

Record, Retention and Destruction Policy

October 30, 2024

Purpose

The purpose of this Policy is to ensure that necessary records and documents of the University System of Georgia Foundation, Inc. and its subsidiaries (collectively, the “Foundation”) are adequately protected and maintained and to ensure that records that are no longer needed by Foundation or are of no value are discarded at the proper time. This Policy is also for the purpose of aiding employees of the Foundation in their understanding of their obligations in retaining print and electronic documents – including e-mail, Web files, text files, sounds and movie files, PDF documents, and all Microsoft Office or other formatted files. In addition, the Policy is to provide a system for complying with federal and state document retention laws to protect the Foundation against allegations of selective document destruction. No officer, director, employee, agent, member, or volunteer of the Foundation will knowingly destroy a document with the intent to obstruct or influence the investigation or proper administration of any matter or to violate applicable laws.

Policy

This Policy represents the Foundation’s policy regarding retention and disposal of records and the retention and disposal of print and electronic documents.

The Foundation and its employees must retain any paper records and electronic files that are part of any of the categories listed in the Records Retention Schedule contained in the Appendix to this Policy, for the amount of time indicated in the Records Retention Schedule. A record must not be retained beyond the period indicated in the Record Retention Schedule unless a valid business reason (or a litigation hold or other special situation) calls for its continued retention. If you are unsure whether to retain a certain record, contact the Vice Chancellor for Development.

The Foundation prohibits the unauthorized or inappropriate destruction of any records, files, documents, and other forms of Foundation-related information.

Mandatory Compliance

Responsibility of All Employees, Contractors, and Volunteers: The Foundation strives to comply with the laws, rules, and regulations that govern it and with recognized compliance practices. All employees, contractors and volunteers must comply with this policy, the Records Retention Schedule, and any litigation hold communications. Failure to do so may subject the Foundation, its employees, and contract staff to serious civil and/or criminal liability. An employee's failure to comply with this Policy may result in disciplinary action, including termination of employment.

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Reporting Policy Violations

The Foundation is committed to enforcing this Policy as it applies to all forms of records. The effectiveness of its efforts, however, depends largely on employees. If you feel that you or someone else may have violated this policy, you should report the incident immediately to your supervisor. If you are not comfortable bringing the matter up with your immediate supervisor, or do not believe the supervisor has dealt with the matter properly, you should raise the matter with the Vice Chancellor of Development. If employees do not report inappropriate conduct, the Foundation may not become aware of a possible violation of this Policy and may be unable to take appropriate corrective action. No one will be subject to and the Foundation 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.

Administration

Attached as Appendix A is a Record Retention Schedule that is approved as the maintenance, retention and disposal schedule for physical records and for the retention and disposal of electronic documents of the Foundation. The Executive Director of the Foundation (the “Director”) is the officer in charge of the administration of this Policy and the implementation of processes and procedures to ensure that the Record Retention Schedule is followed. The Director is also authorized to: make modification to the Record Retention Schedule from time to time to ensure that it is in compliance with local, state, and federal laws and includes the appropriate document and record categories for Foundation; monitor local and federal laws affecting record retention; annually review record retention and disposal program; monitor compliance with this Policy; and, report to the Foundation Board at least annually which is documented in the board minutes. Employees with questions about this policy should consult with management or contact the Vice Chancellor of Development. Failure to comply with the Policy and procedures could result in disciplinary action, up to and including termination of employment.

Legal Hold of Record Disposal

The Foundation requires all employees to comply fully with its published records retention schedule and procedures as provided in this Policy. All employees should note the following general exception to any stated destruction schedule: If you believe, or the Legal Department or the Director informs you, that the Foundation records are relevant to current litigation, potential litigation (that is, a dispute that could result in litigation), a subpoena, a government investigation, audit, or other event, you must preserve and not delete, dispose, destroy, or change those records, including emails, until the Legal Department or the Director determines those records are no longer needed. This exception, referred to as a legal hold, replaces any previously or subsequently

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established destruction schedule for those records. If you believe this exception may apply, or you have any questions regarding whether it may possibly apply, please contact the Legal Department or the Director.

