

WORKING DRAFT

Campaign Legal Center Document Retention Policy

11-9-17

I. PURPOSE

This Document Retention Policy (“Policy”) sets forth the policy of The Campaign Legal Center (“CLC”) with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (“documents”). The policy is designed to ensure compliance with the Sarbanes-Oxley Act and other federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the operation of CLC by promoting efficiency and freeing up valuable storage space. This Policy is intended to provide guidance for the Board of Directors, officers, staff and volunteers with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, CLC reserves the right to revise or revoke this Policy at any time.

II. POLICY

CLC follows the document retention procedures outlined below. Most of this policy applies to central/administrative documents; mission-oriented/program and communications materials are addressed in section h. Documents that are not listed, but are substantially similar to those listed in the schedule will be retained for the appropriate length of time. From time to time, CLC may modify existing, or create new, retention policies or schedules for specific categories of records in order to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management. Records required to be maintained by CLC may be retained in written form or in digital form.

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 appropriate amount of time. Backup and recovery methods will be tested on a regular basis.

Questions regarding the retention of documents not listed in this chart should be directed to the President, Managing Director, Chief of Staff, or General Counsel.

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III. MINIMUM RETENTION PERIODS FOR SPECIFIC CATEGORIES.

a. Corporate Records	
Annual Reports to Secretary of State/A.G.	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
Correspondence (general)	3 years
b. Accounting and Corporate Tax Records	
Annual Audits and Financial Statements	Permanent
Depreciation Schedules	Permanent
General Ledgers	Permanent
IRS 990 Tax Returns	Permanent
Business Expense Records	7 years
IRS 1099s	7 years
Journal Entries	7 years
Invoices	7 years
Sales Records	5 years
Cash Receipts	3 years
Credit Card Receipts	3 years
c. Bank Records	
Check Registers	Permanent
Bank Deposit Slips and receipts verified via online banking)	7 years (or until)
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years
d. 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
W-2 Statements	7 years
e. Employee Records	
Employment and Termination Agreements	Permanent

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Retirement and Pension Plan Documents	Permanent
Promotion, Demotion or Discharge (after termination)	7 years
Accident Reports and Worker's Comp. Records	5 years
Salary Schedules	5 years
Employment Applications	3 years
I-9 Forms (after termination)	3 years
Time Records	2 years
f. Fundraising and Grants	
Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts (after completion)	5 years
Marketing and Sales Documents	3 years
g. 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
Trademark Registrations	Permanent
Leases (after expiration)	6 years
OSHA Documents	5 years
General Contracts (after termination)	5 years
h. Other Records	
Emails-CLC will examine an automatic email archiving system and will update this policy guidance accordingly.	
Public Filings	Permanent
Litigation Files - Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of 7 years.	
Press Releases	Permanent
Other program materials and communications	TBD as part of organizational knowledge management

IV. Suspension of Document Destruction; Compliance. An organization becomes subject to a duty to preserve (or halt the destruction of) documents once litigation, an audit or a government investigation is known or reasonably anticipated. Therefore, if the President, Managing Director, Chief of Staff or General Counsel becomes aware that litigation, a governmental audit or a government investigation involving CLC has been instituted, or is reasonably anticipated or contemplated with respect to the organization, the President, Managing Director, Chief of Staff, or General Counsel shall immediately order a halt to all document destruction under this Policy, communicating the order

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to all affected personnel in writing. The President, Managing Director or Chief of Staff may thereafter amend or rescind the order only after conferring with legal counsel. If any board member or staff member becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, with respect to the organization, and they are not sure whether the President, Managing Director, General Counsel, Chief of Staff is aware of it, they shall make President, Managing Director, Chief of Staff, or General Counsel aware of it. Failure to comply with this Policy, including, particularly, disobeying any destruction halt order, could result in possible civil or criminal sanctions. In addition, for staff, it could lead to disciplinary action including possible termination.