checkbox"/> Name change <input type="checkbox"/> Initial return <input type="checkbox"/> Terminated <input type="checkbox"/> Amended return <input type="checkbox"/> Application pending	Please use IRS label or print or type. See Specific Instructions.	C Name of organization <u>The Tommy Foundation, Inc.</u>		D Employer identification number <u>27-0118724</u>
		Number and street (or P.O. box, if mail is not delivered to street address) Room/suite <u>1390 Columbia Ave</u>		E Telephone number <u>(717) 312-8111</u>
		City or town, state or country, and ZIP + 4 <u>Lancaster, PA 17603</u>		F Group Exemption Number ▶

• Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

G Accounting Method: Cash Accrual
Other (specify) ▶

I Website: ▶ tommyland.org

J Tax-exempt status (check only one) -- 501(c) (3) ◀ (insert no.) 4947(a)(1) or 527

H Check if the organization is not required to attach Schedule B (Form 990, 990-EZ, or 990-PF)

K Check if the organization is not a section 509(a)(3) supporting organization and its gross receipts are normally not more than \$25,000. A Form 990-EZ or Form 990 return is not required, but if the organization chooses to file a return, be sure to file a complete return

L Add lines 5b, 6b, and 7b, to line 9 to determine gross receipts, if \$500,000 or more, file Form 990 instead of Form 990-EZ ▶ \$ 28,068

Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See the instructions for Part I.)

	Revenue				Amount
1	Contributions, gifts, grants, and similar amounts received		1		24,609
2	Program service revenue including government fees and contracts		2		3,452
3	Membership dues and assessments		3		0
4	Investment income		4		7
5a	Gross amount from sale of assets other than inventory	5a			0
b	Less: cost or other basis and sales expenses	5b			0
5c	Gain or (loss) from sale of assets other than inventory (Subtract line 5b from line 5a)	5c			0
6	Special events and activities (complete applicable parts of Schedule G). If any amount is from gaming, check here ▶ <input type="checkbox"/>				
a	Gross revenue (not including \$ _____ of contributions reported on line 1)	6a			0
b	Less: direct expenses other than fundraising expenses	6b			0
6c	Net income or (loss) from special events and activities (Subtract line 6b from line 6a)	6c			0
7a	Gross sales of inventory, less returns and allowances	7a			0
b	Less: cost of goods sold	7b			0
7c	Gross profit or (loss) from sales of inventory (Subtract line 7b from line 7a)	7c			0
8	Other revenue (describe ▶ _____)	8			0
9	Total revenue. Add lines 1, 2, 3, 4, 5c, 6c, 7c, and 8	9			28,068
10	Grants and similar amounts paid (attach schedule)	10			22,535
11	Benefits paid to or for members	11			0
12	Salaries, other compensation, and employee benefits	12			0
13	Professional fees and other payments to independent contractors	13			0
14	Occupancy, rent, utilities, and maintenance	14			3,900
15	Printing, publications, postage, and shipping	15			852
16	Other expenses (describe ▶ _____)	16			0
17	Total expenses. Add lines 10 through 16	17			27,287
18	Excess or (deficit) for the year (Subtract line 17 from line 9)	18			781
19	Net assets or fund balances at beginning of year (from line 27, column (A)) (must agree with end-of-year figure reported on prior year's return)	19			(657)
20	Other changes in net assets or fund balances (attach explanation)	20			0
21	Net assets or fund balances at end of year. Combine lines 18 through 20	21			124

Part II Balance Sheets. If Total assets on line 25, column (B) are \$1,250,000 or more, file Form 990 instead of Form 990-EZ.

