Annual Filing Season Program

The Annual Filing Season Program aims to recognize the efforts of non-credentialed return preparers who aspire to a higher level of professionalism. IRS-approved continuing education (CE) providers help in this effort by supporting the program and providing the required federal tax courses.

To meet program requirements for receiving an Annual Filing Season Program – Record of Completion from the IRS and be added to a public database of return preparers on the IRS website, voluntary participants must complete the following 3 actions:

1. Complete 18 hours of CE, which includes the six-hour Annual Federal Tax Refresher (AFTR) course and test.
2. Renew preparer tax identification number (PTIN) for the upcoming year.
3. Consent to adhere to the obligations in Circular 230, Subpart B and section 10.51.

For those of you that will be offering the AFTR course and test this year, keep the following points in mind:

- Be sure to read the AFTR Information Letter that was placed in the secure mailbox of your provider account on 4/3/2023 for the specifics of the program but here are a few important points.
- Providers offering an AFTR course must cover all AFTR Outline topics. On the test, you should vary the order of the questions so that the questions are presented randomly or arranged so that the question topics are not in the exact sequence as covered in the program material. We ask that you mix up the order of the topics tested to strengthen the assessment of the participant's comprehension.
- Your AFTR course presentation must be 6 hours in length, regardless of delivery method. We allow some tolerance, however any material totaling less than 6.0 hours, using the Word Count Formula, will have to be modified to become compliant. A provider offering a live program must develop a detailed timed agenda for their 6-hour AFTR course.
- All delivery methods should provide detailed written material for participants to take the open book final exam. Again, if your delivery method is self-study, make sure you use the Word Count Formula to ensure your course meets the 6-hour requirement. While review questions are required for general IRS CE self-study programs, they are optional for an AFTR self-study program. If offered, no more than 18 review questions can be counted in your Word Count Formula. Here is a quick tip for achieving exactly 6.0 hours for your self-study AFTR course: If your course contains exactly 48,000 words with 18 review questions or 54,000 words with no review questions, your course will be 6.0 hours on the nose.
- Participants must complete the AFTR course and exam in its entirety to earn the 6 credit hours for AFTR. Partial hours are not allowed.
- Providers must use the exam reconciliation form. The form serves as a good visual aid for your course developer to ensure that all outline topics are tested and helps them to visually see how

their questions are dispersed. The form also helps us during our AFTR reviews, as we are looking to see how you did in those areas as well.

- If you are selling your AFTR program **or** if you are buying a program from another provider, please send an email to rpo.ce@irs.gov informing us. We must review all sellers' AFTR material. This ensures that your course meets our standards, and during our AFTR reviews, purchasers will not have to resubmit material from a known seller or be responsible for correcting issues found in unreviewed purchased material.
- Regardless of when you plan to offer your AFTR course, **AFTR program numbers** are only available from 4/1 through 10/1. **No** AFTR program numbers will be issued after 10/1. Again…no exceptions! This allows us time to review programs and for CE providers to have sufficient time to make any needed revisions and offer the course ahead of 12/31, which is when the program ends.
- Providers should not advertise that a participant has unlimited attempts to pass the AFTR exam. Since every third test attempt requires that 50% of the questions differ from the previous test and every test must cover all outline topics, the size of the test bank will determine how many tests attempts you can offer and advertise. Please note: If a student has exhausted their allowable attempts and your bank of questions, they have failed the AFTR course and having the student pay again does not reset their testing opportunity.
- Providers should offer clear details and information about the AFTR program upfront (before purchase).

And here is a list of things your AFTR advertisement should provide in advance for those considering your program:

- Course syllabus, including the course description or link to the AFTR Course Outline on IRS.gov/taxpros/ce.
- Timed agenda for live programs.
- Notice that the deadline to complete the course and exam is 12/31/2023.
- Testing requirements, including the 70% passing score, three hours to complete the exam in one sitting and the number of test attempts allowed.
- Reminder that enrolled agents can take the AFTR course, but they are not eligible to receive IRS CE credit for doing so.
- An alert that Annual Filing Season Program participants must sign the Circular 230 consent for entry into the program.
- Explanation of browser requirements for your website, course, exam portal, if applicable, course policies and other pertinent information.
- Other required CE for Annual Filing Season Program participation, like our [Annual Filing Season Program exempt/non-exempt chart](#).
- The [IRS Annual Filing Season Program page](#), which includes information and benefits about the program and explains the benefit of limited representation for uncredentialed tax return preparers.

