

# DOCUMENT RETENTION AND DESTRUCTION POLICY

## 1. Policy and Purposes

This document represents the policy of The Charleston Symphony Orchestra (CSO) with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (which may merely be referred to as “documents” in this Policy). Purposes of the Policy include (a) retention and maintenance of documents necessary for the proper functioning of the CSO as well as to comply with applicable legal requirements; (b) destruction of documents which no longer need to be retained; and (c) guidance for the Board of Directors, officers, staff and other constituencies with respect to their responsibilities concerning document retention and destruction.

## 2. Administration

**2.1 Responsibilities of the Administrator.** The CSO’s Executive Director shall be the 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 CSO documents and retaining such documentation. The administrator shall periodically review this policy with legal counsel and report to the Board of Directors as to compliance. Subject to Board approval, the administrator may modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories or to revise retention periods as may be appropriate to reflect CSO policies and procedures. The administrator may also appoint one or more persons to assist in carrying out the administrator’s responsibilities, with the administrator, however, retaining ultimate responsibility for administration of this Policy.

**2.2 Responsibilities of Constituencies.** This Policy also relates to the responsibilities of staff, board members, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of CSO documents.

**2.2.1 Staff.** The CSO’s staff shall be familiar with this Policy, shall act in accordance therewith, and shall assist the administrator, as requested, in implementing the policy.

**2.2.2 Board Members and Volunteers.** The responsibility of board members and volunteers with respect to this Policy shall be to produce specifically identified documents upon request of the administrator if the board member or volunteer still retains such documents. In that regard, after each project in which a board member or volunteer has been involved, or each term which the board member or volunteer has served, it shall be the responsibility of the administrator to confirm whatever types of documents the board member or volunteer has retained and to request any such documents which the administrator feels will be necessary for retention by the CSO.

**2.2.2 Outsiders.** Outsiders may include vendors or other service providers. Depending upon the sensitivity of the documents involved with the particular outsider relationship, the CSO, 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.

**3. Suspension of Document Destruction; Compliance.** The CSO becomes subject to a duty to preserve (or halt the destruction of) documents once litigation, an audit or a government investigation is reasonably anticipated. Further, federal law imposes criminal liability (with fines and/or imprisonment for not more than 20 years) upon whomever “knowingly alters, destroys, mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or tangible object with the intent to impede, obstruct, or influence the investigation or proper administration of any matter within the jurisdiction of any department or agency of the United States ... or in relation to or contemplation of any such matter or case.” Therefore, if the administrator becomes aware that litigation, a governmental audit or a government investigation has been instituted, or is reasonably anticipated or contemplated, the administrator shall immediately order a halt to all relevant document destruction under this Policy, communicating the order to all affected constituencies in writing and advising the Board of Directors. The administrator may thereafter amend or rescind the order only after conferring with legal counsel and with approval of the Board of Directors. 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 CSO, and they are not sure whether the administrator is aware of it, they shall make the administrator 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 up to and including termination.

#### **4. Document Integrity.**

**4.1 All Documents.** Subject to appropriate security arrangements for confidential and private documents, all documents shall be held in a safe and accessible manner.

**4.1 Electronic Documents.** Documents in electronic format shall be maintained just as hard copy or paper documents are, in accordance with the Document Retention Schedule. Due to the fact that the integrity of electronic documents, whether with respect to the ease of alteration or deletion, or otherwise, may come into question, the administrator shall establish standards for document integrity, including guidelines for handling electronic files, backup procedures, archiving of documents, and regular checkups of the reliability of the system.

**5. Privacy.** It shall be the responsibility of the administrator, after consultation with legal counsel, to determine how privacy laws will apply to the CSO’s documents from and with

respect to employees and other constituencies; to establish reasonable procedures for compliance with such privacy laws; and to allow for their audit and review on a regular basis.

**6. Emergency Planning.** The administrator shall develop procedures for the regular duplication or backing up and maintenance, in an off-site location, of documents which are necessary for the continued operation of the CSO in the case of an emergency.

**7. Document Retention Schedule.**

<u>Document Type</u>	<u>Retention Period</u>
<b>Accounting and Finance</b>	
Accounts Payable	10 years
Accounts Receivable	10 years
Annual Financial Statements and Audit Reports	Permanent
Bank Statements, Reconciliations & Deposit Slips	10 years
Canceled Checks – routine	10 years
Canceled Checks – special, such as loan repayment	Permanent
Credit Card Receipts	10 years
Employee/Business Expense Reports/Documents	10 years
General Ledger	Permanent
Interim Financial Statements	10 years
<b>Contributions/Gifts/Grants</b>	
Contribution Records	Permanent
Documents Evidencing Terms of Gifts	Permanent
Grant Records	10 yrs after end of grant period
<b>Music</b>	
Sheet Music	Permanent
<b>Corporate and Exemption</b>	
Articles of Incorporation and Amendments	Permanent
Bylaws and Amendments	Permanent
Minute Books, including Board & Committee Minutes	Permanent
Annual Reports	Permanent
Other Corporate Filings	Permanent
IRS Exemption Application (Form 1023 or 1024)	Permanent
IRS Exemption Determination Letter	Permanent
State Exemption Application (if applicable)	Permanent
State Exemption Determination Letter (if applicable)	Permanent
Licenses and Permits	Permanent
Employer Identification (EIN) Designation	Permanent

### **Correspondence and Internal Memoranda**

Hard copy correspondence and internal memoranda relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate.

Hard copy correspondence and internal memoranda relating to routine matters with no lasting significance 10 years  
E-mails not included in either of the above categories 10 years

Correspondence and internal memoranda important to the CSO or having lasting significance Permanent, subject to review

### **Electronic Mail (E-mail) to or from the CSO**

Electronic mail (e-mails) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate, but may be retained in hard copy form with the document to which they relate.

E-mails considered important to the CSO or of lasting significance should be printed and stored in a central repository . Permanent, subject to review

### **Electronically Stored Documents**

Electronically stored documents (e.g., in pdf, text or other electronic format) comprising or relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document which they comprise or to which they relate, but may be retained in hard copy form.

Electronically stored documents considered important to the CSO or of lasting significance should be printed and stored. Permanent, subject to review

Electronically stored documents not included in either of the above categories 10 years

### **Employment, Personnel and Pension**

Personnel Records 10 years after employment ends  
Employee contracts 10 years after termination  
Retirement and pension records Permanent  
Employee handbook 10 years

### **Insurance**

Property, D&O, Workers' Compensation and General Liability Insurance Policies Permanent  
Insurance Claims Records Permanent

**Legal and Contracts**

Contracts, related correspondence and other supporting documentation

10 years after termination

Legal correspondence

Permanent

**Management and Miscellaneous**

Strategic Plans

10 years after expiration

Disaster Recovery Plan

10 years after replacement

Policies and Procedures Manual

Current version with revision history

**Property – Real, Personal and Intellectual**

Property deeds and purchase/sale agreements

Permanent

Property Tax

Permanent

Real Property Leases

Permanent

Personal Property Leases

10 years after termination

Trademarks, Copyrights and Patents

Permanent

**Tax**

Tax exemption documents & correspondence

Permanent

IRS Rulings

Permanent

990 Tax returns

Permanent

Policy approved by the Board of Directors on August 1, 2016.