

**DOCUMENT RETENTION AND DESTRUCTION POLICY  
OF  
JCAW FOUNDATION, INC.**

1. **Purpose**

(a) ***Background***

JCAW Foundation, Inc. (the "Foundation"), a District of Columbia nonprofit Foundation, like many other non-profit organizations, will experience, over time, a proliferation in the number of documents that it generates. The filing, storage and eventual destruction of documents are time-consuming and expensive. Corporate records include essentially all records you produce as an employee, whether in paper or electronic form. A record may be as obvious as a memorandum, an email, a contract or a case study, or something not as obvious, such as computerized desk calendar, an appointment book or an expense record.

The law requires the Foundation to maintain certain types of corporate records, usually for a specified period of time. Failure to retain those records for those minimum periods could subject you and the Foundation to penalties and fines, cause the loss of rights, obstruct justice, spoil potential evidence in a lawsuit, place the Foundation in contempt of court, or seriously disadvantage the Foundation in litigation.

The Foundation expects all employees to fully comply with its published records retention or destruction policy and schedule as set forth below with the following two general exceptions:

(i) If you believe, or the Foundation informs you, that organization records are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until the Foundation determines the records are no longer needed. This exception supersedes any previously or subsequently established destruction schedule for those records. If you believe that exception may apply, or have any question regarding the possible applicability of this exception, please contact the designated legal counsel for the Foundation.

(ii) If the Foundation receives notice that (x) it is under investigation by governmental authorities, (y) it has been or will be sued, or (z) it has been served with process (e.g., subpoena, civil complaint, civil investigative demand, etc.) that requires the production of documents, then documents may not be destroyed without consulting with the Foundation's designated legal counsel. If an individual responsible for document destruction believes, for any reason, that a document or category of documents should not be destroyed, the individual should contact the Foundation's designated legal counsel prior to destroying those documents.

The following is the Foundation's document retention and destruction policy and document retention schedule, which sets forth the duration, as mandated by federal and local laws and

regulations and, in certain cases, good practice, that specific categories of documents should be retained before destruction.

(b) *Statement*

In accordance with the Sarbanes-Oxley Act, which makes it a crime to alter, cover up, falsify or destroy any document with the intent of impeding or obstructing any official proceeding, this policy provides for the systematic review, retention and destruction of documents received or created by the Foundation in connection with the transaction of organization business. This policy covers all records and documents should be kept, and how records should be destroyed (under legal hold). The policy is designed to ensure compliance with federal and local laws and regulations, eliminate accidental or innocent destruction of records, and facilitate the Foundation’s operations by promoting efficiency and freeing up valuable storage space.

2. *Document Retention Schedule*

The chart below lists the length of time for which the Foundation is required, or, if so noted, recommended, to maintain certain documents. Some types of documents do not have retention periods that are set by federal or local regulations. For those documents, we provided current industry recommendations for time frames for retaining documents. In situations in which the federal, District of Columbia, and secondary sources differed as to the retention period, we recommended retaining the documents for the longest period of time.

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
<b>Corporate Records</b>	Bylaws and Article of Incorporation	Permanent
	Corporate resolutions	Permanent
	Board and committee meeting agendas and minutes	Permanent
	Conflict-of-interest disclosure forms	4 years
<b>Finance and Administration</b>	Financial statements (audited)	Permanent
	Auditor management letters	Permanent
	Payroll records	Permanent
	Journal entries	Permanent
	Check register and checks for general payments	4 years

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Check register and checks for important payments (e.g., taxes, property acquisition)	Permanent
	Bank statements	4 years
	Charitable organizations registration statements	4 years
	Chart of accounts	4 years
	Expense reports	4 years
	General ledgers and journals (including bank reconciliations, fund accounting by month, payouts allocations, securities lending, single fund allocation and trust statements)	Permanent
	Books and records of account	3 years
	Accounts payable ledger	4 years
	Accounts receivable ledger	4 years
	Investment performance reports	4 years
	Investment consultant reports	4 years
	Investment manager correspondence	4 years
	Equipment files and maintenance records	4 years after disposition
	Contracts and agreements	4 years after all obligations end
	Investment manager contracts	4 years after all obligations end
<b>Insurance Records</b>	Policies -- occurrence type	Permanent
	Policies -- claims-made type	Permanent
	Accident reports	Permanent

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Fire inspection records	4 years
	Safety reports filed with Occupational Safety & Health Administration (“OSHA”)	4 years
	Claims (after settlement)	4 years
	Group disability records	4 years after end of benefits
<b>Real Estate</b>	Deeds	Permanent
	Leases (expired)	4 years after all obligations end
	Mortgages and other security agreements	4 years after all obligations end
	Purchase agreements	4 years after disposition requirements
<b>Tax</b>	Internal Revenue Service (“IRS”) exemption determination and related correspondence	Permanent
	IRS Form 990s	Permanent
	Withholding tax statements	4 years
	Records of claimants	<u>Minimum:</u> 4 years after the date on which the claim is filed.  <u>Recommendation:</u> Permanent
	Federal Insurance Contributions Act (“FICA”) tax (i.e., federal payroll tax) records	<u>Minimum:</u> 4 years  <u>Recommendation:</u> Permanent
	Federal Unemployment Tax Act (“FUTA”) tax (i.e., federal unemployment tax) records	<u>Minimum:</u> 4 years  <u>Recommendation:</u> Permanent

