

## WILMINGTON SKI CLUB DOCUMENT RETENTION POLICY

1. **Policy and Purposes** - This Policy represents the policy of Wilmington Ski Club of Delaware, a nonprofit organization for the promotion of ski trips and other outdoor recreational activities (the “organization”), with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (which may 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 organization 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 organization’s governing body, the Council, its officers and other constituencies with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, the organization reserves the right to revise or revoke this Policy at any time.
2. **Administration**
  - a. The organization’s President shall be the administrator (“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 organization documents and retaining such documentation. The Administrator may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect the organization’s policies and procedures. The Administrator is also authorized to periodically review this Policy and Policy compliance with legal counsel and to report to the Council as to compliance. The Administrator may also appoint one or more assistants to assist in carrying out the Administrator’s responsibilities, with the Administrator, however, retaining ultimate responsibility for administration of this Policy.
  - b. This Policy also relates to the responsibilities of members of Council, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of the organization’s documents. The Administrator shall report to the Council which maintains the ultimate direction of management. The responsibility of volunteers with respect to this Policy shall be to produce specifically identified documents upon request of Council members if the volunteer still retains such documents. In that regard, after each project in which a volunteer has been involved (for example, a trip leader or assistant trip leader), it shall be the responsibility of the Administrator to confirm whatever types of documents the volunteer retained and to request any such documents which the Administrator feels will be necessary for retention by the organization (not by the volunteer). Outsiders may include vendors, tour operators or other service providers. Depending upon the sensitivity of the documents involved with the outsider relationship, the organization, through the Administrator, shall share this Policy with the outsider, requesting compliance.
3. **Suspension of Document Destruction** - The organization 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) 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 in contemplation of any such matter or case.” Therefore, if the Administrator becomes aware that litigation, a governmental audit or a governmental investigation has been instituted, or is reasonably anticipated or contemplated, the Administrator shall immediately order a halt to all document destruction under this Policy, communicating the order to all affected constituencies in writing. The Administrator may thereafter amend or

rescind the order only after conferring with legal counsel. If any Council 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 organization, 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.

4. **Electronic Documents; Document Integrity** – 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 attempt to 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; provided, that such standards shall only be implemented to the extent that they are reasonably attainable considering the resources and other priorities of the organization.
5. **Privacy** – The Administrator shall, after consultation with legal counsel, to determine how privacy laws will apply to the organization’s documents from club members 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. **Document Creation and Generation** – With respect to each organizational function, the Administrator shall attempt to determine whether documents are created which can be easily segregated from others, so that, when it comes time to destroy (or retain) those documents, they can be easily culled from the others for disposition. For example, on a function-by-function basis, are emails and other documents of a significantly non-sensitive nature so that they might be deleted, even in the face of a litigation hold with respect to other more sensitive documents? This dialogue may help in achieving a major purpose of the Policy – to conserve resources - by identifying document streams in a way that will allow the Policy to routinely provide for destruction of documents. Ideally, the organization will create and archive documents in a way that can readily identify and destroy documents with similar expirations.
7. **Document Retention Schedule**

<b><u>Document Type</u></b>	<b><u>Retention Period</u></b>
<b>Accounting and Finance</b>	
Accounts Payable	7 years
Accounts Receivable	7 years
Annual Financial Statements and Audit Reports	Permanent
Bank Statements, Reconciliations and Deposit Slips	7 years
Canceled Checks	7 years
Credit Card Receipts	3 years
Business Expense Reports/Documents	7 years
General Ledger	Permanent
Interim Financial Statements	7 years
<b>Corporate and Exemption</b>	
Certificate of Incorporation and Amendments	Permanent

Bylaws and Amendments	Permanent
Minute Books, including Council and Committee Minutes	10 years
Other Corporate Filings	Permanent
IRS Exemption Application	Permanent
IRS Exemption Determination Letter	Permanent
State Exemption Application (if applicable)	Permanent
State Exemption Determination Letter (if applicable)	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.	2 years
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Correspondence and internal memoranda important to WSC or having lasting significance.	Permanent, subject to review
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### **Electronic Mail to or from the organization**

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 organization or of lasting significance should be printed and stored in a central repository.	Permanent, subject to review
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E-mails not included in either of the above categories	1 year
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“Blast” and “Scrapings” newsletters	1 year, subject to longer retention for historical considerations
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### **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 (unless the electronic aspect is of significance).

Electronically stored documents considered important to the organization or of lasting significance should be printed and stored in a central repository (unless the electronic aspect is of significance). Permanent, subject to review

Electronically stored documents not included in either of the above categories. 2 years

### **Insurance**

Property, D&O and General Liability Insurance Policies Permanent

Insurance Claims Permanent

### **Legal and Contracts**

Contracts, related correspondence and other supporting documentation 5 years after termination

Signed Trip Applications 5 years after trip completion or cancellation

Legal Correspondence Permanent

### **Management and Miscellaneous**

Policies and procedures Current version with revision history

### **Tax**

Tax exemption documents & correspondence Permanent

IRS Rulings Permanent

Annual Information Returns – federal and state 7 years

Tax returns 7 years

**NOTE:** Interim drafts of documents shall be destroyed after the final document is completed.