The Fiduciary Role of Board Members

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Internal Accountability

- Board of Directors, Management and Staff are responsible for the following:
 - o Review of policies and procedures
 - Understanding their role within internal controls
 - o Regular review financial statements

Financial Statements

- Three basic reports presented at minimum for internal purposes
 - o Statement of Financial Position (Balance Sheet)
 - Statement of Activities (Income Statement)
 - Statement of Cash Flows (Accrual basis only)
- Unique Not-For-Profit Financial Statement Characteristics
 - o Net Assets:
 - Unrestricted Net assets not subject to donor-imposed stipulations
 - Temporarily Restricted Net assets that are subject to donor-imposed stipulations that can be fulfilled by the action of the nonprofit pursuant to those stipulations or that expire through the passage of time
 - Permanently Restricted Net assets that are subject to donor imposed stipulations that assets must be maintained permanently
 - Classification of expenses between program and supporting services. Supporting services include management and general expenses and fundraising expenses. This represents how the entity's funds are being spent on its mission.
- Audit, review or compilation of financial statements An entity may have financial statements prepared under one of these three levels. Various factors will determine which level is most appropriate. For example, government requirements, donor requirements, factor of price.

External Reporting

- Form 990 Each entity is required to file the applicable tax return in the Form 990 series:
 - o Form 990-N can be filed if gross receipts are normally \$50,000 or less
 - o Form 990-EZ can be filed if gross receipts are less than \$200,000 for the filing year and total assets are less than \$500,000
 - Form 990 must be filed if gross receipts are \$200,000 or more and total assets are \$500,000 or more
 - Failure to file a Form 990-series return for 3 consecutive years results in automatic revocation of tax-exempt status
- Arizona Corporation Commission Annual filing required. Form is filed electronically for a fee of \$10.





The Fiduciary Role of Board Members



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Today's Agenda

Fiduciary role of Board and Management for Nonprofits

- **Internal Accountability**
 - Define Roles

- Policies & Procedures
- Analyzing Financial Statements
- **External Reporting**
 - State Filing Requirements Form 990
 - Audit, Review, Compilation Other Compliance Issues

Action Items



Internal Accountability

Who is responsible?

- Board of Directors
- Management
- Staff / Contractors

Who is qualified?

- What is their role?
- Is anyone a CPA?



Policies and Procedures

Write Policies and Procedures – update annually

- Significant Accounting Policies
- **Internal Controls**
 - Segregation of Duties
 - Month end processes should involve a board member
 - Account reconciliation, credit card statement
- IRS Recommended Policies: whistleblower, ED compensation, conflict of interest, document retention, 990 review





Financial Statements

- Responsibility to understand the financials
- Statement of Financial Position (Balance Sheet)
 Shows Assets, Liabilities and Net Assets
- Statement of Activities (Income Statement or P&L)
- Statement of Cash Flows (accrual only) reconciles accrual to cash



Financial Statements

What to look for in the reports:

- Three basic reports presented at minimum for internal purposes
- How old are the reports?
- Are you receiving reports regularly? (monthly)
- Are the reports cash or accrual?
- Are the reports from the accounting records?
- Are there negative balances on the reports?



External Reporter





Audit, Review, Compilation

What's the difference between the three levels? Which one is right for your organization?

- Federal government requirements
- Donor requirements
- State requirements
- Factor of price



Unique Characteristics of Non-For-Profit Financial Statements

Statement headings:

- Statement of Financial Position
- Statement of Activities

Classified statement of financial position not required Single or multicolumn format is permitted for both statement of financial position and statement of activities Net assets



Net Assets

<u>Without donor restrictions</u> – Net assets are not subject to donor-imposed stipulations

With donor restrictions – Net assets that are subject to donor-imposed stipulations that can be fulfilled by action of the nonprofit pursuant to those stipulations or that expire through the passage of time. And net assets that are subject to donor imposed stipulations that assets must be maintained permanently.



