

POLICIES AND PROCEDURES

POLICY NUMBER: **97-2**
SUBJECT: DOCUMENT RETENTION AND DESTRUCTION: RECORDS
MANAGEMENT POLICY
EFFECTIVE DATE: January 18, 1997
REVISION DATE: April 17, 2001, January 28, 2006, April 28, 2009
SUPERSEDES: RECORD RETENTION SCHEDULE, 1993
APPROVED BY: **CWEA Board of Directors**

POLICY

It is the policy of the California Water Environment Association (the "Association") to provide for the retention of records for the time periods specified in this policy. It is also the policy of the Association to dispose of those records after those time periods have elapsed, keeping in mind that there are some records which will be retained permanently. This Policy identifies the record retention responsibilities of staff, volunteers, members of the Board of Directors, and outsiders for maintaining and documenting the storage and destruction of the Association's documents and records.

DEFINITIONS

A "Record" shall mean all recorded information, regardless of form or media. Included are forms, reports, directives, correspondence, legal instruments, specifications, or other documentation, regardless of whether recorded electronically, on paper, microfilm, tapes, disks, or other media.

CWEA OWNERSHIP OF RECORDS

All Records, as defined above, are hereby declared to be the property of the Association. No employee or member has, by virtue of his/her position, any personal or property rights to such Records, even though he or she may have developed them. The unauthorized destruction, removal from files or use of such Records is prohibited.

Nothing in this policy shall be construed or interpreted as requiring any particular Record created or maintained under this Policy to be disclosed or inspected by members of this Association, or under other applicable laws. Each request for inspection of a Record shall be reviewed on a case by case basis in accordance with the requirements and exemptions set forth in all applicable laws and regulations.

PROCEDURE

The Executive Director shall be responsible for carrying out this Policy. The Executive Director shall develop a schedule of destruction which calendars appropriate dates of destruction of Records as specified in the RECORD RETENTION SCHEDULE, attached as **Exhibit A** to this Policy. The Executive Director shall then ensure that the Records are destroyed and that an

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appropriate Certificate of Destruction is prepared and maintained. This Policy shall remain in effect for a period of three years, after which it will be reviewed by the Board and legal counsel to determine whether revisions are appropriate.

No Record shall be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding or private litigation.

Exceptions to the procedures and terms for retention contained in this Policy may be granted only by the Association's Executive Director or President.

**EXHIBIT A
RECORD RETENTION SCHEDULE**

RECORD CATEGORY	RECORD	RETENTION PERIOD
Nonprofit Tax Exemption Documents	The following records must be maintained throughout the life of the organization because they form the basis upon which a nonprofit organization was granted exemption from state and federal taxes:	Permanent
	<ul style="list-style-type: none"> federal and state exemption applications, 	Permanent
	<ul style="list-style-type: none"> determination letters from the Internal Revenue Service (“IRS”) and the State of California, 	Permanent
	<ul style="list-style-type: none"> correspondence with the IRS or California during the determination process. 	Permanent
	<ul style="list-style-type: none"> records supporting an organization’s state and local sales tax exemptions 	Permanent
	Members of the public are entitled to copies of an organization’s exemption application and supporting documents, on request.	Permanent
Governance Documents	<ul style="list-style-type: none"> Articles of Incorporation and all amendments and restatements, 	Permanent
	<ul style="list-style-type: none"> Constitution & Bylaws and all amendments and restatements 	Permanent
	<ul style="list-style-type: none"> Minutes of Board of Directors and committee meetings (including all waivers to notice of meetings) and agendas, 	Permanent
	<ul style="list-style-type: none"> Written consents of governing bodies, 	Permanent
	<ul style="list-style-type: none"> Director resignations, 	Permanent
	<ul style="list-style-type: none"> Information on any relationships with other affiliated organizations, exempt or non-exempt. 	Permanent
	<ul style="list-style-type: none"> Reorganization records 	Permanent
	<ul style="list-style-type: none"> Tape recordings of Board of Directors Meetings 	Destroy immediately upon approval of written minutes
Tax Returns:	<ul style="list-style-type: none"> Tax returns, schedules, worksheets, trial balances and other documents necessary to support the organization’s tax exemption and compliance with all federal and state income tax requirements, including unrelated business income tax and employment tax <p>Charities are required under federal law to maintain copies of their tax returns for at least three years and provide them to members of the public on request.</p>	Permanent
	<ul style="list-style-type: none"> State & federal lobbying and supporting records 	10 yrs
Financial Records:	<ul style="list-style-type: none"> Audited or unaudited annual financial statements 	Permanent
	<ul style="list-style-type: none"> Annual report 	Permanent
	<ul style="list-style-type: none"> Attorney contingent liability letters 	Permanent
	<ul style="list-style-type: none"> Supporting schedules and documents for audited or unaudited financial statements and the annual report 	10 yrs