	(A) Beginning of year				(B) End of year
22	Cash, savings, and investments	3		22	124
23	Land and buildings	0		23	0
24	Other assets (describe ▶ _____)	0		24	0
25	Total assets	3		25	124
26	Total liabilities (describe ▶ <u>Debt</u>)	(660)		26	0
27	Net assets or fund balances (line 27 of column (B) must agree with line 21)	(657)		27	124

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

Cat. No. 106421

Form **990-EZ** (2009)

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Part V Other Information (Note the statement requirements in the instructions for Part V.)^{4†}

		Yes	No
33	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity		X
34	Were any changes made to the organizing or governing documents? If "Yes," attach a conformed copy of the changes	X	
35	If the organization had income from business activities, such as those reported on lines 2, 6a, and 7a (among others), but not reported on Form 990-T, attach a statement explaining why the organization did not report the income on Form 990-T.		
a	Did the organization have unrelated business gross income of \$1,000 or more or was it subject to section 6033(e) notice, reporting, and proxy tax requirements?		X
b	If "Yes," has it filed a tax return on Form 990-T for this year?		X
36	Did the organization undergo a liquidation, dissolution, termination, or significant disposition of net assets during the year? If "Yes," complete applicable parts of Schedule N		X
37a	Enter amount of political expenditures, direct or indirect, as described in the instructions. ▶ 37a _____		
b	Did the organization file Form 1120-POL for this year?		X
38a	Did the organization borrow from, or make any loans to, any officer, director, trustee, or key employee or were any such loans made in a prior year and still outstanding at the end of the period covered by this return?		X
b	If "Yes," complete Schedule L, Part II and enter the total amount involved 38b _____		
39	Section 501(c)(7) organizations. Enter:		
a	Initiation fees and capital contributions included on line 9 39a <u>0</u>		
b	Gross receipts, included on line 9, for public use of club facilities 39b <u>0</u>		
40a	Section 501(c)(3) organizations. Enter amount of tax imposed on the organization during the year under section 4911 ▶ _____ ; section 4912 ▶ _____ , section 4955 ▶ _____		
b	Section 501(c)(3) and 501(c)(4) organizations. Did the organization engage in any section 4958 excess benefit transaction during the year or is it aware that it engaged in an excess benefit transaction with a disqualified person in a prior year, and that the transaction has not been reported on any of the organization's prior Forms 990 or 990-EZ? If "Yes," complete Schedule L, Part I		X
c	Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax imposed on organization managers or disqualified persons during the year under sections 4912, 4955, and 4958 ▶ <u>0</u>		
d	Section 501(c)(3) and 501(c)(4) organizations. Enter amount of tax on line 40c reimbursed by the organization ▶ <u>0</u>		
e	All organizations. At any time during the tax year, was the organization a party to a prohibited tax shelter transaction? If "Yes," complete Form 8886-T.		X
41	List the states with which a copy of this return is filed. ▶ <u>PA</u>		
42a	The organization's books are in care of ▶ <u>Richard Events</u> Telephone no. ▶ <u>7173817191</u> Located at ▶ <u>1390 Columbia Ave Lancaster, PA 17</u> ZIP + 4 ▶ <u>17603</u>		
b	At any time during the calendar year, did the organization have an interest in or a signature or other authority over a financial account in a foreign country (such as a bank account, securities account, or other financial account)?	Yes	No
42b			X
	If "Yes," enter the name of the foreign country: ▶ _____ See the instructions for exceptions and filing requirements for Form TD F 90-22.1, Report of Foreign Bank and Financial Accounts .		
c	At any time during the calendar year, did the organization maintain an office outside of the U.S.?		X
	If "Yes," enter the name of the foreign country: ▶ _____		
43	Section 4947(a)(1) nonexempt charitable trusts filing Form 990-EZ in lieu of Form 1041 —Check here ▶ <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year ▶ 43 _____		
44	Did the organization maintain any donor advised funds? If "Yes," Form 990 must be completed instead of Form 990-EZ		X
45	Is any related organization a controlled entity of the organization within the meaning of section 512(b)(13)? If "Yes," Form 990 must be completed instead of Form 990-EZ		X

Part VI Section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts only. All section 501(c)(3) organizations and section 4947(a)(1) nonexempt charitable trusts must answer questions 46-49b and complete the tables for lines 50 and 51.

- | | Yes | No |
|---|-----|----|
| 46 Did the organization engage in direct or indirect political campaign activities on behalf of or in opposition to candidates for public office? If "Yes," complete Schedule C, Part I | 46 | X |
| 47 Did the organization engage in lobbying activities? If "Yes," complete Schedule C, Part II | 47 | X |
| 48 Is the organization a school as described in section 170(b)(1)(A)(ii)? If "Yes," complete Schedule E | 48 | X |
| 49a Did the organization make any transfers to an exempt non-charitable related organization? | 49a | X |
| b If "Yes," was the related organization a section 527 organization? | 49b | |
- 50 Complete this table for the organization's five highest compensated employees (other than officers, directors, trustees and key employees) who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and address of each employee paid more than \$100,000	(b) Title and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans & deferred compensation	(e) Expense account and other allowances
NONE				

f Total number of other employees paid over \$100,000 NONE

51 Complete this table for the organization's five highest compensated independent contractors who each received more than \$100,000 of compensation from the organization. If there is none, enter "None."

(a) Name and address of each independent contractor paid more than \$100,000	(b) Type of service	(c) Compensation
NONE		

d Total number of other independent contractors each receiving over \$100,000 . . . NONE

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Sign Here

Signature of officer: Richard Everts Date: 04/11/10

Type or print name and title: Richard Everts, VP Technology & Communications

Paid Preparer's Use Only

Preparer's signature: _____ Date: _____ Check if self-employed:

Firm's name (or yours if self-employed), address, and ZIP + 4: _____ EIN: _____

Phone no: _____

May the IRS discuss this return with the preparer shown above? See instructions Yes No

Part II Support Schedule for Organizations Described in Sections 170(b)(1)(A)(iv) and 170(b)(1)(A)(vi)
 (Complete only if you checked the box on line 5, 7, or 8 of Part I.)

Section A. Public Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
1 Gifts, grants, contributions, and membership fees received. (Do not include any "unusual grants.")	850	2,575	6,560	15,740	22,535	48,260
2 Tax revenues levied for the organization's benefit and either paid to or expended on its behalf	0	0	0	0	0	0
3 The value of services or facilities furnished by a governmental unit to the organization without charge	0	0	0	0	0	0
4 Total. Add lines 1 through 3	850	2,575	6,560	15,740	22,535	48,260
5 The portion of total contributions by each person (other than a governmental unit or publicly supported organization) included on line 1 that exceeds 2% of the amount shown on line 11, column (f)						5500
6 Public support. Subtract line 5 from line 4.						42,760

Section B. Total Support

Calendar year (or fiscal year beginning in) ▶	(a) 2005	(b) 2006	(c) 2007	(d) 2008	(e) 2009	(f) Total
7 Amounts from line 4	850	2,575	6,560	15,740	22,535	48,260
8 Gross income from interest, dividends, payments received on securities loans, rents, royalties and income from similar sources	0	0	0	0	0	0
9 Net income from unrelated business activities, whether or not the business is regularly carried on	0	0	0	0	0	0
10 Other income. Do not include gain or loss from the sale of capital assets (Explain in Part IV.)	0	0	0	0	0	0
11 Total support. Add lines 7 through 10						48,260
12 Gross receipts from related activities, etc. (see instructions)					12	0
13 First five years. If the Form 990 is for the organization's first, second, third, fourth, or fifth tax year as a section 501(c)(3) organization, check this box and stop here <input checked="" type="checkbox"/>						