Statement of Financial Positions

Assets	;
--------	---

Cash	\$ 230,000
Receivables	75,000
Investments	2,177,000
Property & Equipment	3,145,000
Other	10,000
	\$ 5,637,000

Liabilities & Net Assets

Liabilities:

Accounts Payable	\$ 107,000
Accrued Expenses	30,000
	137,000

Net Assets:

Net assets without donor restrictions	3,175,000
Net assets with donor restrictions	2,325,000
	5,500,000
	•

5,637,000





Statement of Activities

Report changes in net assets without donor restrictions and with donor restrictions (previously unrestricted net assets, temporarily restricted net assets and permanently restricted net assets)

Can present in either single column or multiple column format





Statement of Activities

Supporting Services

- Management and general activities that are not identifiable with a single program or fundraising activity but are indispensable to the conduct of those activities and are indispensable to an entity's existence
- <u>Fundraising</u> activities undertaken to induce potential donors to contribute money, services, materials, facilities or other assets, or time.



Statement of Activities

	Wit	hout Donor	With Donor			
	Re	estrictions	Restrictions	То	tal	
Revenues:						
Contributions	\$	443,000	\$1,086,000	\$ 1,52	29,000	
Fundraising		149,000		14	19,000	
Grants		323,000		32	23,000	
Net investment income		3,600	23,400	2	27,000	
Other		16,000		1	6,000	
Net assets released from restriction	1	124,000	(124,000)		-	_
		1,058,600	985,400	2,04	4,000	
Expenses:						
Program		976,000		97	6,000	
Management & general		107,000		10	7,000	
Fundraising		60,000		6	0,000	
		1,143,000	-	1,14	13,000	_
Change in net assets		(84,400)	985,400	90	01,000	
Net assets, beginning	;	3,259,400	1,339,600	4,59	9,000	
Net assets, ending	\$:	3,175,000	\$2,325,000	\$ 5,50	00,000	_





Statement of Functional Expense

- Provides information about functional and natural classification of expenses
- Currently required statement for voluntary health and welfare entities.
 - Effective for December 31, 2018 and June 30, 2019 year ends, all nonprofits will be required to prepare statement of functional expense



Statement of Functional Expense

		Support Ser			
	Program	General and		Total Supporting	Total
	Services	Administrative	Fundraising	Services	Expenses
Bank, investment and loan fees		7,304		7,304	7,304
Books and materials	23,493			-	23,493
Consulting fees	2,870	615	615	1,230	4,100
Donated professional services		33,000		33,000	33,000
Dues and subscrpitions		555		555	555
Insurance	3,427	3,102	734	3,837	7,264
Legal and professional		21,030		21,030	21,030
Marketing and printing	2,590		6,044	6,044	8,634
Office supplies		525		525	525
Postage		199	465	665	665
Rent		5,808	5,808	11,617	11,617
Salaries and payroll	93,292	19,991	19,991	39,982	133,275
Telephone and internet	2,344	2,838	988	3,825	6,169
Travel and entertainment	153		2,064	2,064	2,217
				-	-
	128,169	94,967	36,709	131,676	259,847





Notes to Financial Statements

- Information on accounting policies and practices
- Information on program activities
- Information about the nature and amounts of different types of permanent and temporary restrictions
- Information on the nature and amounts of board designated unrestricted net assets
- Information on endowments





Form 990 Series Return

- Due on the 15th day of the 5th month following the end of the tax year
- Two 3-month extensions available (soon to be one 6-month extension!)
- Form 990-N "e-Postcard" (11 pieces of information)
- Form 990-EZ (4 pages, 7 schedules)
- Form 990 (12 pages, 16 schedules)



Form 990-N

Form 990-N can be filed if gross receipts are normally \$50,000 or less

- Has been in existence for 1 year or less and received, or donors have pledged to give \$75,000 or less during its first taxable year;
- Has been in existence between 1 and 3 years and averaged \$60,000 or less in gross receipts during each of its first two tax years; and
- Is at least 3 years old and averaged \$50,000 or less in gross receipts for the immediately preceding 3 tax years (including the year for which calculations are being made).