We certainly appreciate the CE providers that participate in offering AFTR and all CE providers that support the Annual Filing Season Program with hand-picked CE packages and individual course offerings. Again,

you can find more details about AFTR in our information letter and in the [frequently asked questions designated for AFTR](#).

Hot Topics

Each call we deliver the hot topics that are currently trending or important information that you should be aware of. Here are the hot topics for this call:

PTIN Uploads

We have had a variety of questions concerning preparer tax identification number (PTIN) uploads, such as "How can I upload PTINs after the fact if I have removed the program?". Instructions begin on page 42 of the CE Provider User Guide - Section 9.5, PTIN Manual Reporting.

Providers have the capability to manually report PTINs by clicking the "PTIN Manual Reporting" hyperlink next to the appropriate program on the Programs/Manual PTINs page in your CE account. A hyperlink will be selectable for each available year of program information (i.e., 2023, 2022, 2021, etc.). Sections 9.5, 10.0-10.5 and 11.0-11.4 of the User Guide answers many of your questions regarding manual PTIN uploads, PTIN queries, error resolutions and uploading PTINs appropriately using the template. The guide is available in your CE account Resources and Help section.

Program Expiration Dates

As discussed during our last provider calls in November and in additional IRS communications, IRS CE has added expiration dates to program numbers in the CE system. As a reminder, programs will expire on 12/31, three years from a program's approval date. For example, a program number obtained anytime in the calendar year 2021 will expire on 12/31/2024; a program number added during 2022 will expire on 12/31/2025. Because the IRS makes annual changes to the Annual Federal Tax Refresher (AFTR) course outline, AFTR courses will continue to expire annually on 12/31. This past year was a transition period, meaning that active program numbers that we approved between 2012 through 2020 will all expire at the end of this year, on 12/31/2023. Once a program expires systemically or by your own early removal, you cannot use that program number. You can, however, continue to report any CE credit that participants completed before a program's expiration date. If you make changes to your program by adding or removing content, you should obtain a new program number even if the existing program number has not expired.

Updates for the Special Enrollment Examination (SEE)

- There has been an increase to the test fee for the SEE. It has increased from $203 to $206.
- Candidates are now allowed bottled water in the test lab. Prometric will permit candidates to have water in testing rooms, but it must be in a clear or transparent container with a lid or cap. All labels must be removed, and the container will be inspected for notes or other prohibited test aids. The candidate will need to remove the lid/cap for visual inspection by the Test Center staff. Should the container not meet the requirements outlined, the candidate will be required to put it in their locker and will not be allowed to take it into the testing room.
- The IRS Enrolled Agent SEE Candidate Information Bulletin for examinations beginning May 1, 2023 is available on Prometric's website [here](#).

Reminder Regarding Your CE Provider Account

It is extremely important that all phone numbers and email addresses are kept current for your provider account. You can add as many Administrative Points of Contact (APOCs) as you need to help with administrative tasks in the CE system, but there can only be one Principal Point of Contact (PPOC) for your organization. We had a considerable amount of returned emails when we issued provider call reminders. Remember, a current PPOC who is leaving their organization, or their position, should reassign the lead role to a new PPOC prior to their departure. You can update the PPOC information by clicking on the "Provider Account" tab on the left-side page after you log in to the CE system and selecting "edit" under the Principal Point of Contact Information section. If you fail to keep your PPOC information current, your old PPOC will continue to receive IRS communication emails as well as other communication from the IRS regarding your organization.

The Importance of Course Objectives

Have you been wondering "Do I really need to list specific objectives in my program/course?" Well, the answer is a firm and simple – yes!

What is an objective? Webster describes the objective as "A thing aimed at or sought; a goal." The lesson objective states the goal and sets the expectation for what students will know or be able to do at the end of the lesson. Learning goals and objectives also help you as a provider when you develop your course because it generally describes what an instructor, a program or an institution aims to do.

