

POLICY STATEMENT #2016-2: Document Retention Policy

Functional Area: General

Related Policy:	NORDP Bylaws;
Effective Date:	11/15/16
Approved by:	Board of Directors
Responsible Body:	Board of Directors; NORDP Officers

I. POLICY STATEMENT

As a non-profit 501(c)(3) organization, NORDP must comply with applicable laws governing public records. It shall be the policy of NORDP to maintain complete, accurate, and high-quality records, and to identify, retain, store, and dispose of organizational records in an appropriate, legally sound, and orderly manner.

The Board of Directors has established this policy to provide for the systematic review, retention, and/or destruction of documents received and/or created by NORDP, regardless of their physical form. The policy also sets guidelines for how long certain classes of documents should be kept, and when they may be destroyed unless required to be retained for other reasons (including a legal hold, as defined below).

II. DEFINITIONS

- a. **Sarbanes-Oxley Act.** The Sarbanes-Oxley Act of 2002 (Pub.L. 107-204; 116 Stat. 745; hereafter, "Act") makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding. Further, the Act makes it a crime to knowingly intimidate, threaten, or corruptly persuade (or attempt to do so) another person with the intent to cause or induce that person to alter, destroy, mutilate, or conceal an object for the purpose of impairing the object's integrity or availability for use in an official proceeding.
- b. **Records.** Records are information created or received in the course of NORDP business and maintained as evidence of or information about the transaction of NORDP business. Records of NORDP's Board of Directors, committees, and officers have a unique value for the history of the organization.

III. PROCEDURES

A. *Retention*

Records shall be retained for the period of their immediate use, unless longer retention is required for historical reference, contractual, legal, or regulatory requirements, or for other purposes as set forth herein. All NORDP records maintained by any NORDP officer, director, employee, contractor, or volunteer shall be maintained electronically or in local, damage-proof storage according to the retention schedules contained in this policy statement.

The following table provides minimum requirements and broad categories for definition. To the extent that applicable laws or regulations are changed to require a retention period different from the one shown here, the requirements of such laws or regulations shall take precedence. Documents or document types that are not listed shall be treated according to the class of listed documents which they most closely resemble.

<i>Document Type</i>	<i>Retention Period</i>	<i>Retained By</i>
Corporate Records		
Articles of Incorporation and Bylaws	Permanent	Secretary
IRS Form 1023, Application for Tax-Exempt Status	Permanent	Treasurer
IRS Determination Letter	Permanent	Treasurer
State sales tax exemption letter(s)	Permanent	Treasurer
Annual reports to Secretary of State/Attorney General	Permanent	Secretary
Board minutes and Board committee minutes	Permanent	Secretary
Board policies and resolutions	Permanent	Secretary
Other corporate and operational policies	Permanent	Secretary
Accounting and Corporate Tax Records		
Annual audits and financial statements	Permanent	Treasurer
Fixed Assets and Asset Depreciation Schedules	Permanent	Treasurer
IRS Form 990 Tax Returns	Permanent	Treasurer
Expense records & reports	7 years	Treasurer
Investment records	7 years	Treasurer
IRS Forms 1099	7 years	Treasurer
General ledgers & journal entries	7 years	Treasurer
Invoices	7 years	Treasurer
Sales records (service fees, receipts, etc.)	5 years	Treasurer
Petty cash vouchers, cash receipts, credit card receipts	3 years	Treasurer
Bank Records		
Checks for important payments & purchases	Permanent	Treasurer
Check registers	7 years	Treasurer
Bank deposit slips	7 years	Treasurer
Bank statements & reconciliations	7 years	Treasurer
Electronic fund transfer documents	7 years	Treasurer
Payroll and Employment Tax Records		
Payroll registers	Permanent	Treasurer
State unemployment tax records	Permanent	Treasurer
Earnings records	7 years	Treasurer
Payroll tax returns	7 years	Treasurer
W-2 statements	7 years	Treasurer
Employee Records		
Employment offers and termination agreements	Permanent	Treasurer
Records relating to promotion or discharge	7 years after termination	Treasurer
Accident reports & worker's compensation records	5 years after settlement	Treasurer
Salary schedules	5 years	Treasurer
Employment applications, resumes	3 years	Treasurer
I-9 forms	3 years after termination	Treasurer
Time cards	2 years	Treasurer
Job postings	1 year	Treasurer
Donor, Grant, & Contract Records		
Donor records & acknowledgement letters	7 years (donor records only)	Treasurer