Form 990-EZ

Short Form Return of Organization Exempt from Income Tax

Form 990-EZ can be filed if:

- Gross receipts are less than \$200,000 for the filing year and
- Total assets are less than \$500,000
- Note eligibility is determined based solely on the filing year, not an average of 3 years



Form 990

Form 990 can be filed if:

- Gross receipts for the filing year are \$200,000 or more OR
- Total assets are \$500,000 or more



Failure to File Form 990 Series Return

Failure to file a Form 990-series return for 3 consecutive years results in automatic revocation of tax-exempt status

If tax-exempt status is revoked, the organization must start over and apply again



Form 990 is a Public Document

- Must provide a copy to public if requested for 3 years from the date the return is required to be filed, or is actually filed, whichever is later
- A copy can be requested from the IRS using Form 4506-A
- Returns are available online at <u>www.GuideStar.org</u>
- Because it is a public document, think of Form 990 as a marketing tool and a donor relations tool, not just a compliance issue



Other Compliance Issues





Payroll Tax

- Nonprofits are liable for Social Security and Medicare taxes
- Organizations exempt under 501(c)(3) are not subject to FUTA
- Organizations exempt under Section 501(c)(3) who employ less than
 4 workers are not subject to SUTA
- Churches are not subject to SUTA



Arizona Transaction Privilege Tax (TPT)

Nonprofits are subject to tax on purchases unless purchased for resale or the organization is a qualifying hospital or health care organization

Sales of tangible personal property by 501(c)(3) organizations are not subject to Arizona TPT



Quid Pro Quo Contributions

- A charitable organization is required to provide a written disclosure to a donor who receives goods or services in exchange for a single payment in excess of \$75
- The disclosure statement can be made in connection with the solicitation, or the receipt of the quid pro quo contribution
- Penalty for failure to comply is \$10 per contribution, not to exceed \$5,000 per fundraising event or mailing



Vehicle Donations > \$500

Must file Form 1098-C for a contribution of a vehicle that has a claimed value of more than \$500

If charity sells the vehicle without significant intervening use, the donor's deduction is limited to the sales proceeds



Contribution Receipts

- No requirement for a charity to issue contribution receipt other than in the case of a quid pro quo contribution or vehicle donations > \$500
- Donor must have a contemporaneous written acknowledgement from a charity for any single contribution of \$250 or more in order to claim a charitable contribution on his income tax return
- An annual summary may be used to substantiate several single contributions of \$250 or more
- There are no IRS forms for the acknowledgement





Contribution Receipts

Contemporaneous = received prior to a donor filing his income tax return
The acknowledgement should include:

- Name of organization
- Amount of cash contribution
- Description (but not the value) of non-cash contribution
- Statement that no goods or services were provided by the organization in return for the contribution, if that was the case
- Description and good faith estimate of the value of goods or services, if any, that an organization provided in return for the contribution





Unrelated Business Income Tax

- Tax is imposed on any unrelated trade or business that is regularly carried on
- Regular corporate rates apply
- This is to avoid unfair competitive advantage over for-profit businesses



Unrelated Business Income Tax

- "Trade or business" involves selling goods or providing services with a profit motive
- "Regularly carried on" is determined in comparison to similar businesses in similar industries in the region
- There are many exclusions and exceptions
- Unrelated business taxable income is reported on Form 990-T



Action Items

- Ask for a copy of the organization's financial policies and procedures update as needed
- Review the financial statements every month, even if there is not a meeting
- Be an active BOD member: ask questions about the financial statements
- Ensure that a BOD member is reviewing bank statements and credit card
- Check that the 990 is filed, www.GuideStar.org



Thank you!

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What Is the Difference Between a Compilation, a Review and an Audit?

Comparative Overview

The level of service is determined by your needs as the client, and what your creditors and/or investors require. The higher the level of service required, the more time the CPA needs to complete the engagement and therefore the more costly the engagement. While privately held companies opt for compiled or reviewed statements, credit agreements with lenders often require audited statements.

Compilation

- Compiled financial statements represent the most basic level of service CPAs provide with respect to financial statements.
- In a compilation engagement, the accountant assists management in presenting financial information in the form of financial statements without undertaking to obtain or provide any assurance that there are no material modifications that should be made to the financial statements.
- In a compilation, the CPA must comply with Statements on Standards for **Accounting and Review Services** (SSARSs), which require the accountant to have an understanding of the industry in which the client operates, obtain knowledge about the client, and read the financial statements and consider whether such financial statements appear appropriate in form and free from obvious material errors.
- A compilation does not contemplate performing inquiry, analytical procedures, or other procedures ordinarily performed in a review; or obtaining an understanding of the entity's internal control; assessing fraud risk; or testing of accounting records; or other procedures ordinarily performed in an audit.

