



## When a Business Partners with 4-H

Youth, volunteers, community partners and the Oregon 4-H program benefit when businesses share their expertise, time, facilities, or other resources to promote learning and living in their community. Everyone benefits!

This document identifies expectations for business partners and 4-H groups to work together effectively. It provides guidelines for using the 4-H emblem, fundraising, determining volunteer or paid services, leased or donated property, and safety concerns.

As part of the OSU Extension Service and as a non-profit organization, 4-H is subject to important state and federal policies and guidelines. These guidelines are established for the protection and well-being of everyone involved.

### Using the 4-H Name and Emblem

Federal law protects the 4-H name and emblem.

*“The 4-H Youth Development Program is the youth outreach from the Land Grant Universities, Cooperative Extension Services, and the United State Department of Agriculture. The Name & Emblem is intended to represent the ideals of the program with its focus on Head, Heart, Hands, and Health.” “The 4-H Name & Emblem is a highly valued mark within our country’s history. As such, it was granted a very unique and special status... similar to the Presidential Seal and the Olympic Emblem....”*

The statement “18 USC 707” in the United States Code protects the 4-H Name and Emblem.

Source: Using the 4-H Name and Emblem, CSREES

A 4-H member, volunteer or group is permitted to use the 4-H Name and Emblem when:

- a group is chartered, or
- the Name and Emblem is used to specify a local or state 4-H program.

It is inappropriate to use the 4-H Name and Emblem when:

- a “for-profit” company wants to use the name of a 4-H group or program as part of its name (e.g., 4-H’s Cleaning Company); or
- a 4-H group uses a “for profit” name as a part of their nonprofit 4-H name (e.g., Quail Ridge Riding Stable 4-H Club, or Garden Cooperative 4-H Club).

***“The 4-H Emblem is never used to imply endorsement of any product or material.”***  
***(Potential consequences: a \$5,000-\$10,000 fine and/or imprisonment as stated in 18 USC 707 code.)***

If a private business or commercial vendor wants to use the 4-H Name and Emblem within a single county that entity must contact the local county Extension Service office for permission within federal guidelines. If a private person wants to use the 4-H name for business that crosses county lines, then he needs to contact the state 4-H Office. Sometimes an application is needed for a business to use the 4-H Name and Emblem.

## When Businesses and Volunteers Support Youth Learning

Because federal and state funds are used to support the delivery of Extension 4-H programs, all youth must have equal access to learn in 4-H programs. To protect these opportunities for all citizens, the law states that:

***“Each state and county Extension Service has an obligation to pursue the elimination of any discriminatory 4-H program practices...(and) to ensure its availability to youth of all racial-ethnic groups and economic levels.”***

Source: Oregon 4-H Program Handbook, Affirmative Action section

To help ensure equal access to learning, 4-H groups are encouraged to:

- Focus on “no cost” learning during regularly scheduled 4-H meetings.
- Consider using club funds if members want to learn at a “fee-based” workshop.
- Communicate to members/families that they have “free choice” to participate or not, when an educational program includes a fee. If a program has a fee, it needs to be an optional activity.

Businesses and volunteers need to consider fiscal accessibility for youth at all economic levels when they partner with 4-H to provide educational opportunities.

**How can business partners and 4-H groups decide whether someone is a volunteer or a paid expert?** There needs to be a clear distinction between volunteer services and a service for a fee. Ask the following three questions to help determine the difference.

- 1) Is this person volunteering time and expertise to 4-H youth on an ongoing basis during regularly scheduled meetings? This person is a *4-H club volunteer/leader who is/should be enrolled with the county Extension Office. (No fee is paid for volunteer services.)*
- 2) Is this person volunteering time and expertise, occasionally at regular meetings? This person is a *resource volunteer/leader who is/should be enrolled with the county Extension Office. (No fee is paid for volunteer services.)*
- 3) Is this business person offering to share expertise with youth and adults in a special, optional learning situation for a regular or reduced fee? This person is a *community business consultant, not a 4-H volunteer/leader. (There **may** be a fee paid for service.)*

Business partners are asked to provide full disclosure of all fee(s) requested prior to providing a service. Occasionally, a “resource volunteer” may move to a “business consultant” role for fee-based service. Examples include:

- an optional, indepth clinic or workshop;
- an educational activity conducted at a time other than at a 4-H group meeting;
- individual lessons or private professional consultations outside the 4-H meeting.

