

COMMUNITY FOUNDATION FOR THE TWIN TIERS RECORD RETENTION POLICY

The Foundation takes seriously its obligation to preserve information relating to litigation, audits and investigations. The Sarbanes-Oxley Act makes it a crime to alter, cover up, falsify, or destroy any document to prevent its use in an official proceeding. Failure to follow this policy can result in possible civil and criminal sanctions against the Foundation and its employees and possible disciplinary action against responsible individuals (up to and including termination of employment).

Each Board member and/or employee has an obligation to contact the Board Chair, president/CEO or chief financial officer of any potential or actual litigation, external audit, investigation or similar proceeding involving the Foundation. The information listed in the retention schedule below is intended as a guideline and may not describe all the records the Foundation may be required to keep in the future. Questions regarding the retention of documents not included in this chart should be directed to the president/CEO.

From time to time the president/CEO or the Audit Committee may issue a notice, known as a "Legal Hold," suspending the destruction of records due to pending, threatened or otherwise reasonably foreseeable litigation, audits, government investigations or similar proceedings. No records specified in any Legal Hold may be destroyed, even if the scheduled destruction date has passed, until the Legal Hold is withdrawn in writing by the president/CEO.

Work related e-mail is a Community Foundation record and must be treated as such. It is the responsibility of the sender of the e-mail message and the recipient of messages from outside the Community Foundation to manage e-mail messages according to the Community Foundation's records retention policy. E-mail that does not meet the definition of a Community Foundation record (i.e., personal e-mail or junk e-mail should be deleted immediately from the system.

The Community Foundation computers and/or e-mail servers are NOT intended for long-term record retention. E-mail messages and any associated attachment(s) with retention periods greater than one (1) year should be kept in similar fashion to paper records or electronically stored on a CD ROM or DVD or in an appropriate file on the network drive, so that it may be maintained and stored in accordance with the records retention policy. It is important to note that the e-mail messages should be kept with the attachments(s). The printed or electronic copy of the e-mail must contain the following header information: (a) who sent the message; (b) to whom the message was sent; (c) date and time message was sent; and (4) subject. Duplication or records in both electronic and paper format is unnecessary.

When e-mail is used as a transport mechanism for other record types, it is possible, based on the content, for the retention and disposition periods of the e-mail and the transported record(s) to differ. In this case, the longest retention period shall apply.

An e-mail can be deleted once a paper copy has been printed or the e-mail has been stored electronically on a CDROM or DVD or in a file on the network drive. The paper copy of the electronic copy must be retained for the correct time period as determined by the Community Foundation's record retention policy. Electronic records should be backed-up on a regular basis to recordable media. The period between back-ups should not exceed two weeks.

This information is intended as a guideline for the retention of records: it is not a comprehensive list of all types of records the Foundation might have, nor will compliance with this list guarantee compliance with all applicable laws. In addition, some individual records within a given category will have more significance than others, depending on the circumstances, and may warrant retention beyond the time period indicated below. Any retention of records beyond the time periods indicated should be approved by the president/CEO so the change may be incorporated in the Audit Committee's annual review of the policy.

RECORD RETENTION POLICY

Description of record(s)	Manner of record keeping	Disposition	Historical	Vital
I. Corporate/ organizational records:				
Incorporation documents including articles of incorporation, bylaws, and related documents	Store in corporate record book.	Permanent	Yes	Yes
Tax-exemption documents including application for tax exemption (IRS Form 1023), IRS determination letter, and any related documents	Store in corporate record book.	Permanent. Federal law requires copies of these documents to be held at organization's headquarters office. These records must be made available for public inspection upon request.	Yes	Yes
Board of Directors documents including agendas, minutes and related documents	Compile & file records on yearly basis; Store in file cabinet in Executive Department.	Permanent Care should be taken to include only necessary information in these documents.	Yes	Yes
Board Committees (Investment, Audit, Finance, Community Partnerships) agendas and minutes	Compile & file records on yearly basis; Store in file cabinet in Executive Department.	Permanent Care should be taken to include only necessary information in these documents.	Yes	No
Supporting Organizations incorporation documents including articles of incorporation, bylaws, and related documents (when they exist)	Store in corporate record book of Supporting Organization	Permanent	Yes	Yes
II. Financial records:				
Audited Financial Statements	Store in corporate record book.	Permanent	Yes	Yes