Section C. Computation of Public Support Percentage

14 Public support percentage for 2009 (line 6, column (f) divided by line 11, column (f))	14	33.33%
15 Public support percentage from 2008 Schedule A, Part II, line 14	15	33.33%
16a 33 1/3% support test—2009. If the organization did not check the box on line 13, and line 14 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization <input type="checkbox"/>		
b 33 1/3% support test—2008. If the organization did not check a box on line 13 or 16a, and line 15 is 33 1/3% or more, check this box and stop here. The organization qualifies as a publicly supported organization <input type="checkbox"/>		
17a 10%-facts-and-circumstances test—2009. If the organization did not check a box on line 13, 16a, or 16b, and line 14 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization <input type="checkbox"/>		
b 10%-facts-and-circumstances test—2008. If the organization did not check a box on line 13, 16a, 16b, or 17a, and line 15 is 10% or more, and if the organization meets the "facts-and-circumstances" test, check this box and stop here. Explain in Part IV how the organization meets the "facts-and-circumstances" test The organization qualifies as a publicly supported organization <input type="checkbox"/>		
18 Private foundation. If the organization did not check a box on line 13, 16a, 16b, 17a, or 17b, check this box and see instructions <input type="checkbox"/>		

Bylaws of The Tommy Foundation, A Not-For-Profit Corporation

Article I Organization

1. The name of the organization shall be The Tommy Foundation.
2. The organization's seal shall consist of an Anthropomorphic 3D Puzzle Piece inside a circle our company name (The Tommy Foundation) around the top and our tagline (Embracing Families, Living Autism) wrapping the bottom.
3. The organization may at its pleasure by a vote of the membership body change its name and seal.

Article II Purposes

The following are the purposes for which this organization has been organized:

We aim to provide the largest and most comprehensive environment to enhance the quality of life for families and individuals affected by Autism Spectrum Disorders (ASD) and associated conditions. To that end, we serve as the first response for families and individuals affected by ASD including but not limited to advising them on how this condition will affect them and each member of their family unit, provide referrals, scholarships and develop appropriate resources for them, create opportunities for social engagement through events and programs, and deliver specialized trainings in professional and advocate programs for long term well being and security. We engage the current and next generation of professionals by developing their therapeutic and advocacy skills, while also increasing their overall knowledge base.

1. The first and primary purpose of TTF shall be to help and serve families of Autistic Spectrum children through the information we have available through our various departments—research, marketing and educational—how to work with their Autism Spectrum Disorder children and get support themselves. The number of specific children that we can help at a given time will continue to increase as further aid and grants become available.
2. Training individuals to work with and educate children with Autistic Spectrum Disorders, using the Son-Rise Option Process® as designed at the Autism Treatment Center of America in Sheffield, MA, among other approaches. To this end, the individuals are trained by Son-Rise facilitators and teachers, as well as the in-home specialist who is in charge of overseeing the program and providing feedback to the volunteers on their progress. Several colleges in central PA are now partaking of the training programs and working with children in Lancaster County utilizing this therapy program. This activity began on September 2, 2004,

and is conducted in a specialized room—designed to limit distractions to the child and volunteer or facilitator—in the individual child’s home. Since its inception over 60 individuals have been trained by us to work on a 1:1 basis with children utilizing this program. We will continue to get additional volunteers and train them throughout the future. The process of choosing additional volunteers will be explained in subsequent sections. Volunteers can apply from anywhere in the community.

3. Additionally, new developments have brought to light that there are a significant amount of children with special needs who have biological and medical factors contributing to their disability. For students that are specifically interested in research (biological, chemical, psychological or genetics), TTF has created a research department that will look into the many possible causes for the rise in Autism Spectrum Disorders and who can get scholarships to attend conferences such as the DAN (Defeat Autism Now) conference held every year in order to train parents, professionals and other interested people about the innovations and progress in treating and identifying this condition. We have constructed a website that will include information on this area, so the general public may also benefit from what has and has not worked in this area.
4. On an at least a once a month basis, but as often as on a biweekly basis, the volunteers, directors and additional interns meet to discuss the progress being made by the children in the 1:1 Program, the new developments that have occurred in the field, which include educational and medical discoveries. Minutes from the meeting are kept track of by the scribe who is yearly chosen by vote from the directors. This information is disseminated to all the volunteers and the directors.
5. The Foundation either directly or in collaboration with other community organizations provides trainings to parents of individuals with autism and their family, professionals, students and the community.
6. The Foundation also provides awareness activities such as, though not limited to, social media campaigns, media relations, film, videos, mailings, and various other outreach activities.
7. We aim to offer services for families, including but not limited to, respite on a direct and community level and direct communication via phone, email, social media and other communication tools.