Provider Standard No. 6. states "Continuing education program(s) must provide current, accurate, and effective development of content, activities, materials and delivery systems." To meet the effective development of content and delivery as referenced in the requirements of Provider Standard No. 6, lesson planning begins with one or more clearly stated objective(s). Further, Circular 230 and Provider Standard No. 9 both cite that CE providers must provide each attendee with the means for evaluating each program's technical content, manner of presentation and fulfillment of learning objectives.

Without stated objectives, the attendee cannot appropriately speak to this required evaluative item. These objectives need to be clearly listed at the beginning of the lesson and course material and activities geared toward meeting the stated objective should effectively guide the participant through completion. A summary reinforcing the objectives is an effective way to close the lesson.

What to Expect from a Provider Review

This section will discuss what provider reviews are, why the CE analysts do reviews and what to expect during the review process. But first, we want to mention what provider reviews are not. Provider reviews are not "gotchas." Provider reviews are not tax audits and should not be adversarial. Provider reviews should be a collegial process resulting in a comprehensive evaluation to verify compliance and help enhance and improve your product and processes. The analyst performing the review looks at the material from the perspective of the IRS, the CE provider and the student.

We telephone the PPOC to start a provider review. We ask some general questions about the program, including if we're talking to the right person and if contact information in the account is current. If we cannot initially contact the PPOC, we may telephone APOCs and we may reach out by email. During the telephone conversation, we will address any issues we have seen during our initial research, explain the review process and answer questions that you may have.

After the initial contact we will upload a Program Material Request (PMR) Form 14406 to your provider account to request a list of program material which needs to be uploaded by the provider within 21 days or, if an Annual Federal Tax Refresher (AFTR) program, within 10 days. There are slightly different and more specific requirements for AFTR programs, including being subject to review by CE each year you get an AFTR "A" program number prior to offering the AFTR course and test. We will not cover those specific additional details, but our notes apply to all reviews.

To start, the PPOC Document and Index in the "Resources & Help" area of your provider account gives a good overview of the review process and says, under the aptly named heading "Why We Review": "IRS-Approved Continuing Education Providers must follow all requirements in sections 10.6(f) and 10.9 of Circular 230. CE Providers are subject to an IRS review to demonstrate that programs meet IRS CE Provider Standards and are designed to enhance professional knowledge in Federal tax, Federal tax-related matters, or Federal tax ethics."

Circular 230 sections 10.6(f), "Qualifying continuing education" for IRS credentialed preparers, and section 10.9, "Continuing education providers and continuing education programs." define what a CE provider is, what course material is, how to allocate credit and how to keep records. The information in those Circular 230 sections is explained in plain language in the 16 IRS CE Provider Standards and their "Commentary" sections. The Frequently Asked Questions and their answers further explain requirements. Our provider reviews are based on these sources, and we look at the course material and administration of the program.

Here is a list of what we always look at and some common issues we find. As you go through the list, you should ask yourself if you meet the criteria or if the common problems could apply to your program.

We review course subject matter to determine the following:

- If it has been properly classified as Ethics, Tax Law, Updates, etc.
  - Common issues include material classified as Update material that is not specifically addressing the upcoming or current year and should be classified as a Tax Law program, or Tax Law material related to IRAs, Social Security and retirement plan contributions and distributions improperly classified as a "Q" Qualified Retirement Plan Matters course.
- Has the delivery method been properly selected; either Online, In-person or Self-Study?
  - Common issues include courses classified "online" but should be "in-person", or vice versa. Pro tip: If it's not literally in person, and you cannot visually verify attendees are present, it's probably an online program.
- Has the material been developed by qualified individuals based on biographies.

