

## **RECORD RETENTION AND DESTRUCTION POLICY**

### **1. Purpose**

The purpose of this policy is to ensure that necessary records and documents are adequately protected and maintained and to ensure that records that are no longer needed by White Ash Broadcasting, Inc. (“WAB”) or are of no value are discarded at the proper time. This policy is part of document management, rather than simply document retention; holding on to documents too long is an unnecessary expense. Also some documents may be worth saving for the community’s sake or for the sake of clients that go beyond these legal guidelines This policy will serve as an aid and standard for employees of WAB in understanding their obligations in retaining physical records and electronic documents, including e-mail, web files, text files, sound and movie files, PDF documents, and all Microsoft Office or other formatted files.

### **2. Compliance with Federal and State Law**

This policy will provide compliance with federal and California laws and regulations relating to records retention. Sarbanes-Oxley requires that nonprofits have a records retention and destruction policy and the Department of the Treasury, Internal Revenue Service (“IRS”), requires reporting of such a policy on Form 990 annually (Return of Organization Exempt from Income Tax). IRS guidelines require a seven (7) year statute of limitation on tax-related documents. Also this policy is designed to conform to the laws of California for public benefit corporations where the Attorney General has an unusually long statute of limitations (10 years) within which to bring an action for breach of charitable trust (California Government Code Section 12596).

### **3. Administration**

The General Manager of WAB (“Administrator”) is the officer in charge of the administration of this policy and the implementation of processes and procedures to ensure that the Record Retention Schedules provided below are followed. The Administrator is authorized to make modifications to the Record Retention Schedules from time to time to ensure compliance with current laws, to review annually the program and to monitor compliance.

### **4. Suspension of Record Disposal in the Event of Litigation or Claims**

In the event WAB is served with a subpoena or request for documents or any employee becomes aware of a governmental investigation or audit concerning WAB or the commencement of any litigation against or concerning WAB, such employee shall inform the Administrator. Thereupon, any further disposal of documents shall be suspended until such time as the Administrator, with the advice of counsel, determines otherwise.

### **5. Records Retention Schedules**

Attached as Appendix A and Appendix B are Record Retention Schedules. Appendix A is approved as the initial maintenance, retention, and disposal schedule for physical records of WAB and Appendix B for the retention and disposal of electronic documents. As part of document management, the location of each document or where it is stored will be tracked. **In order to reduce the space requirements for the storage of physical records, those physical**

records may be stored electronically, including scanning, on condition that the electronic storage is safe and retrievable and in compliance with the minimum retention period provided for such physical records.

*This Record Retention and Destruction Policy was approved by the White Ash Broadcasting, Inc. Board of Directors on September 28, 2010.*

**APPENDIX A  
RECORDS RETENTION SCHEDULE FOR PHYSICAL RECORDS**

<b>Record Type</b>	<b>Minimum Retention Period</b>
<b>A. Business Records</b>	<b>Permanent</b>
<ul style="list-style-type: none"><li>• Annual audit reports and year-end financial statements</li><li>• Checks for important payments and purchases</li><li>• Contracts, leases, and notes in effect</li><li>• Corporate records: minute books, articles of incorporation, and by-laws</li><li>• Donation records of endowment funds, restricted funds, and legacy gifts</li><li>• Historical materials</li><li>• Legal documents: court orders, lawsuits, correspondence and internal memoranda relating to important legal matters</li><li>• Licenses and permits</li><li>• Property records: deeds, rights of way, mortgages, and depreciation schedules</li><li>• Tax returns and worksheets: income, franchise, property</li><li>• Trademark registration and copyrights, patents and related papers</li></ul>	
<b>B. Business Records</b>	<b>10 years</b>
<ul style="list-style-type: none"><li>• Accounts ledgers and schedules (payables, including credit card records, and receivables)</li><li>• Annual audit work papers</li><li>• Grant records: proposals, agreements, and modifications</li><li>• Contracts, leases, and notes (expired)</li><li>• Investment records</li></ul>	
<b>C. Business Records</b>	<b>3 years</b>
<ul style="list-style-type: none"><li>• Bank statements, reconciliations, duplicate deposit slips</li><li>• Corporate sponsorships, unrestricted contributions and pledges</li><li>• Correspondence: general and with members and vendors</li><li>• Insurance records: accident reports, claims, policies, including expired policies</li><li>• Volunteer records</li></ul>	
<b>D. Personnel Records</b>	<b>Permanent</b>
<ul style="list-style-type: none"><li>• Employee handbooks</li><li>• Retirement and pension records with supporting employee data</li></ul>	

*E. Personnel Records*

*7 years after separation*

- Advertisements for job openings
- Employees' personnel records, including attendance records, application forms, performance evaluations, medical records, disciplinary warnings and actions, and awards
- Employee withholding and deductions
- Employment contracts (individual)
- Employment records for non-hired applicants
- Job descriptions
- Payroll records and summaries

**APPENDIX B  
RECORDS RETENTION POLICY FOR ELECTRONIC DOCUMENTS**

**A. Electronic Mail**

Electronic mail from internal or external sources may be deleted at the discretion of individual staff members in order to meet their needs and the storage capacity of the system. Staff will not store or transfer WAB-related e-mail on non-work related computers. Staff will take care not to send confidential/proprietary WAB information to outside sources.

**B. Electronic Documents**

Microsoft Office Suite, MEMSYS, Peachtree, Radio Work, and PDF Files. Staff members shall have the discretion to amend, revise, or delete electronic documents according to their specific needs to perform their jobs so long as all such electronic documents are maintained for the minimum retention period provided for comparable physical records.

**C. Web Page Files: Internet Cookies**

Internet Explorer will be scheduled to delete Internet cookies every other month. WAB does not otherwise automatically delete electronic files. WAB will run a tape backup copy of all electronic files nightly, including e-mail on WAB's servers. The tape backup copy is a safeguard for the record retention system of WAB, and may be considered an official repository of WAB records if a physical record does not exist.

*Adopted September 28, 2010*