

RECORDS RETENTION AND DESTRUCTION POLICY

ARTICLE I PURPOSE

Section 1.01 The purpose of this Records Retention and Destruction Policy (this "**Policy**") is to protect the interests of First Congregational Church of La Grange (the "**Church**") by establishing guidelines, procedures, and requirements for the:

- (a) Retention and maintenance of any Records (as defined in Section 2.01) necessary for the Church to achieve its mission and comply with applicable law.
- (b) Destruction of Records that do not need to be or no longer need to be retained.
- (c) Church's councilmembers, pastors, officers, employees, and volunteers (collectively, the "**Constituents**") to understand their responsibilities concerning Record retention and destruction.

Section 1.02 Federal and other applicable law requires the Church to retain certain Records, usually for a specific amount of time.

- (a) Generally, Records contain information that:
 - (i) Serves as the Church's organizational memory; and/or
 - (ii) Has enduring business value (for example, it provides a record of a transaction, evidences the Church's rights or obligations, protects the Church's legal interests, or ensures operational continuity).
- (b) The accidental or intentional destruction of these Records during the retention periods specified in this Policy might result in the following consequences, among others, for the Church and/or its Constituents:
 - (i) Loss of legal rights and privileges that the Records may evidence and help preserve;
 - (ii) Inference of destruction of evidence and related tort claims;
 - (iii) Serious disadvantages in litigation; and
 - (iv) Reputational damage.

Section 1.03 This Policy is in accordance with the Sarbanes-Oxley Act of 2002, under which it is a crime to change, conceal, falsify, or destroy any record with the intent to impede or obstruct any official or government proceeding. Therefore, this Policy is part of an organization-

wide system for the review, retention, and destruction of Records that the Church creates or receives in the course of its operations.

ARTICLE II TYPES OF RECORDS

Section 2.01 Records. A "Record" is any type of record, file, document, sample, and other form of information created, received, or transmitted in the course of the Church's operations, regardless of physical format, such as those listed in the Records Retention Schedule attached as Appendix A to this Policy (the "**Retention Schedule**").

Section 2.02 Disposable Information.

(a) "**Disposable Information**" is information in any form that would normally be a Record, except that it:

- (i) Serves a temporary useful purpose or no purpose;
- (ii) Is no longer required for the operation of the Church; and
- (iii) Is not required by law to be retained by the Church.

(b) Disposable Information may be safely destroyed without violating this Policy. Examples may include:

- (i) Duplicates of originals that have not been annotated;
- (ii) Preliminary drafts of letters, memoranda, reports, worksheets, and informal notes that do not represent significant steps or decisions in the preparation of an official record;
- (iii) Books, periodicals, manuals, training binders, and other printed materials obtained from sources outside of the Church and retained primarily for reference purposes; and
- (iv) Spam and junk mail.

Section 2.03 Confidential Information Belonging to Others. Any confidential information that a Constituent may have obtained from a source outside of the Church, such as a previous employer or through outside volunteer activities, must not, so long as such information remains confidential, be disclosed or used by the Church. Unsolicited confidential information submitted to the Church should be refused, returned to the sender where possible, and deleted if received in an electronic format.

ARTICLE III MANDATORY COMPLIANCE

Section 3.01 Compliance. Each Constituent must comply with this Policy, the Retention Schedule, and any litigation hold communications. Failure to comply with this Policy may subject the Church and its Constituents to potential liability. An employee's failure to comply with this Policy may result in disciplinary sanctions.

Section 3.02 Reporting Policy Violations. The Church is committed to enforcing this Policy as it applies to all forms of Records. The effectiveness of the Church's efforts, however, depends largely on the compliance of its Constituents. If you reasonably suspect that you or someone else may have violated this Policy, you should report the incident immediately to the Administrator of the Policy. If you do not report inappropriate conduct, the Church may not become aware of a possible violation of this Policy and may not be able to take appropriate corrective action. No one will be subject to, and the Church prohibits, any form of discipline, reprisal, intimidation, or retaliation for reporting incidents of inappropriate conduct of any kind, pursuing any record destruction claim, or cooperating in related investigations.

ARTICLE IV ADMINISTRATION

Section 4.01 Administrator. The Church's Office Administrator (the "**Administrator**") shall be in charge of the administration of this Policy. The Administrator's responsibilities include:

- (a) Identifying the Records that the Church must or should retain.
- (b) Determining, after consulting with the Church Council, the proper retention period for each Record type.
- (c) Planning, developing, and prescribing Record retention and disposal policies, systems, standards, and procedures.
- (d) Ensuring this Policy and any retention procedures comply with privacy laws that govern the handling of Records concerning the Church's employees, volunteers, beneficiaries, and donors.
- (e) Periodically reviewing this Policy and monitoring compliance by Constituents.
- (f) Training Constituents on their obligations under the Policy.
- (g) Modifying the Retention Schedule as needed to comply with changes in law and to add or revise Record categories to reflect changes in the Church's operations.

Section 4.02 Constituents. Each Constituent who has a material role in the operation or administration of Church should acknowledge that the Constituent has received, read, understood, and agrees to comply with this Policy, as described in Section 7.01. Each

Constituent shall assist the Administrator, as requested, in the implementation and compliance with this Policy.

ARTICLE V HOW TO RETAIN, STORE, AND DESTROY RECORDS

Section 5.01 Retention. Any Records that are part of any categories listed in the Retention Schedule must be retained by the Constituent for the amount of time set forth in the Retention Schedule. A Record must not be retained beyond the period set forth in the Retention Schedule unless a valid business reason (or a litigation hold or other special situation) calls for its continued retention. If any Constituent is unsure whether to retain a certain Record, the Constituent should contact the Administrator.