<i>Document Type</i>	<i>Retention Period</i>	<i>Retained By</i>
Summary reports of donations	7 years	Treasurer
Grant contracts, applications, documentation supporting grant payments, grant reporting and correspondence	7 years after final closeout	Treasurer
Declined grant applications	3 years after decision	Treasurer
Leases	7 years after expiration	Treasurer
General contracts	7 years after expiration	Treasurer
Legal, Insurance, & Safety Records		
Legal correspondence, officers	Permanent	Secretary
Trademark/copyright registrations	Permanent	Secretary
Stock and bond records, officers	Permanent	Secretary
Conflict of Interest statements, board members	5 years after end of service	Secretary
HIPAA compliance records	6 years or per regulation	Secretary
OSHA documents	5 years or per regulation	Secretary
Correspondence other than legal, officers	3 years	Secretary

During their period of retention, records shall be placed in the custody of specific officers, employees, or contractors according to their respective job functions and the administrative needs of NORDP. All storage methods shall be tamper-proof and searchable. Records shall be accessible to officers and members of the organization as specified in the NORDP Bylaws, if not otherwise required by applicable laws or regulations, and to federal, state, and local agencies as required. During their terms in office, NORDP officers are responsible for documents assigned to them, and are also responsible for the secure transfer of documents in their custody, once their term of office ends. Documents requiring destruction at or near the end of an officer's term may, with the concurrence of the officer's successor, be destroyed as scheduled by the original officeholder, or they may be transferred to the custody of the successor for destruction as soon as practicable after the successor's term begins.

B. Destruction

Records that are no longer required, or that have satisfied their required periods of retention, shall be destroyed as described hereafter. However, notwithstanding the retention periods described in this policy statement, upon notice from a court of competent jurisdiction, an agency of government (local, state, national, or international), an attorney of record, or a qualified auditor that NORDP is required to retain or to furnish documents or information related to legal proceedings either underway or contemplated, or to programmatic or fiscal audits, or for any other legitimate purpose, all such documents or information shall be preserved and safeguarded until the final disposition of the matter has been concluded. All directors, officers, employees, and contractors of NORDP are required to report immediately to the Executive Director any potential or actual litigation, external audit, investigation, or similar proceeding involving NORDP, so that appropriate action may be taken expeditiously to preserve and safeguard affected records.

Each person whose job description includes the custody and/or maintenance of records described in the table above shall be responsible for the ongoing process of identifying those records that have met the required retention period and processing them for destruction.

The NORDP Secretary will be responsible for authorizing, overseeing, and ensuring that records are destroyed in accordance with this policy. Destruction of paper files and electronic media will be performed by an independent, third-party service for shredding and/or disposal. Electronic files will be destroyed by means of a scrubbing program. Discard of records or electronic media into general trash service is strictly prohibited.

C. Prohibited Conduct

No director, officer, employee, contractor, or volunteer of NORDP shall knowingly destroy, alter, conceal, or tamper with any document or record with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any government department or agency, court, or audit proceeding, or related to any such matter. Failure to comply with this policy shall be considered grounds for immediate dismissal.

D. Emergency Planning

Documents and records must be stored in a safe, secure, and accessible manner. Documents and financial files essential to keeping NORDP operating in an emergency must be duplicated or backed up at least every week and maintained off-site.

E. Routine Review

Not less than once every three (3) years, the Executive Director shall review this policy with NORDP's legal counsel and/or its certified public accountant, to ensure that it is fully compliant with applicable laws and regulations.

F. Provision of Policy to Officers, Employees, and Contractors

All officers, directors, employees, and contractors of NORDP shall be provided a copy of this policy upon entering into office. A copy of the policy will also be maintained as part of the overall NORDP Policies and Procedures document.

Approved by the NORDP Board of Directors at its meeting on November 15, 2016.