



### **I. Purpose**

This policy provides for the systematic review, retention and destruction of documents received or created by the Coalition for Sonoran Desert Protection (“CSDP”). This policy contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to comply with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate CSDP’s operations by promoting efficiency and freeing up valuable storage space.

### **II. Responsibilities of the Administrator.**

The organization’s Program and Operations Manager shall be the administrator (“Administrator”) in charge of the administration of this policy. The Administrator’s responsibilities shall include supervising and coordinating the retention and destruction of documents pursuant to this policy and particularly the Document Retention Schedule included below. The Administrator shall also be responsible for documenting the actions taken to maintain and/or destroy organization documents and retaining such documentation. The Administrator may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect organizational policies and procedures. The Administrator is also authorized to periodically review this policy and policy compliance with legal counsel and to report to the Board of Directors as to compliance. The Administrator may also appoint one or more assistants to assist in carrying out the Administrator’s responsibilities, with the Administrator, however, retaining ultimate responsibility for administration of this Policy.

### **III. Responsibilities of Constituencies.**

This policy also relates to the responsibilities of board members, staff, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of the organization’s documents. The Administrator shall report to the Board of Directors (the board members acting as a body), which maintains the ultimate direction of management. The organization’s staff shall be familiar with this policy, shall act in accordance therewith, and shall assist the Administrator, as requested, in implementing it. The responsibility of volunteers with respect to this policy shall be to produce specifically identified documents upon request of management, if the volunteer still retains such documents. In that regard, after each project in which a volunteer has been involved, or each term which the volunteer has served, it shall be the responsibility of the Administrator to confirm whatever types of documents the volunteer retained and to request any such documents which the Administrator feels will be necessary for retention by the organization (not by the volunteer). Outsiders may include vendors or other service providers. Depending upon the sensitivity of the documents involved with the particular outsider relationship, the organization, through the Administrator, shall share this Policy with the outsider, requesting compliance. In particular instances, the Administrator may require that the

contract with the outsider specify the particular responsibilities of the outsider with respect to this policy.

#### **IV. Document Retention and Destruction**

CSDP's documents will be kept for the length of time indicated in Section VI below. Documents that are not listed below but are substantially similar to a type of document that is listed, will be kept for the length of time that is indicated for the substantially similar document. Correspondence, internal memoranda, and email should be retained for the same period as the document they pertain to or support. As an example, a letter pertaining to a particular contract would be retained as long as the contract to which it pertains. Notwithstanding the time indicated below, the remainder of this policy (e.g., Section VII) shall be considered prior to the destruction or cessation of retention of any document. If a record meets the description of more than one category, then the category requiring a longer retention period under this policy shall be applicable to such record.

Records should be maintained only for the recommended retention period. Records no longer required to be kept for business or legal purposes should be destroyed by shredding/destruction on company premises, or by contracting with a document shredding/destruction company that can provide a certificate of shred, as appropriate. The process of shredding/destruction should only be undertaken at the direction of CSDP's Program and Operations Manager or the designated Administrator.

All questions about the retention and destruction of specific records or departmental responsibility for maintaining certain types of records should be referred to CSDP's Program and Operations Manager or the designated Administrator.

#### **V. Document Creation and Generation.**

The designated Administrator shall discuss with staff the ways in which documents are created or generated. With respect to each employee or organizational function, the Administrator shall attempt to determine whether documents are created which can be easily segregated from others, so that, when it comes time to destroy (or retain) those documents, they can be easily culled from the others for disposition. For example, on an employee-by-employee basis, are e-mails and other documents of a significantly non-sensitive nature so that they might be deleted, even in the face of a litigation hold with respect to other, more sensitive, documents? This dialogue may help in achieving a major purpose of the policy -- to conserve resources -- by identifying document streams in a way that will allow the policy to routinely provide for destruction of documents. Ideally, the organization will create and archive documents in a way that can readily identify and destroy documents with similar expirations.

#### **VI. Document Security**

All of the documents listed in Section VI will be kept in a locked filing cabinet. The Administrator will be responsible for retaining and destroying these documents, along with processing requests from staff and volunteers for copies of these documents. When requests are made, the Administrator will provide the requested copies within two weeks of the request.

## VII. Corporate Recordkeeping Time Frames

(tables indicate type of record, how long the record will be retained, and in what format the record will be retained (paper, electronic, or both))

### Formation and General

Annual Reports to Secretary of State/Attorney General	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
Bylaws	Permanent
Client (closed files – Volunteers and Clients)	5 years
Construction Documents	Permanent
Correspondence (general)	5 years
Records that documents tax-exempt status	Permanent

### Accounting and Tax Records (Other than Employment Related)

Final Annual Audits and Financial Statements	Permanent
Audit and controversy records (e.g., all correspondence with the IRS and any other tax or legal authority)	Permanent
Business Expense Records	7 years
Cash Receipts	3 years
Charts of Account	Permanent
Credit Card Receipts	3 years
Depreciation Schedules	Permanent
Federal and State Information Returns (e.g., Form 990)	Permanent
Permanent Financial Records/Schedules used in preparation of tax returns	7 years
Fixed Asset Records	Permanent
“Future Relevance Records” including any document that may have relevance to a transaction occurring in the future (e.g., tax and accounting information such as basis, depreciation schedules, improvements & maintenance costs, etc.)	10 years after the filing of a return on which such information has relevance
General Ledgers and Journals	Permanent
Invoices	7 years
IRS Application for Tax-exempt status (Form 1023)	Permanent
IRS Form 1099s, W-8, and W-9	Permanent
Journal Entries	7 years
Ledgers (accounts payable & account receivable)	5 years

