



## Record Retention Policy

Hand, Heart and Soul Project, Inc (“HHSP”) takes seriously its responsibility to preserve information related to the activities of HHSP, including litigation, audits, and investigations. This policy covers all records and documents related to the activities of HHSP regardless of physical form (“Records”) and contains guidelines to ensure compliance with federal and state laws and regulations. Records covered by this policy include all those that an officer, director, employee, volunteer, or intern (hereafter “Agent”) of HHSP produces, whether paper or electronic and without regard to what device it may be stored on. A Record may be as obvious as a memorandum, an e-mail, a contract or a case study, or something not as obvious, such as a computerized desk calendar, an appointment book, or an expense record.

Applicable law and business necessity requires HHSP to maintain certain types of Records, usually for a minimum period of time. Failure to retain those Records for those minimum periods could subject you and HHSP to penalties and fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place HHSP in contempt of court, or seriously disadvantage HHSP in litigation. Likewise, unnecessary retention of Records beyond applicable periods can result in excess administrative expense for HHSP.

HHSP expects all Agents to fully comply with this Record Retention Policy, provided that all Agents should note the following general exception to any stated destruction schedule:

If you believe, or HHSP informs you, that Organization Records are relevant to a government investigation, litigation, or potential litigation, i.e., a dispute that could result in litigation against HHSP or an Agent, then you must preserve those Records until the Executive Director (the “Administrator”) determines that the Records are no longer needed and notifies you in writing of such fact. That exception supersedes any previously or subsequently established retention schedule for those Records. If you believe that exception may apply or have any question regarding the possible applicability of that exception, please contact the Administrator.

The following sets forth minimum retention periods for certain kinds of records:

- a. Tax Records. Tax Records include, but may not be limited to, applications for tax-exempt status, IRS determination letters, IRS correspondence, Forms 990, audit reports, documents concerning payroll, expenses, proof of deductions, business costs, accounting procedures, and other documents concerning HHSP’s revenues. With the exception of applications for tax-exempt status and determination letters, which should be retained in perpetuity, tax Records should be retained for seven years from the date of filing the applicable return.
- b. Donor’s Records. Copies of donation acknowledgments, records of donations, and IRS Forms 5253 or 5252 should be retained for seven years. During retention, these Records should be maintained in a secure and confidential manner.
- c. Employment Records/Personnel Records. State and federal statutes may require HHSP to keep certain recruitment, employment and personnel information. HHSP should keep personnel files that reflect performance reviews and any complaints brought against HHSP or individual employees under



applicable state and federal statutes. HHSP should also keep all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel in the employee's personnel

file. Employment and personnel Records should be retained for seven years following termination of employment. During retention, these Records should be maintained in a secure and confidential manner.

d. Board and Board Committee Materials. Meeting minutes should be retained in perpetuity in HHSP's minute book, which is virtually maintained at [boardable.com](http://boardable.com). A clean copy of all Board and Board Committee materials should be retained for seven years. During retention, these Records should be maintained in a secure and confidential manner.

e. Contracts. HHSP should retain final, execution copies of all final contracts for seven years beyond the life of the applicable agreement and any extensions that may be entered into.

f. Legal Files. Legal counsel should be consulted to determine the retention period of particular legal Records, but those subject to litigation where HHSP or Agent is a party should generally be retained for a period of ten years from the resolution of the litigation. Hard copies of client files will be retained for a period of ten years but copies of client retainer letters will be retained in perpetuity. During retention, these Records should be maintained in a secure and confidential manner

g. Electronic Mail. E-mail Records should generally be purged after one year. E-mail that needs to be saved, for example, if due to a litigation hold, should be either:

i. Printed in hard copy and kept in the appropriate file; or

ii. Downloaded to a designated computer file and kept electronically or on disk as a separate file.

Failure to comply with this Record Retention Policy may result in punitive action against the Agent, including suspension or termination. Questions about this policy should be referred to the Administrator.

READ, UNDERSTOOD, AND AGREED:

Name (print): \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

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