Section 5.02 Storage. The Church's Records must be stored in a safe, secure, and accessible manner in accordance with this Policy. Any Records, including the Church's governing documents and financial files, that are essential to the Church's operations during an emergency, and any Records requiring permanent retention, must be duplicated and/or backed up.

Section 5.03 Destruction. The Church's Administrator is responsible for the continuing process of identifying the Records that have met their required retention period and supervising the destruction process. For example:

- (a) When the retention period for a particular Record expires (as specified in the Retention Schedule), the Administrator shall destroy the Record in accordance with this Policy. If any Constituent is unsure whether to destroy a certain Record, the Constituent should contact the Administrator.
- (b) The destruction of confidential, financial, and personnel-related physical Records must be conducted by shredding if possible.
- (c) Non-confidential physical Records may be destroyed by recycling.
- (d) Disposable Information may be discarded or deleted at the discretion of the user once it has served its temporary useful purpose.
- (e) The destruction of Records must stop immediately upon notification from the Administrator that a litigation hold is to begin because the Church may be involved in a lawsuit or an official investigation, as described in Section 5.04.

Section 5.04 Privacy. The Administrator must ensure that all retention and destruction procedures comply with any relevant federal or state privacy laws.

Section 5.05 Exceptions. Exceptions to these rules and the Retention Schedule may be granted only by the Administrator or Church Council.

ARTICLE VI
INTERNAL AUDITS AND EMPLOYEE QUESTIONS

Section 6.01 Internal Review and Policy Audits. The Church Council will periodically review this Policy and its procedures, and may audit employee files and hard drives to ensure that:

- (a) The Church is in compliance with this Policy.
- (b) The procedures under this Policy are reasonable and effective for the Church's current operations.
- (c) The Policy complies with relevant new or amended regulations.

Section 6.02 Questions About the Policy. Any questions about this Policy should be referred to the Administrator, who is in charge of administering, enforcing, and updating this Policy.

APPENDIX A

RECORD RETENTION SCHEDULE

The Church establishes retention or destruction schedules or procedures for specific categories of records. This is done to ensure legal compliance and accomplish other objectives, such as protecting intellectual property and controlling costs. Each Constituent should give special consideration to the categories of documents listed in the record retention schedule below. Avoid retaining a record if there is no business reason for doing so, and consult with the Administrator if unsure.

RECORDS	RETENTION PERIOD
Personnel Records	
Benefits descriptions per employee	3 years after separation
Records relating to background checks on employees and volunteers	5 years from when the background check is conducted
Employment contracts; employment and termination agreements	3 years from their last effective date
Employee records with information on pay rate or weekly compensation	3 years
Job descriptions; performance goals and reviews; garnishment records	3 years after separation
Employee tax records	7 years from the date tax is due or paid, whichever is later
Pension plan and retirement records	Permanent
Salary schedules; ranges for each job description	7 years
Payroll Records	
Payroll registers (gross and net)	3 years from the last date of entry
W-2 and W-4 Forms and Statements	As long as the document is in effect + 7 years
Corporate Records	
Articles of Incorporation; By-laws	Permanent
Annual corporate filings and reports to secretary of state and attorney general	Permanent
Board policies, resolutions, and meeting minutes; committee meeting minutes; annual member meeting minutes	Permanent
Conflict of interest disclosure forms	7 years

Charitable solicitation applications	Permanent
Contracts	Permanent if current (7 years if expired)
Licenses and permits	Permanent
Construction documents	Permanent
Emails (business related)	3 years
Fixed Asset Records	Permanent
IRS Form 1023 (Application for tax-exempt status as charitable organization)	Permanent
IRS determination letter and related correspondence	Permanent
Performance reports on programs and activities	Permanent
State sales tax exemption documents	Permanent
State determination letter and related correspondence	Permanent
Fundraising Records	
Donor acknowledgment letters	7 years
Donor contact information	3 years from last donation
Records of unrestricted gifts made directly to organization or through third-party fundraisers	7 years
Records of restricted gifts, trusts, and endowments made directly to organization or through third-party fundraisers	Permanent
Fundraising materials, including all distributed materials, fundraising scripts, licenses for raffles and other regulated games of chance	7 years
Private grants, including proposals, agreements, and grantee reports	7 years from date of final expenditure report or as required in grant document
Government grants, including proposals, agreements, and grantee reports	7 years from date of final expenditure report or as required in grant document
Records of disposition of donated goods, including sale of securities and property	7 years
Accounting and Finance	

Accounts Payable and Receivables ledgers and schedules	7 years
Annual audit reports and financial statements	Permanent
Annual plans and budgets	7 years
Bank statements; cancelled checks; deposit slips	7 years
Business expense records	7 years
Cash receipts	7 years
Check registers	Permanent
Electronic fund transfer documents	7 years
Employee expense reports	7 years
General ledgers	Permanent
Journal entries	7 years
Invoices	7 years
Petty cash vouchers	7 years
Tax Records	
Annual tax filing for the organization (IRS Form 990 in the US and state equivalent)	Permanent
Earnings records from unrelated business taxable income (UBTI)	7 years
Filings of fees paid to professionals (IRS Form 1099 in the US and state equivalent)	7 years
Payroll tax returns and withholdings	7 years
Legal and Insurance Records	
Appraisals	Permanent
Copyright registrations	Permanent
Environmental studies	Permanent
Insurance claims/applications	Permanent
Insurance disbursements and denials	Permanent
Insurance contracts and policies (Directors and Officers, General Liability, Property, and Workers' Compensation)	Permanent
Leases	3 years after expiration

Patents; patent applications; supporting documents	Permanent
Real estate documents (including loan and mortgage contracts, deeds)	Permanent
Stock and bond records	Permanent
Trademark registrations, evidence of use documents	Permanent
Trust documents	Permanent