Petty cash vouchers	3 years
Sales records (CSDP merchandise, ticket sales, concessions, gift shop)	5 years
State tax exemption documents (e.g., income tax, sales tax, property tax, etc.)	Permanent
Vouchers for payments to vendors, employees, and others	5 years

#### Bank Records

Bank deposit slips	7 years
Bank reconciliations	7 years
Bank statements	7 years
Check registers	Permanent
Electronic fund transfer documents	7 years

#### Payroll and Employment Tax Records

Earnings records	7 years
Employee identification records and information	Permanent
Fire inspection reports	3 years
Garnishment records	7 years
IRS Forms W-2 and W-4; State Form A-4	10 years after end of employment
Payroll registers	Permanent
Payroll tax returns (IRS forms 940 and 941)	10 years after end of employment
Severance agreements and evidence of payments	7 years after final payment
State unemployment tax records	Permanent
Unclaimed wages	10 years

#### Employee Records

Accident reports and Worker's Compensation records	Permanent
All personnel records (e.g., records relating to promotion, demotion, or discharge)	7 years
Employment applications	2 years
Employment and termination agreements	Permanent
FMLA agreements	3 years
I-9 forms	3 years after end of employment
Job ads	1 year
Retirement and pension plan documents	Permanent
Salary schedules	5 years
Time cards	7 years after end of employment

### Donor / Grant Records

Donor Records and Acknowledgement Letters:	
(i) If the donation is part of a series of related donations	10 years from the end of the year in which the last related donation is made
(ii) If the donation is of property	10 years after the filing of a return on which such information has relevance
(iii) All other instances	10 years
Grant applications and contracts received	7 years after completion or as required by grant
Grant applications and contracts given or grants	Permanent
Hard copies of donor credit card information	30 days
Volunteer and client records	7 years

### Purchasing & Sales

Purchase order	3 years
Requisitions	3 years
Sales contracts	3 years
Shipping and receiving reports	3 years

### Legal, Insurance and Safety Records

Appraisals	Permanent
Copyright registrations	Permanent
Environmental studies	Permanent
General contracts	7 years
Insurance policies	Permanent
Litigation resolution related (e.g., any document related to any litigation, consent decree, release settlement agreement, final disposition, order, stipulation of dismissal, judgment, etc.)	Permanent
Litigation claim related (e.g., any document related to any allegation, petition, court record, filing, pleading, etc.)	7 years following resolution and exhaustion of all administrative and appellate remedies
Leases	6 years after expiration

OSHA documents	5 years after expiration
Real estate documents	Permanent
Stock and bond records	Permanent
Trademark registrations	Permanent

**VIII. Electronic Documents and Records**

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the length time indicated. E-mail messages that need to be retained will be printed in hard copy and kept in the appropriate file. E-mail that needs to be saved should be either:

- (i) printed in hard copy and kept in the appropriate file; or
- (ii) downloaded to a computer file and kept electronically or on disk as a separate file.

The retention period depends upon the subject matter of the e-mail, as covered elsewhere in this policy.

**IX. Emergency Planning**

CSDP’s records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping CSDP operating in an emergency will be duplicated or backed up at least every month and maintained off site.

**X. Litigation**

Each director, officer, employee and staff member of CSDP (“Personnel”) has a responsibility to immediately notify the CSDP’s Executive Director or the designated Administrator if such Personnel become aware of (i) an official governmental investigation into CSDP or (ii) a lawsuit against CSDP, which lawsuit is either commenced or appears imminent.

If CSDP receives notice of (i) an official governmental investigation or (ii) the filing of a lawsuit against CSDP, or (iii) of a lawsuit against CSDP the commencement of which is imminent, then document destruction procedures otherwise applicable under this policy will be immediately and automatically suspended.

Document destruction will only be suspended for the documents related to the investigation or actual or potential litigation. A suspension of document destruction does not affect the length of time a document will be retained following the termination of the suspension. Instead, after the suspension is lifted, documents will be destroyed after the original required retention period is met, including any time for which a suspension was in place. However, such item may be required to be retained for a longer period if required by the resolution of the litigation or, in connection with such suspension, such document is properly reclassified as either a Litigation Resolution Related document or a Litigation Claim Related document and such reclassification lengthens the time for retention of such document.

## **XI. Approval, Review, and Compliance**

The Board of Directors of CSDP is the approving authority for this policy and is responsible for revising this policy. The Board of Directors of CSDP will review this policy as often as required by legal, regulatory, or CSDP governance and, in all cases, at least annually.

The failure of a member of Personnel to follow this policy could result in possible civil and criminal sanctions against CSDP and members of Personnel and could also result in disciplinary action by CSDP against responsible members of Personnel.