In addition, you may be asked to suspend any routine document disposal procedures in connection with certain other types of events, such as the replacement of the Foundation's information technology systems.

Applicability

This Policy applies to all physical and electronic records generated in the course of Foundation's operations and business, including both original documents and reproductions.

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APPENDIX A – RECORD RETENTION SCHEDULE

The Record and Retention Schedule is organized as follows:

SECTION TOPIC

- A. Accounting and Finance
- B. Contracts
- C. Corporate Records
- D. Correspondence and Internal Memoranda
- E. Electronic Documents
- F. Insurance Records
- G. Legal Files and Papers
- H. Miscellaneous
- I. Payroll Documents
- J. Personnel Records
- K. Property Records
- L. Tax Records

A. ACCOUNTING AND FINANCE

Record Type	Retention Period
Accounts Payable ledgers and schedules	7 years
Accounts Receivable ledgers and schedules	7 years
Annual Audit Reports and Financial Statements	Permanent

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Annual Audit Records, including work papers And other documents that relate to the audit	7 years after completion
Annual Plans and Budgets	2 years
Bank Statements and Cancelled Checks	7 years
Bank Reconciliations	7 years
Employee Expenses Reports	7 years
General Ledgers	Permanent
Interim Financial Statements	7 years
Notes Receivable ledgers and schedules	7 years
Investment Records	7 years after sale
Credit card records (Documents showing customer credit card number)	2 years

Credit card record retention and destruction

A credit card may be used to pay certain Foundation Properties Inc. products and services pertaining to the business of the Foundation.

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All records showing customer credit card number must be locked in the safe or appropriate locked file cabinet when not in immediate use by staff.

If it is determined that information on a document, which contains credit card information, is necessary for retention beyond 2 years, then the credit card number will be cut off the document.

B. CONTRACTS

Record Type	Retention Period
Contracts, Mortgages, Notes and Leases with Related Correspondence (Including any proposal that resulted in the contract and all other supportive documentation)	7 years after expiration

C. CORPORATE RECORDS

Record Type	Retention Period
Corporate Records (minute books, signed minutes of the Board and all committees, corporate seals, Articles of incorporate, bylaws, annual corporate reports)	Permanent
Licenses and Permits	Permanent

D. CORRESPONDENCE AND INTERNAL MEMORANDA

General Principle: Most correspondence and internal memoranda should be retained the same period as the document they pertain to or support. It is recommended that records that support

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particular project be kept with the project and take on the retention time of that particular project file.

Correspondence or memoranda that do not pertain to documents having a prescribed retention period should generally be discarded sooner. These may be divided into two general categories:

1. Those pertaining to routine matters and having no significant, lasting consequences should be discarded *within two years*.

Please note that copies of interoffice correspondences and documents where a copy will be in the originating department file should be read and destroyed, unless that information provide reference to or direction to other documents and must be kept for project traceability.

2. Those pertaining to non-routine matters or having significant lasting consequences including legal matters should generally be retained permanently.

E. ELECTRONIC DOCUMENTS

1. **Electronic Mail:** Not all email needs to be retained, depending on the subject matter.
 - All e-mail – from internal or external sources – is to be deleted after 12 months.
 - All Foundation business related email should be downloaded to a service center or user directory on the server.
 - Staff will not store or transfer Foundation related email to non-work-related computers except as necessary or appropriate for Foundation purposes.
 - Staff members will not send confidential/propriety Foundation information to outside sources.
2. **Electronic Documents:** including Microsoft Office Suite and PDF files. Retention also depends on the subject matter.

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- **PDF documents** – The length of time that a PDF file should be retained should be based upon the content of the file and the category under the various sections of this policy.
- **Text/formatted files** - Staff will conduct annual reviews of all text/formatted files (e.g. Microsoft Word Documents) and will delete all those they consider unnecessary or outdated.