Article III Membership

Membership in this organization shall be open to all who have been selected to partake as child facilitators and Awareness and Development staff through various participating colleges; as well as local volunteers from other high schools and local community service programs who have individuals within their organization who wish to be trained and work with the special needs individuals (adults or children). Facilitators and other volunteers will need to apply and will be chosen at the discretion of the membership body based on interest, trainability, background check and ability.

Article IV Meetings

The annual Board of Directors meeting of this organization shall be held on the First Sunday of December each and every year except if such day be a legal holiday, then and in that event, the Board of Directors shall fix the day but it shall not be more than two weeks from the date fixed by these by-laws.

The designated scribe shall cause to be mailed to every member in good standing at his address as it appears in the membership roll book in this organization a notice telling the time and place of such annual meeting.

Regular meetings of this organization shall be held at least once every three months at a mutually agreed upon location.

The presence of not less than 40% of the members shall constitute a quorum and shall be necessary to conduct the business of this organization; but a lesser percentage may adjourn the meeting for a period of not more than 3 weeks from the date scheduled by these By-laws and the Vice-President shall cause a notice of this scheduled meeting to be sent to all those members who were not present at the meeting originally called. A quorum as herein before set forth shall be required at any adjourned meeting.

Special meetings of this organization may be called by the President when they deems it for the best interest of the organization. Notices of such meeting shall be communicated to all members at least 3 days before the scheduled day of such special meeting. Such notice shall state the reasons that such meeting has been called, the business to be transacted at such meeting and by whom it was called. At the request of 50% of the members of the organization, the President shall cause a special meeting to be called but such request must be made in writing at least ten days before the requested scheduled date.

No other business but that specified in the notice may be transacted at such special meeting without the unanimous consent of all those present at such meeting.

Article V Voting

At all meetings, except for the election of officers and directors, all votes shall be by voice or ballot. For election of officers, ballots shall be provided and there shall not appear any place on such ballot that might tend to indicate the person who chose such ballot.

At any regular or special meeting, if a majority so requires, any question may be voted upon in the manner and style provided for election of officers and directors. In the event of a tie, the President shall be the official tie-breaker.

Article VI Order of Business

1. Roll Call
2. Reading of the minutes of the preceding meeting
3. Reports of Committees, if any.
4. Reports of Officers.
5. Old and Unfinished Business, if any.
6. New Business.

Article VII Board of Directors

The business of this organization shall be managed by a Board of Directors consisting of at least 4 members, together with the officers of this organization. At least one of the directors elected shall be a resident of the State in which the organization is incorporated.

The directors to be chosen for the ensuing year shall be chosen at the annual meeting of this organization in the same manner and style as the officers of this organization and they shall serve for a term of one year.

The Board of Directors shall have the control and management of the daily affairs and business of this organization. Such Board of Directors shall only act in the name of the organization when it shall be regularly convened by the President after due notice to all the directors of such meeting.

75% of the members of the Board of Directors shall constitute a quorum and the meetings of the Board of Directors shall be held regularly at least once every three months.

Each director shall have one vote and such voting may not be done by proxy.

The Board of Directors may make such rules and regulations covering its meetings as it may in its discretion determine necessary.

Vacancies in the Board of Directors shall be recommended by the President and then voted upon by a majority of the remaining members of the Board of Directors for the balance of the year.

The President of the organization by virtue of his office shall be Chairman of the Board of Directors.

The Board of Directors shall select from one of their members a secretary.

A director may be removed when sufficient cause exists for such removal. The Board of Directors may entertain charges against any director except the current President and Vice President. A director may be represented by counsel upon any removal hearing. The Board of Directors shall adopt such rules for this hearing as it may in its discretion consider necessary for the best interests of the organization.