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Social Security tax records	Permanent
<b>Communications</b>	<b>One set of all communication documents kept on-site and one kept off-site</b>	
	Press releases	Permanent
	Annual reports	Permanent (5 copies)
	Other publications	4 years
	Photos	4 years
	Press clippings	4 years
<b>Donor Services</b>	Fund agreements (paper and digital copies)	Permanent
	Correspondence -- acknowledgement of gifts and grant requests	Permanent
	Donor fund statements	Permanent
	Grant agreements	Permanent
<b>Community Philanthropy</b>	Records from advisory committee or board of directors meetings, including minutes, if any	4 years
	Foundation funding requests, correspondence, and reports (funding received)	4 years after completion of program
	Foundation funding requests (denied), if any	3 years
	Grants and agreements	Permanent
<b>Consulting Services</b>	Consulting contracts and files	7 years after all obligations end
<b>Human Resources</b>	Employee personnel files	Permanent
	Payroll and wage records (including the name, address, date of birth, occupation and pay rate, and daily and weekly work hours of each employee)	3 years

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Certificates, agreements, plans, notices, etc.	3 years
	Records of additions or deductions from wages paid and records of demotion, promotion, layoff, recall, selection for transfer or discharge of any employee	2 years
	Time cards and time sheets	3 years
	Job orders submitted to an employment agency or labor organization for recruiting of personnel for job openings	1 year
	Test papers completed by applicants for a job position which disclose the results of any employer-administered aptitude test	1 year
	Results of any physical examination in connection with any personnel action	1 year
	Drug test results	5 years
	Any advertisement or notices to the public or to employees relating to job openings, promotions, training program, or opportunities for overtime work	1 year
	Wage rate tables	2 years from their last effective date
	Retirement plan benefits (plan descriptions, plan documents)	Permanent
	Retirement income security records (including vouchers, worksheets, receipts and applicable resolutions)	6 years from the date of filing or 6 years after the date on which such documents would have been filed but for an exemption or simplified reporting requirement
	Employee medical records	Permanent
	Employee handbooks	Permanent

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Workers compensation claims (after settlement)	4 years
	Employee exposure records	30 years
	Reports of occupational injuries and illnesses	5 years following the end of the year to which they relate
	Employee orientation and training materials	4 years after use ends
	Employee offer letter	4 years after all obligations end
	Employment applications	3 years
	IRS Form I-9 (to be stored separately from personnel file)	Greater of 1 year after end of service, or 3 years
	Resumes	1 year
<b>Technology</b>	Software licenses and support agreements	4 years after all obligations end
<b>Library</b>	Directories and periodicals	2 years
<b>Sales and Purchase</b>	Sales and purchase records (including invoices, bills of lading, purchase order, sale slips, cash register tapes, meter readings, invoices, contracts, tickets, billing slips, journals, ledgers, inventory records, bank records and advertising and promotional literature)	3 years
<b>General Administration</b>	Correspondence -- general	4 years
	Correspondence -- legal and other important matters	Permanent
	Official emails  <u>Note:</u> Emails and attachments must be printed and maintained in appropriate files	Period of time for the type of document to which the email refers

<b>File Category</b>	<b>Item</b>	<b>Retention Period</b>
	Unofficial emails	Deleted within 6 months of creation
	Internal Reports and working papers	3 years
	Litigation records	Permanent
	Appointment calendars -- chief executive officer	4 years

3. **Document Disposal**

The disposal date determined under this Policy will be the end of the fiscal year in which occurs the anniversary date of the requirement number of years from the act specified or, where not specified, from contemplation of a grant, date of final payment of a grant of year in which an entry is made charting or allocating a cost to a government grant, as the case may be.

In connection with the disposal of any records, a memorandum of record disposal will be prepared by the Treasurer of the Foundation listing the record of the class of records disposed of. This memorandum of records disposal will be certified by the Treasurer.

4. **Financial Records**

All financial records will be maintained in chronological order and organized by fiscal year.

5. **Destruction Policy**

Destruction of financial and personnel-related documents will be accomplished by shredding. Document destruction will be suspended immediately upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation. All non-confidential documents may be disposed of in the appropriate recycling receptacles. Each employee is responsible for shredding and disposing of his or her documents.



**CERTIFICATE**

*This is to certify that the foregoing is a true and correct copy of the Document Retention and Destruction Policy of JCAW Foundation, Inc. and that such Document Retention and Destruction Policy was duly adopted by the board of trustees of JCAW Foundation, Inc. on the date below.*

By: \_\_\_\_\_

Name: *Yoshihiro Kato*

Title: *Secretary*

Date: *July 30, 2012*