Description of record(s)	Manner of record keeping	Disposition	Historical	Vital
Monthly financial reports	Compile & file records on yearly basis.	Three Years. Store w/financial records. Destroy after three years.	No	Yes
Bank statements, canceled checks, check registers, investment statements, and related documents	Compile & file records on a yearly basis.	Seven Years. Store w/financial records. Destroy after seven years.	No	No
Accounts Payable invoices, vendor files, expense reports, petty cash log and receipts, grant payment reports, 1099's	Compile & file records on a yearly basis.	Seven Years. Store w/financial records. Destroy after seven years.	No	No
Budget working papers, analysis, capital equipment expenditures, spending plan, assumptions	Compile & file records on a yearly basis.	Three Years. Store w/financial records. Destroy after three years.	No	No
Annual information returns (IRS Forms 990)	Federal law requires that the three most recent years returns be kept in the organization's headquarters office and be made available for public inspection upon request.	Permanent	Yes	No
Insurance – General Liability, Property, Directors' & Officers', Officers' E&O, policies, claims, and reports	Compile & file records on a yearly basis	Five Years. Store w/financial records. Destroy after five years.	No	No
Records Management – Retention schedules and box inventory lists	Retain in office	When superseded	No	Yes

Description of record(s)	Manner of record keeping	Disposition	Historical	Vital
Legal Opinions drafted for The Foundation by Counsel	Retain in office	When superseded	No	No
Fixed Assets - Inventory, depreciation	Retain in office	Ownership of Asset plus 5 yrs	No	Yes
Contract files	Retain in office	Three Years after contract is complete. Store with financial data.	No	No
III. Human Resource/ Payroll				
Payroll files, tax withholding, tax returns, deductions, W2s, W4s, timesheets, earnings	Compile & file records on a yearly basis	While employee is actively employed plus 6 years	No	Yes
Employee/ Personnel files	Store on site	While employee is actively employed plus 4 years	No	No
Benefit calculations, contributions, PTO	Store on site	While employee is actively employed plus 2 years	No	Yes
Benefit plans and policies such as insurance, compensation, retirement plans	Store on site	While employee is actively employed plus 7 years	No	Yes
Employee Handbooks and Personnel Manuals	Store on site	Permanent	No	No
Employee forms (I-9), EDD audits	Store on site	While employee is actively employed plus 3 years	No	No

Description of record(s)	Manner of record keeping	Disposition	Historical	Vital
Recruitment applications, resumes, job descriptions, references, job announcements, offer letters, application profiles, interview notes, unsolicited resumes	Store on site	2 years	No	No
Retirement / Pension Records and COBRA information 403(b)	Keep with employee files	While employee is actively employed plus 50 years	No	Yes
IV. Scholarship records				
Scholarship applications	Compile & file records on yearly basis	Three Years. Store with scholarship records. Destroy after three years.	Yes	No
Scholarship recipient information, including names, addresses and school attending	Compile & file applications on yearly basis. Add names to list of past recipients. List should include names, addresses, school attending when scholarship received, and year in which scholarship received.	Permanent. List of past recipients including complete applications should be filed in a permanent scholarship information file.	Yes	Yes
Selection committee records, including selection criteria used and other documentation regarding the selection process	Compile & file records on yearly basis.	Three Years. Store with scholarship records. Destroy after three years	No	No
V. Fund Files				
Original fund agreement	Store in fire proof safe	Permanent	Yes	Yes

Description of record(s)	Manner of record keeping	Disposition	Historical	Vital
Copy of fund agreement, correspondence, areas of interest	Store in office	Permanent	No	No
Trust documents, tax returns, background, correspondence	Duration of trust	Merge into fund files after trust matures	Yes	Yes
Expectancy and testamentary files- legal documents, background information, correspondence	Life of donor, then merge into fund file	Permanent	No	No
VI. Grants				
Grant proposals, grant letters, fax poll approvals	Current year on site, previous years off site	Seven Years	Yes	No
Due Diligence Materials (501c3 status)	store either on-site or at storage	Until superseded	No	Yes
VII. Marketing/Communication				
Miscellaneous - Photos, posters, presentations, press releases, newspaper articles, brochures, advertisements	Store current plus 3 years on site, others, offsite	Permanent	Yes	No
Foundation Publications - Annual Reports, quarterly newsletters	Store on site for current year, then send to storage	Store 50 for archives	Yes	No