An advisory board of directors may also be created at the final discretion of the President. Members of this board can be proposed by the board or other officers and they can not vote in board meetings. This advisory board will meet at the discretion of the President and their responsibilities are to give recommendations to the President and Vice President. Such recommendations will be arrived at by a 40% or more voting consensus of the advisory board and then submitted to President.

Article VIII Officers

The initial officers of the organization shall be as follows:

President:	Sugey Cruz-Everts, Esq.
Vice President/Treasurer:	Richard C. Everts
Secretary/Fundraising Chair:	Edna Kallon (newly elected May 2006)
Ideas Committee Chair:	Danita Martin (newly elected June 2006)

As of March 2010, the newly defined officer positions are as follows:

President:	Sugey Cruz-Everts, Esq.
Vice President	Richard Everts
Treasurer	Matthew Brown
Senior Event Planner	Megan Hull
College Programs Director	Jinyoung Lee
Senior Grant Writer	Jennie Heydt

The President's Duties:

- The President shall preside at all membership meetings.

- They shall by virtue of her office be Chairman of the Board of Directors.
- They shall be present at each annual meeting of the organization as annual report of the work of the organization.
- They shall appoint all committees, temporary or permanent.
- They shall see all books, reports and certificates required by law are properly kept or filed.
- They shall be one of the officers who may sign the checks or drafts of the organization.
- They shall have such powers as may be reasonably construed as belonging to the chief executive of any organization.
- The President shall under no circumstance, other than death or by her own volition be removed from said position.

The Vice President's Duties:

- The Vice President shall in the event of the absence or inability of the President to exercise her office become acting president of the organization with all the rights, privileges, and powers as if he had been the duly elected president.
- He must be one of the officers who shall sign checks or drafts of the organization if the Treasurer is not ready at the Vice President's discretion. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.
- He shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.
- He shall exercise all duties incident to the office of Treasurer in absence of the Treasurer.
- He shall oversee the strategic branding of the organization and its technological infrastructure.
- The Vice-President shall under no circumstance, other than death or by his own volition be removed from said position.

The College Program Director's Duties:

- The College Program Director (CPD) shall be responsible for all aspects of programs designed to increase participation of the organization with all educational institutions.
- The event planner will keep accurate records of all their contacts and donors.
- They will hold executive authority on their committee in lieu of the President and/or Vice President's availability.

The Senior Event Planner's duties:

- The event planner will be responsible for all aspects of events advertised as fundraising events for the organization.
- The event planner will keep accurate records of all their contacts and donors.
- They shall submit to the Board any communications that shall be addressed to them as Event Planner of the organization.

The Senior Grant Writer's duties:

- The grant writer will be responsible for researching and writing grants and other related opportunities for the organization.
- The grant writer will be responsible following up on all grants given to the foundation.

The Treasurer's Duties:

- The Treasurer shall have the care and custody of all monies belonging to the organization and shall be solely responsible for such monies or securities of the organization.
- He must be one of the officers who shall sign checks or drafts of the organization. No special fund may be set aside that shall make it unnecessary for the Treasurer to sign the checks issued upon it.
- He shall render at stated periods as the Board of Directors shall determine a written account of the finances of the organization and such report shall be physically affixed to the minutes of the Board of Directors of such meeting.

Article IX: Salaries

It has been agreed upon by the current body of the Board of Directors that at the present time all business conducted and monies received by The Foundation will go directly to the primary purposes of the foundation and are willing to forgo salaries until such time that excess funds are available and they may be recompensed for their work with the foundation.

If in the future the Board wishes to adjust this policy it will be voted upon by the Board of Directors and must be approved by a majority of its members.

Because of the nature of this specific Foundation, even though those involved will not get a salary from the proceeds of the program, those involved can be recompensed for their direct participation through agreed upon written arrangements between the President and Vice President and those involved. If it should involve recompense for the President and Vice-President, it shall be presented to the Board for approval based on a

majority vote of all Board members. Such agreements should be written down and held in archives.

