

## AO 3310 RECORDS MANAGEMENT POLICY

### Background and Purpose

The Napa Valley Community College District Auxiliary Services (DAS) Foundation recognizes that sound business practices call for the orderly management of its official records, together with a documented records retention and destruction schedule congruent with applicable state and federal laws and regulations.

This statement identifies the major record compliance standards, establishes a comprehensive records management policy, and provides for a records retention schedule, and an implementation process.

It is recognized that DAS is an evolving organization and that the scope and extent of this policy will need to keep pace with that evolution. This is particularly the case with the interim arrangements for archiving organization “hard-copy” records. The present arrangement involves temporary storage of these records in the Napa Valley College Office of Institutional Advancement.

### Primary Compliance Standards

As a nonprofit public benefit tax-exempt corporation, DAS is required to comply with records and report management standards of the Attorney General, the Franchise Tax Board, the Secretary of State, and the U.S. Internal Revenue Service, including the following specifically related to record retention:

- *Access to Records. The California Attorney General has the statutory authority to inspect all organization documents [Corps. Code § 5250].*
- *Retention of Tax-related Records. Federal tax information returns must be maintained for three years [U.S. Treas. Reg. § 1.6033-2(a)(2)(i)]. Federal and State tax returns and related documents should be kept for eight years [IRS Pub 583, Table 3 & Rev & Tax Code § 19057].*
- *Corporate Documents Retention. Up-to-date original or copy of articles of incorporation and bylaws must be kept at organization’s principal California office [Corps. Code §5160]. Adequate and correct books and records of account, including board and committee proceedings shall be kept [Corps Code § 6320].*

### Policy

All official records (paper, microfilm, electronic, or any other media) will be created, distributed and filed in an orderly manner. Such records shall be retained for the minimum periods stated in the Records Retention Schedule (see below). After a specified period of time, official records must be disposed of in a manner that is consistent with, and systematically carried out in accordance with, prescribed records management guidelines and procedures, including a filing system, developed and maintained by the Treasurer. Duplicate files, duplicate copies, and stocks of obsolete forms or pamphlets originally intended for distribution are not considered to be official records or record copies. Duplicates or non-record convenience copies should be destroyed when they cease to be useful and should never be kept longer than the official record copy.

The Records Retention Schedule (see below) provides a list of official organization records and prescribes minimum periods of authorized retention. The Schedule may be revised periodically by the Treasurer to include a newly created record type or series, to change retention compliance periods, or to delete a record type or series no longer required or deemed useful. Schedule revisions shall be brought to the attention of the Board of Directors and published as a revised Appendix A to this policy statement.

Notwithstanding the prescribed minimum retention periods, all records must be maintained until all required audits or inspections by agencies of competent jurisdiction are completed and should be retained beyond the listed retention period(s) when there is a probability of litigation either involving records or requiring their use.

Documents may be maintained for the prescribed minimum retention period(s) in microfilm or other equivalent electronic media, as long as they are readily accessible. Official records kept only in electronic format must be identified in the Retention Schedule and must comply with any applicable statutory or regulatory standards.

Consistent with applicable compliance standards and good business practices, the Treasurer is authorized to implement this policy, including: adopting and maintaining a systematic records filing system; updating the Records Retention Schedule; converting records to an alternative archive media; and destruction practices. Implementation practices shall be subject to the operating budget process, and periodic reports to the Board of Directors on significant implementation developments.

Adopted, DAS Foundation Board XX/XX/XX

## RECORDS RETENTION SCHEDULE

Description of Record(s)	Manner of Record Keeping	Disposition Period
<b>1. Corporate Records:</b>		
Incorporation documents, such as Articles of Incorporation, Bylaws, & related instruments (Tax ID No.) (past & current)	Maintain in Official Corporate Record Book (current first)	<b>Permanent</b> Obsolete documents may be archived.
Tax-exemption documents, including tax exempt application, determination status letter & related documents	Maintain in Official Corporate Record Book (current first)	<b>Permanent.</b> Federal law requires these documents to be held at organization's designated office, and to be made available (w/exceptions) for public inspection upon request.
Board meeting documents (agendas, Minutes & related documents)	Compile & file by operating year	<b>Permanent. These documents should include only necessary information.</b>
<b>2. Transaction Records</b>		
Year-end Financial Reports/Statements	Compile & file by operating year	<b>Permanent.</b> Three years held by Treasurer, then archived.
Annual Independent Audit Reports & related documents	Compile & file by operating year	<b>Permanent.</b> Three years held by Treasurer, then archived.
Secretary-Treasurer Reports	Compile & file by operating year	<b>Three years.</b>
Bank Statements, canceled checks, check registers, investment statements & related documents	Compile & file by operating year	<b>Eight years.</b> Three years held by Treasurer, then archived.
Annual Tax Information Returns – Federal & California	Compile & file by reporting year. Federal law requires that the three most recent year returns be kept at the organization's office & be made available (w/exceptions) for public inspection upon request.	<b>Three years</b> by Treasurer. Archived for <b>Five additional years.</b>
Agreements, contracts, leases & other documents of obligation	Compile & file by operating year.	<b>Three years</b> from end of obligation.
<b>3. Conference Records ?</b>		
Planning Committee guides, forms & related documents ?	Compile & file by year.	<b>Three years</b> or when revised.
<b>4. Publications</b>		
Pamphlets, monographs & related publications	Compile & file by topic	<b>Three years</b> or when revised.

Adopted XX/XX/XX

Revised: