

## Foundation for Orange County Public Schools

### DOCUMENT RETENTION AND DESTRUCTION POLICY

#### I. Purpose

This policy of **Foundation for Orange County Public Schools** (the "Foundation"), in accordance with the Sarbanes-Oxley Act which makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding, provides for the systematic review, retention and destruction of documents received or created by the Foundation in connection with the transaction of the Foundation's business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and describes how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the Foundation's operations by promoting efficiency and freeing up valuable storage space.

#### II. Document Retention

The Foundation follows the document retention procedures outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule, will be retained for the appropriate length of time.

#### III. Document Retention Time Periods

##### ***Corporate Records***

Annual Reports to Secretary of State/Attorney General	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
By-laws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (after expiration)	7 years
Correspondence (general)	3 years

##### ***Accounting and Corporate Tax Records***

Annual Audits and Financial Statements	Permanent
General Ledgers	Permanent
IRS Form 990 Tax Returns	Permanent
Business Expense Records	7 years
IRS Forms 1099s	7 years
Journal Entries	7 years

**DOCUMENT RETENTION-p .2**

***Accounting and Corporate Tax Records (continued)***

Invoices	7 years
Sales Records (box office, concessions, gift shop)	5 years
Petty Cash Vouchers (if applicable)	3 years
Cash Receipts	3 years
Credit Card Receipts	3 years

***Bank Records***

Check Registers	Permanent
Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years

***Payroll and Employment Tax Records***

Payroll Registers	Permanent
State Unemployment Tax Records	Permanent
Earnings Records	7 years
Garnishment Records	7 years
Payroll Tax returns	7 years
IRS Form W-2 Statements	7 years

***Employee Records***

Employment and Termination Agreements	Permanent
Retirement and Pension Plan Documents	Permanent
Records Relating to Promotion, Demotion or Discharge	7 yrs. after termination
Accident Reports and Worker's Compensation Records	5 years
Salary Schedules	5 years
Employment Applications	3 years
I-9 Forms	3 years after termination
Time Cards	2 years

***Donation/Grant Records***

Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts	5 years after completion, or until completion of audit

***Legal, Insurance and Safety Records***

Appraisals	Permanent
Copyright Registrations	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent

**DOCUMENT RETENTION-p .3**

***Legal, Insurance and Safety Records (continued)***

Trademark Registrations	Permanent
Leases	6 years after expiration
OSHA Documents	5 years
General Contracts	3 years after termination

**IV. Electronic Documents and Records**

Electronic documents will be retained as if they were paper documents. Accordingly, 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 appropriate amount of time. A user should review e-mails in a timely manner, and remove all e-mail that does not need to be retained for business purposes following review. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an “archive” computer file folder. Backup and recovery methods will be tested on a regular basis. In the event of a dispute which could reasonably give rise to litigation or an investigation, all relevant electronic documentation must be preserved indefinitely until further notice.

**V. Emergency Planning**

The Foundation’s records will be stored in a safe, secure and accessible manner.

**VI. Document Destruction**

The Foundation’s executive director is responsible for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding. Document destruction will be suspended immediately upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

**VII. Compliance**

Failure on the part of employees 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. The executive director and Finance Committee chair will periodically review these procedures with legal counsel or the Foundation’s certified public accountant to ensure that they are in compliance with new or revised regulations.