- o Most common issue is biographies touting tax preparation, etc. with no mention of writing material.
- Are In-person or Online programs delivered by qualified individuals based on biographies?
  - o Most common issue is biographies with no mention of public speaking or delivering material.
- Is there enough material to meet the 50 minute per continuing education credit standard?
  - o Most common issue for online or in-person programs is lack of a timed agenda or syllabus. Most common for self-study programs is an inaccurately determined word count where appendices or non-required reading is included.
- Is it accurate and current material?
  - o Most common issues: it's not current or it's not accurate, kind of a no brainer. Usually caused by just rolling forward material without reviewing content.
- And we look at the administration of the program to determine if:
  - o The course is properly advertised and/or described.
    - ▪ Most common issues include generic descriptions such as "2023 Tax Seminar", or websites out of date.
  - o The course is properly delivered using the appropriate delivery method.
    - ▪ Common issues stem from materials not adhering to syllabus and/or presenters who don't stay on topic.
  - o The course takers receive appropriate credit that is substantiated by accurate records.
    - ▪ Most common issue is failure to document attendance or completion. This generally may require sign in/out sheets for in-person programs, log in/out times and verification of polling questions asked and answered for online programs and testing verification for self-study programs.
  - o The appropriate continuing education credit is uploaded to the PTIN records timely.
    - ▪ The most common issue is misunderstanding when PTIN uploads are required. PTIN credits completed in the first three quarters should be uploaded by the end of each quarter, and within 10 business days of completion in the last quarter. We have updated some FAQs to clarify that program completions within 10 business days of the end of the first three quarters will be considered timely if they are uploaded within 10 business days of the completion date.
  - o If all attendees, with or without PTINs, receive a Certificate of Completion that has all required data.
    - ▪ Common issues include only issuing Certificates of Completion to attendees who have PTINs and not including the exact program name and program number.
  - o The attendees may evaluate the program where the evaluation allows the evaluator to opt to include their name, has the required 5 identifying criteria, 8 evaluative criteria, an evaluative scale that includes a non-applicable "NA" option and an undirected "comments" section.
    - ▪ The most common issues are not including all of the identifying criteria, or all of the evaluative criteria, not giving the "NA" option, not including a comments option or asking a directed open ended "comments" question such as "What courses would you like in the future?".
  - o All continuing education records including course material are kept for at least 4 years.

- Most common issue is failing to ask for or retain all program material including any instructors notes and PowerPoints.

After we've looked at everything, and maybe taken the course once or twice, we will contact the PPOC to conduct an interview and address any follow-up questions we have about your program and processes. Then we'll issue a written Summary of Findings that may include recommendations for improvements or changes to your program or processes. If we find no problems or issues, we'll issue a Summary of Findings recommending no changes.

Use these criteria to review your program and processes and you may find an opportunity to improve your program.

Questions & Answers

1. **Q – Regarding the enrolled agent exam, will there be questions regarding the Employee Retention Credit?**

   A – The Employee Retention Credit is not a topic covered by the Special Enrollment Exam for the next test cycle (May 2023 to February 2024).

2. **Q – How often do I have to report program completion information to the IRS to keep my CE provider number active?**

   A – Your CE provider number remains active through 12/31, but if you fail to change your login password every 120 days, your login will be disabled. As for as reporting CE credits, we recently updated our Post Approval Provider Obligations FAQ #8, "How often do I have to report program completion information to the IRS?" To summarize, providers are encouraged to upload completions as soon as possible. You could report CE daily or weekly if you choose. At a minimum, during the first nine months of the year, you must report program completion information quarterly (by 3/31, 6/30, and 9/30) or within ten business days of the completion date, whichever is later. During the fourth quarter (10/1 – 12/31), you must report program completion information within ten business days of delivery of each program.

To fill out our Q&A session, we will consider one new FAQ that we published on 4/20/2023 under Recordkeeping & Uploads

3. **FAQ 14. Can a course developer or author receive CE credit for course development?**

   No.

   Course authors/developers cannot receive IRS Continuing Education credits for course development or by completing courses developed or written by themselves. Course authors/developers must satisfy their annual CE requirements by completing IRS-approved programs not developed or written by themselves.

Circular 230 § 10.6 (f)(2)(iii) has a provision for enrolled agents and other tax return preparers to receive a limited amount of CE credit for instructor and instructor preparation activities (a maximum of six hours per year for enrolled agents or four hours per year for other return preparers), but there is no provision for CE credit for authoring or developing a course.