

# **Si Se Puede Foundation**

## **Document Retention and Destruction Policy**

### **PURPOSE**

The purpose of this **Document Retention and Destruction Policy** is to establish procedures for the proper retention, storage, and destruction of records and documents held by Si Se Puede Foundation (the "Organization"). The goal is to ensure compliance with applicable legal and regulatory requirements, maintain efficient record-keeping practices, and protect sensitive or confidential information.

### **SCOPE**

This policy applies to all records and documents created, received, or maintained by the Organization in the course of its operations, regardless of format (e.g., paper, electronic). This includes, but is not limited to, financial records, personnel files, contracts, meeting minutes, and communications.

### **DEFINITIONS**

#### **1. Records**

All documents, electronic files, and other materials, regardless of medium, which are created, received, or maintained by the Organization in the course of its activities. These include financial records, contracts, agreements, policies, personnel files, correspondence, and other administrative documents.

#### **2. Retention Period**

The period of time that records must be maintained before they can be disposed of or destroyed, according to legal, regulatory, or organizational requirements.

#### **3. Destruction**

The process of securely disposing of documents and records that are no longer required to be retained. Destruction includes shredding paper records, securely erasing electronic files, or other methods that ensure the information cannot be reconstructed or retrieved.

### **GENERAL RETENTION GUIDELINES**

#### **1. Financial Records**

- Retain for at least 7 years after the end of the fiscal year to comply with IRS and tax laws.
- Includes documents such as tax returns, general ledgers, bank statements, and supporting documentation for donations, grants, and expenditures.

#### **2. Personnel and Employment Records**

- Retain for a minimum of 7 years after the termination of employment.
- Includes employee contracts, compensation records, performance evaluations, and termination records.

- Medical or confidential records may require longer retention periods based on legal requirements.
- 3. Corporate Governance Documents**
- Retain indefinitely: Board meeting minutes, articles of incorporation, bylaws, tax-exempt status documentation, annual reports, and other foundational documents.
  - Board meeting minutes should be retained permanently.
- 4. Contracts and Agreement**
- Retain for 7 years after the expiration or termination of the agreement, or longer if the agreement is still subject to an ongoing dispute or litigation.
- 5. Grant and Donor Records**
- Retain for 7 years after the conclusion of the grant period or donation-related activity.
  - This includes grant applications, donation receipts, and related correspondence.
- 6. Miscellaneous Administrative Documents**
- Retain for 3 years: General correspondence, routine business documents, non-significant contracts, and internal reports.
  - These may be destroyed after the retention period unless required for ongoing business or litigation.
- 7. Electronic Records**
- The retention periods for electronic records mirror those for paper records. Ensure proper storage of digital records in secure systems.
  - Electronic records should be backed up regularly and stored in a manner that facilitates easy retrieval.

## **DESTRUCTION PROCEDURES**

### **1. Destruction Methods:**

- **Paper Documents:** Shred or incinerate to ensure that sensitive information cannot be reconstructed.
- **Electronic Documents:** Use data-wiping software that meets industry standards for data destruction. For devices, ensure all data is permanently erased before disposal.

### **2. Oversight:**

- Destruction of records will be overseen by the CEO or the CEO's assigned delegate to ensure compliance with this policy.
- Destruction will be documented and may include a record of the date of destruction, type of records destroyed, and method used.

## **SPECIAL CONSIDERATIONS**

**1. Litigation Holds**

If the Organization is involved in litigation or an investigation, or if there is a reasonable expectation that litigation or an investigation may arise, all document destruction will be suspended for the relevant documents until the matter is resolved.

**2. Personal or Sensitive Data**

Documents containing personal, confidential, or sensitive data (such as employee records, financial data, or donor information) must be securely destroyed in accordance with applicable privacy laws and regulations (e.g., HIPAA, GDPR).

**3. Retention of Digital and Physical Backups**

If the Organization retains backup copies of electronic documents, these backups must also be subject to the same retention and destruction policies.

**POLICY REVIEW**

This policy will be reviewed periodically by the Board of Directors to ensure compliance with changing laws, regulations, or organizational needs. Updates to the policy will be approved by the Board.