Article X: Committees

All committees of this organization shall be appointed by the Board of Directors and their term of office shall be for a period of one year or less if sooner terminated by the action of the Board of Directors.

The current committees shall be:

- College Programming, specifically for all the volunteers and directors involved in the one-to-one programs with the students were are able to work with—as funding permits—in the classroom that has been designed for such purposes. Meetings shall take place on an at least once a month basis but can be as frequent as on a bi-weekly basis.
- The Fundraising Committee, specifically geared towards the events and ideas that are needed to generate the necessary revenue to run and maintain the Foundation.
- Awareness and Development, specifically for raising the visibility of the foundation's branding around the world. This may involve filming, media interviews, supporting critical research, or other such programs as the committee deems necessary.

Article XI: Conflicts of Interest

- A. Financial Interests. Each Director, Officer, and committee member shall fully disclose any and all financial interests involving themselves or one of their family members in regard to any matter that is presented to the Board or a committee for a vote and shall abstain from voting on such matters.

"Financial interests" include, but are not limited to:

1. An ownership, investment interest, or compensation arrangement with any entity with which the Corporation has a transaction or arrangement;
2. A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement; or
3. A potential ownership, investment interest, or compensation arrangement with any entity or individual with which the Corporation is negotiating a transaction or arrangement, including a commission

or fee, share of the proceeds, the prospect of promotion or profit, or any other form of financial reward.

- B. **Family Relationships.** The term “family member” as used herein includes: parents, in-laws, children, siblings, spouses, aunts, uncles, nieces, and nephews.
- C. **Duty to Disclose.** In connection with the actual or potential conflict of interest, an interested person must disclose the existence of his financial interest and all material facts to the Directors and members of committees with board-delegated powers considering the proposed transaction or arrangement.
- D. **Determining Whether a Conflict of Interest Exists.** After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the interested party shall leave the board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.
- E. **Procedures for Addressing the Conflict of Interest**
 - 1. An interested person may make a presentation at the board or committee meeting, but after such presentation, he shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that results in the conflict of interest.
 - 2. The President or Chair of a committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
 - 3. After exercising due diligence, the board or committee shall determine whether the Corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
 - 4. If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the board or committee shall determine by a majority vote of the disinterested Directors whether the transaction or arrangement is in the Corporation’s best interest and for its own benefit and whether the transaction is fair and reasonable to the Corporation. The Corporation shall make its decision as to whether to enter into transaction or arrangement in conformity with such determination.

F. Violations of the Conflict of Interest Policy

1. If the board of committee has reasonable cause to believe that a person has failed to disclose actual or possible conflicts of interest, it shall inform the person of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
2. If, after hearing the response of the person and making such further investigation as may be warranted in the circumstances, the board or committee determines that the person has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

G. Recordings and Proceedings. The minutes of the board and committees with board delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the board's or committee's decision as to whether a conflict of interest in fact existed; and
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

H. Gifts: Directors and employees of the Corporation may not receive a gift, or a series of gifts, valued at more than \$25 from contractors or businesses who have performed services for the Corporation within the past 12 months without prior approval of a majority vote of disinterested Directors. Directors and employees of the Corporation shall also gain approval by majority vote of disinterested Directors to personally employ contractors and businesses that have performed services for the Corporation within the past 12 months.

Article XII: Amendments:

These By-Laws may be altered, amended, repealed or added to by an affirmative vote of not less than 75% of the members, or by the executive authority of the President. If the President should change a bylaw without prior notice to the board, the board shall be notified and the revised bylaw is subject to a 30 day temporary approval which the board can meet and overturn on a 75% vote of it's quorum.

This document has been reviewed and signed by the Directors and approved on May 15, 2010. Revisions and Amendments have been approved by the Directors as of May 2, 2006. Further revisions were made on June 15th 2006 in order to reflect the election of a new director.