## **Funds and Fundraising**

All fundraising done on behalf of 4-H must be done in accordance with federal and state rules for their [501 ( C ) (3)] nonprofit organization. The fundraising promotion needs to state how the contributions will be used, in support of the organization's educational mission. Money earned or raised by members for 4-H groups is public money. **Public funds (a 4-H account) cannot be co-mingled with a personal or business account.**

Public funds must be used for the purpose stated in the fundraising promotion, in ways decided by the majority of the 4-H members, and in accordance with the educational mission of the 4-H Name and Emblem. The 4-H group is responsible for all contributions and donations made to them. For accountability, 4-H groups must communicate the following information to the 4-H Agent at the county Extension Office.

- Prior to fundraising, submit an outline of fundraising plans and promotion and identify how contributions will be used to help reach the organization's goals.
- Provide copies of bank statements as requested during the program year.
- Submit an annual financial report summarizing income and expenditures.

## **Donated Property or Equipment**

When a business partner donates an item to a 4-H group, the business should receive a letter, inventory list, or thank you note identifying the donated item(s). This creates documentation that the 4-H group has accepted ownership. The monetary value of each item is **not** stated because the donor and/or his tax accountant can make that decision.

When a 4-H group disbands, their assets (property and funds) revert to the county Extension 4-H Office (or designated County Leader Association) for redistribution in ways that support educational goals.

## **Leased Animals or Other Property**

If a private individual or business leases an animal or property to a 4-H member, it is important to establish a written agreement between the parties. As a contract is between individuals. The county 4-H program is not named or involved in the transaction.

A lease agreement is beneficial so that:

- Youth learn about contracts and responsibilities.
- The relationship and expectations are clear to the lessor and lessee.
- The business, individual(s) and assets are protected whenever possible.

At minimum, every lease should include:

Name of lessor and lessee (An adult name should be listed with a minor partner.)  
Description (e.g., breed, age, tattoo, color, size, computer chip, tag, model)  
Length of time of the lease  
Payment(s) and deadline(s)  
Extent or limitations of use  
Required care, facilities, and specific needs (e.g., health care, repair, storage)  
Payment responsibilities for required care and specific needs  
Who is responsible in case of damage of property, injury or death of animal?

Leasing an animal for a 4-H project is permissible only if the member does not already own that species, **except in the dog or horse project**. A horse or dog project may be evaluated for “performance” project work, which may not be possible with an animal currently in the member’s possession.

Leasing a market animal is not permissible because a market animal may become eligible for auction and a 4-H member cannot sell an animal that he does not own.

**For livestock**, a lease must be on file in county Extension Offices **on or before June 1** to be eligible to exhibit that animal project at the State Fair. Check with the county Extension Office for dates specific to that county.

**For horses**, a lease must be on file in the county Extension Office 90 days prior to the County Fair and the 4-H member shall have training responsibility for the horse during that time.

## **Contracts**

Neither Extension 4-H staff nor 4-H volunteers can sign a legal document (e.g., a contract) to represent the Oregon State University Extension 4-H program. Only a specific OSU department can review and sign contracts. If this becomes necessary, contact the local Extension office for instructions.

## **Liability and Insurance**

Oregon State University (OSU) staff and registered volunteers are covered through the State’s Tort Liability Insurance Fund when conducting Extension programs and activities in *all* facilities. The insurance coverage includes personal injury and property damage to others as a result of actions of staff and volunteers.

***NOTE: Property owners (of facilities) must have their own liability insurance for conditions they control (i.e., tortious acts, physical conditions of facility).***

This liability coverage only applies to the time of a 4-H meeting or activity.

## **Summary**

It is mutually beneficial for youth, volunteers, OSU Extension staff, and community businesses to enjoy a partnership in Oregon State University 4-H Youth Development programs. The safety and well-being of every partner is important. This is a solid foundation for young people, families and communities to grow and prosper.

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**Sources:** Oregon 4-H Program Handbook. (April 2002.) Section: Affirmative Action.  
Oregon Program Handbook. (December 2002.) Section: Risk Management.  
Using the 4-H Name and Emblem. CSREES.

**Cooperatively, Agriculture, Family and Community Development, 4-H Youth, Forestry, and Extension Sea Grant programs of the Oregon State University, United State of Agriculture, Oregon counties, and the Extension Service offers programs and materials equally to all people.**