 The CPA issues a report stating the compilation was performed in accordance with Statements on Standards for Accounting and Review Services: and that the accountant has not audited or reviewed the financial statements and accordingly does not express an opinion or provide any assurance about whether the financial statements are in accordance with the applicable financial reporting framework.

Review

- Reviewed financial statements provide the user with comfort that, based on the accountant's review, the accountant is not aware of any material modifications that should be made to the financial statements for the statements to be in conformity with the applicable financial reporting framework.
- A review engagement involves the CPA performing procedures (primarily analytical procedures and inquiries) that will provide a reasonable basis for obtaining limited assurance that there are no material modifications that should be made to the financial statements for them to be in conformity with the applicable financial reporting framework.
- In a review, the CPA designs and performs analytical procedures, inquiries and other procedures,



- as appropriate, based on the accountant's understanding of the industry, knowledge of the client, and awareness of the risk that he or she may unknowingly fail to modify the accountant's review report on financial statements that are materially misstated. A review does not contemplate obtaining an understanding of the entity's internal control; assessing fraud risk; testing accounting records; or other procedures ordinarily performed in an audit.
- The CPA issues a report stating the review was performed in accordance with Statements on Standards for Accounting and Review Services; that management is responsible for the preparation and fair presentation of the financial statements in accordance with the applicable financial reporting framework and for designing, implementing and maintaining internal

control relevant to the preparation

Compilation vs. Review vs. Audit

Comparative Snapshot										
	Compilation	Review	Audit							
Level of Assurance Obtained by the Accountant/Auditor that the Financial Statements Are Not Materially Misstated	Accountant does not obtain or provide any assurance that there are no material modifications that should be made to the financial statements	Accountant obtains limited assurance that there are no material modifications that should be made to the financial statements	The auditor obtains a high, but not absolute, level of assurance about whether the financial statements are free of material misstatement							
Objective	To assist management in presenting financial information in the form of financial statements without undertaking to provide any assurance that there are no material modifications that should be made to the financial statements	To obtain limited assurance that there are no material modifications that should be made to the financial statements	To obtain a high level of assurance about whether the financial statements as a whole are free of material misstatement thereby enabling the auditor to express an opinion on whether the financial statements are presented fairly, in all material respects							
Assurance Provided to the User of the Financial Statements	None – the report states that no assurance is provided	None – the report provides a statement that the accountant is not aware of any material modifications that should be made to the financial statements	None – the auditor provides an opinion as to whether the financial statements present fairly, in all material respects, the company's financial position, results of operations and cash flows							
The accountant is required to obtain an understanding of the entity's internal control and assess fraud risk			✓							
The accountant is required to perform inquiry and analytical procedures		✓	✓							
The accountant is required to perform verification and substantiation procedures			1							
Situations requiring different levels of service	Generally appropriate for privately held companies and are often prepared for simple situations (e.g., a lender needs GAAP financial statements instead of the statements the internal accounting system produces or the lender needs the comfort provided by knowing that an accountant read the financial statements)	Often prepared for privately held companies because of requirements of outside third parties (such as banks, creditors and potential purchasers) that are looking for comfort that the financial statements are not materially misstated	Often prepared for companies because outside third parties (such as banks, creditors, potential purchasers and outside investors) require an auditor's opinion on the financial statements							
Differences in costs for each level of service	Involves the lowest amount of work and as a result is far less costly than a review or audit	More costly than a compilation but substantially lower in cost than an audit	Involves the most work and therefore the cost is substantially higher than a review or compilation							

and fair presentation of the financial statements; that a review includes primarily applying analytical procedures to management's financial data and making inquiries of management; that a review is **substantially less in scope than an audit** and that the CPA is not aware of any material modifications that should be made to the financial



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statements for them to be in conformity with the applicable financial reporting framework.