RECORD CATEGORY	RECORD	RETENTION PERIOD
	• Accounts payable ledgers and schedules	10 yrs
	• Accounts receivable ledgers and schedules	10 yrs
	• Bank reconciliations	10 yrs
	• Bank statements	Permanent
	• Cash books	Permanent
	• Chart of accounts	Permanent
	• Canceled checks (see exceptions below)	10 yrs
	• Checks – exceptions: for payment of taxes, purchase of real property; the canceled checks should be filed with the papers pertaining to the underlying transaction	Permanent
	• Depreciation schedules	Permanent
	• Duplicate deposit slips	10 yrs
	• Expense analyses and expense distribution schedules	10 yrs
	• Financial statements (end of year)	Permanent
	• Financial statements (monthly reports)	10 yrs
	• General & office account ledgers	Permanent
	• Internal audit reports	10 yrs
	• Inventories of products, materials, and supplies	10 yrs
	• Invoices to customers	10 yrs
	• Invoices from vendors	10 yrs
	• Petty cash vouchers	10 yrs
	• Physical inventory tags	10 yrs
	• Property appraisals by outside appraisers	Permanent
	• Property records, including costs, depreciation, reserves, blueprints, and plans	Permanent
	• Purchase orders	10 yrs
	• Requisitions	10 yrs
	• Sales records	10 yrs
	• Securities transactions	10 yrs
	• Travel & Expense Forms	10 yrs
Legal Documents:	• Deeds, titles, bills of sale, patent, copyright registrations, and trademark records, along with samples or protected works	Permanent
	• Leases and other contracts and agreements (e.g. software license agreements; vendor, hotel, and services agreements; independent contractor agreements; consultant agreements)	Contractual period + 7 yrs
	• Legal opinions, in a separate confidential file.	Permanent
	• Legal correspondence	Permanent
	• Certificates of destruction	Permanent
Grantmaking and Project-Related Records:	Grant-making records include:	
	• Annual reports (if any)	Duration of the grant + 10 yrs
	• Grantee IRS determination letters and verifications, selection criteria, application materials, evidence of expenditure follow-up, any matching gifts, grant records, and correspondence relating to any contributions.	Duration of the grant + 10 yrs
	• Annual grant reports	Permanent

RECORD CATEGORY	RECORD	RETENTION PERIOD
	Project-related records include those records relating to the organization's activities:	
	<ul style="list-style-type: none"> • Project proposals, descriptions, reports, construction-in-progress reports, publications and promotional literature, legal opinions, and contracts and agreements. 	Duration of project + 10 yrs
Employment Records:	<ul style="list-style-type: none"> • For each employee, any employment records including <ul style="list-style-type: none"> – employee applications – background investigation and results, – résumés, – personnel files, including employee name, address, SSN, DOB, INS Form, I-9s, job descriptions, dates of hire, evaluations, compensation information, promotions, transfers, disciplinary matters, leave/comp time/FMLA, engagement and discharge correspondence – time reports, – W-2 forms, – withholding exemptions, – salary and benefit policy changes – accident reports, safety records 	Employment period + 7 yrs
	<ul style="list-style-type: none"> • Pension plan records (Pension plan contributions, rollovers, transfers, distributions. Pension (ERISA) plan participation/beneficiary records, actuarial reports, related correspondence with government agencies and supporting records) 	Permanent
	<ul style="list-style-type: none"> • Termination agreements. 	Permanent
	<ul style="list-style-type: none"> • Unemployment claims 	8 yrs
	<ul style="list-style-type: none"> • Workers' compensation reports (occupational injury and illness records 	7 yrs
	<ul style="list-style-type: none"> • OSHA toxic exposure records 	30 yrs
	<ul style="list-style-type: none"> • Payroll records and summaries 	Employment period + 7 yrs
Insurance Records:	Insurance records include:	
	<ul style="list-style-type: none"> • Insurance policies 	Life of the policy + 10 yrs
	<ul style="list-style-type: none"> • Insurance records, accident reports, claims 	Permanent
	<ul style="list-style-type: none"> • Workers' compensation reports. 	Life of the policy + 10 yrs
Litigation Records: Active, Plus Ten Years	Litigation records include:	Active + 10 yrs
	<ul style="list-style-type: none"> • Claims, • Court documents and records • Deposition transcripts, • Discovery materials, 	

RECORD CATEGORY	RECORD	RETENTION PERIOD
	<ul style="list-style-type: none"> Litigation files. <p><i>Until a final judgment is rendered in a legal proceeding and <u>all</u> appeals, or time period for appeals, have been exhausted, a litigation matter continues to be active.</i></p>	
Correspondence:	<ul style="list-style-type: none"> General correspondence not related to any of the above categories 	4 yrs
	<ul style="list-style-type: none"> Telephone message books (if any) 	1 yr
Electronic Mail:	Electronic mail that needs to be saved should either be:	Variable
	(i) printed in hard copy and kept in the appropriate file; or	
	(ii) downloaded to a separate file and retained electronically.	
	The retention period depends on the subject matter of the e-mail, as covered above.	
Member Programs & Services:	<ul style="list-style-type: none"> Member publications (minimum 1 copy of each issue) 	Permanent
	<ul style="list-style-type: none"> All-member e-blasts 	Permanent
	<ul style="list-style-type: none"> Dues and registration fees (records) 	7 yrs
	<ul style="list-style-type: none"> Membership renewal forms 	Active* + 1 yr
	<ul style="list-style-type: none"> Conference registration forms 	Active* + 1 yr
	<ul style="list-style-type: none"> TCP Applications 	Active* + 1 yr
	<ul style="list-style-type: none"> TCP Candidate Test Records & Results 	10 yrs
	<ul style="list-style-type: none"> TCP Master Tests (Test Forms) 	Lifespan + 6 yrs
	<ul style="list-style-type: none"> TCP Test and Item Performance Data 	10 yrs
	<ul style="list-style-type: none"> TCP Renewal Forms 	1 yr
	* Active for Member Programs & Services = date entered in database	