Audit

- Audited financial statements
 provide the user with the auditor's
 opinion that the financial statements
 are presented fairly, in all material
 respects, in conformity with the
 applicable financial reporting
 framework.
- In an audit, the auditor is required by auditing standards generally accepted in the United States of America (GAAS) to obtain an understanding of the entity's internal control and assess fraud risk. The auditor also is required to corroborate the amounts and disclosures included in the financial statements by obtaining audit

- evidence through inquiry, physical inspection, observation, third-party confirmations, examination, analytical procedures and other procedures.
- The auditor issues a report that states the audit was conducted in accordance with GAAS, the financial statements are the responsibility of management, provides an opinion that the financial statements present fairly in all material respects the financial position of the company and the results of operations are in conformity with the applicable financial reporting framework (or issues a qualified opinion if the financial statements are not in conformity with the applicable financial reporting framework. The auditor may also issue a disclaimer of opinion or an adverse opinion if appropriate).



RICHMOND FINE ARTS COUNCIL STATEMENT OF FINANCIAL POSITION DECEMBER 31, 2015

ASSETS

CURRENT ASSETS Cash and cash equivalents	\$ 90,642
Cash held on behalf of others	13,050
Total cash and cash equivalents	103,692
Contributions receivable—current Grants receivable Other current assets	304,279 97,658 362
Total current assets	505,991
NON-CURRENT ASSETS Investments—held for long-term purposes Fixed assets, net of accumulated depreciation of \$63,303	533,461 27,659
Total non-current assets	561,120
Total assets	\$ 1,067,111
LIABILITIES AND NET ASSETS	
CURRENT LIABILITIES Payroll liability Held on behalf of others Grants payable	\$ 3,015 13,050 168,750
Total current liabilities	184,815
Total liabilities	184,815
NET ASSETS Unrestricted	
Board designated	94,054
Undesignated	84,606
Total unrestricted	178,660
Temporarily restricted	74,926
Permanently restricted	628,710
Total net assets	882,296
Total liabilities and net assets	\$ 1,067,111

The accompanying notes are an integral part of these financial statements.



RICHMOND FINE ARTS COUNCIL STATEMENT OF ACTIVITIES YEAR ENDED DECEMBER 31, 2015

	Ur	nrestricted	nporarily estricted	manently estricted	 Total
REVENUE, GAINS, AND OTHER SUPPORT					
Contributions	\$	283,887	\$ 155,000	\$ 228,700	\$ 667,587
Foundation contributions		213,850	_	_	213,850
Government grants		323,114	_	_	323,114
Events revenue		161,802	_	_	161,802
Investment income, net		2,828	14,275	_	17,103
Other revenue		47,915	_	_	47,915
Net assets released from restriction		133,466	 (133,466)	 	
Total revenue, gains, and other support		1,166,862	 35,809	 228,700	 1,431,371
EXPENSES Program services					
Art events and promotions		410,359	_	_	410,359
Grant-making		372,160	_	_	372,160
Arts education		120,884	 	 	 120,884
Total program services		903,403		 	 903,403
Support services					
Management and general		162,001	_	_	162,001
Fundraising		79,703	 	 	 79,703
Total support services		241,704	 	 	 241,704
Total expenses		1,145,107	 	 	 1,145,107
Change in net assets		21,755	35,809	228,700	286,264
NET ASSETS, beginning of year	-	156,905	 39,117	 400,010	 596,032
NET ASSETS, end of year	\$	178,660	\$ 74,926	\$ 628,710	\$ 882,296



RICHMOND FINE ARTS COUNCIL STATEMENT OF CASH FLOWS YEAR ENDED DECEMBER 31, 2015

CASH FLOWS FROM OPERATING ACTIVITIES Increase in net assets Adjustments to reconcile increase in net assets to net cash provided by operating activities	\$ 286,264
Depreciation	2,984
Unrealized loss on investments	2,947
(Increase) decrease in current assets	(400,000)
Contributions receivable, net	(192,390)
Grants receivable, net Other current assets	(39,377)
Increase (decrease) in current liabilities	2,076
Accounts payable	(51,362)
Payroll liability	3,015
Held on behalf of others	(8,200)
Grants payable	3,000
Net cash provided by operating activities	 8,957
CASH FLOWS FROM INVESTING ACTIVITIES	
Purchase of fixed assets	(1,220)
Proceeds from the sale of investments	8,792
Purchase of investments	 (60,000)
Net cash (used) by investing activities	 (52,428)
NET (DECREASE) IN CASH AND CASH EQUIVALENTS	(43,471)
CASH AND CASH EQUIVALENTS, beginning of year	 147,163
CASH AND CASH EQUIVALENTS, end of year	\$ 103,692

The accompanying notes are an integral part of these financial statements.

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RICHMOND FINE ARTS COUNCIL STATEMENT OF FUNCTIONAL EXPENSES YEAR ENDED DECEMBER 31, 2015

	Programs Services							Support Services								
	Art Events and Grant- Promotion making			Arts Total Education Program				nagement I General	Fu	ndraising	Total Support			Total		
Personnel and related expenses	\$	117,740	\$	19,909	\$	33,071	\$	170,720	\$	40,180	\$	36,485	\$	76,665	\$	247,385
Marketing		68,137		_				68,137		_		850		850		68,987
Grants made		_		351,923		_		351,923		_		_		_		351,923
Telephone and utilities		_		_		_		_		11,940		_		11,940		11,940
Printing and postage		10,677		_		_		10,677		11,401		12,129		23,530		34,207
Insurance						_		_		4,354		_		4,354		4,354
Hospitality		24,933		186		1,926		27,045		26,169		20,389		46,558		73,603
Rent		16,562				4,140		20,702		20,702				20,702		41,404
Depreciation		1,194		_		298		1,492		1,492		_		1,492		2,984
Investment fees										5,136				5,136		5,136
Office supplies and expense		542		142		3,398		4,082		11,397		5,289		16,686		20,768
Artist and other fees		158,420				76,525		234,945		24,292		4,275		28,567		263,512
Other		12,154				1,526		13,680		10,074		286		10,360	_	24,040
Total expenses		410,359		372,160		120,884		903,403		167,137		79,703		246,840		1,150,243
Less expenses netted against revenues on the statement of activities										(5,136)	_			(5,136)		(5,136)
Total expenses included in the expense section of the Statement of activities	<u>\$</u>		<u>\$</u>		\$		\$		\$	162,001	\$	79,703	\$	241,704	\$	1,145,107

Financial Management Self-Assessment



Nonprofit financial health is not a matter of endowment balances or grant size. Even nonprofits with large budgets must manage their resources in order to provide services effectively and remain accountable to the public. Financially healthy nonprofits of all sizes are committed to a culture of accountability and financial management best practices. Use this checklist to assess your organization's financial management practices and identify areas for improvement. This self-assessment is based on Nonprofits Assistance Fund's Characteristics of Financially Healthy Nonprofits.

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	s,	WEAK, BUT IN	ON POL	INOU	NANG NG	OW.
1.	Board members clearly understand their roles and responsibilities for financial health					
2.	Board receives and reviews complete financial information at every meeting					
3.	Computerized accounting/recordkeeping system is maintained					
4.	Qualified and knowledgable staff or volunteers are responsible for accounting records					
5.	All staff understand their responsibilities regarding the financial systems					
6.	A process is in place to develop a well-considered and realistic budget					
7.	Budget is reviewed by the board and approved before the fiscal year begins					
8.	Organization routinely budgets for an unrestricted operating surplus					
9.	Financial reports are prepared in an accurate and timely manner					
10.	Staff and board regularly compare financial results to budgets					
11.	Organization regularly monitors and projects cash flow and plans for adequate cash balances	. 🗆				
12.	Appropriate reserves or cash balances are maintained (minimum 30 days)					
13.	System is maintained for tracking restricted or designated funds					
14.	Payroll tax deposits are made when due					
15.	Organization is able to pay bills and make loan payments when due					
16.	Written financial policy includes responsibility and authority for financial decisions					
17.	Adequate and appropriate internal controls are in place and maintained					
18.	System is maintained for compliance with all required legal and funder reporting					
19.	Annual financial audit (or comparable annual review) is completed and reviewed by board					
20.	Board and staff regularly review short-term and long-term plans and goals					

Financial Management Self-Assessment



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