F. INSURANCE RECORDS

Record Type	Retention Period
Annual Loss Summaries	10 years
Audits and Adjustments	3 years after final adjustment
Certificates Issued to Foundation	Permanent
Claims Files (including correspondence, medical records, injury documentation, etc.)	Permanent
Group Insurance Plans – Active Employees	Until Plan is amended or terminated
Group Insurance Plans – Retirees	Permanent or until 6 years after Death of last eligible participant
Inspections	3 years
Insurance Policies (including expired policies)	Permanent

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Journal Entry Support Data	7 Years
Loss Runs	10 years
Releases and Settlements	25 years

G. LEGAL FILES AND PAPERS

Record Type	Retention Period
Legal Memoranda and Opinions (including all subject matter files)	7 years after close of matter
Litigation Files	1 year after expiration of appeals or Time for filing appeals
Request for Departure from Records Retention Plan	10 Years

H. MISCELLANEOUS

Record Type	Retention Period
Consultant's Reports	2 years
Material of Historical Value (including pictures of publications)	Permanent

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Policy and Procedures Manuals – Original	Current version with revision history
Policy and Procedures Manuals – Copies	Retain current version only
Foundation’s Annual Reports	Permanent

I. PAYROLL DOCUMENTS

Record Type	Retention Period
Employee Deduction Authorizations	4 years after termination
Payroll Deductions	Termination + 7 years
W-2 and W-4 forms	Termination + 7 years
Garnishments, Assignments, Attachments	Termination + 7 years
Labor Distribution Cost Records	7 years
Payroll Registers (gross and net)	7 years
Time cards/sheets	2 years
Unclaimed Wage Records	6 years

J. PERSONNEL RECORDS

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Record Type	Retention Period
Commissions/Bonuses/Incentives/Awards	7 years
EEO-I/EEO-2 – Employer Information Reports	2 years after superseded or filing (whichever is longer)
Employee Earnings Records	Separation + 7 years
Employee Handbooks	1 Copy kept permanently
Employee Medical Records	Separation + 6 years
Employment Contracts – Individual	7 years after separation
Employment Records-Correspondence with Employment Agencies and Advertisements for Job Openings	3 years from date of hiring decision
Employment Records – All non-hired applicants	2-4 years (4 years if file contains Any correspondence which might be construed as an offer)
Job Descriptions	3 years after superseded
Personnel Count Records	3 years

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K. PROPERTY RECORDS

Record Type	Retention Period
Correspondence, Property Deeds, Assessments, Licenses, Rights of Way	Permanent
Original Purchase/Sale/Lease Agreement	Permanent
Property Insurance Policies	Permanent
Patents and related papers	Permanent
Trademark registrations and copyrights	Permanent

L. TAX RECORDS

General Principle: Donors Forum must keep books of account or records as are sufficient to establish amount of gross income, deductions, credits, or other matters required to be shown in any such return.

These documents and records shall be kept for as long as the contents thereof may become material in the administration of federal, state, and local income, franchise, and property tax laws.

Tax-Exemptions Documents and Related Correspondence	Permanent
IRS Rulings	Permanent

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Excise Tax Records	7 years
Payroll Tax Records	7 years
Tax Bills, Receipts, and Statements	7 years
Tax Returns – Income, Franchise, Property	Permanent
Tax Work papers Packages – Originals	7 years
Sales/Use Tax Records	7 years
Annual Information Returns – Federal and State (including the Tax Form 990)	Permanent
IRS or other Government Audit Records	Permanent

Source: **Association of Governing Board’s (AGB):**
Board of Directors’ Document Retention Policy,
<http://www.agb.org/system/files/u3/DocumentRetention.pdf>

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Acknowledgment of Receipt and Review

I, _____ (employee name), acknowledge that on _____ (date), I received and read a copy of the Foundation’s Record, Retention and Destruction Policy, and understand that it is my responsibility to be familiar with and abide by its terms. This Policy is not promissory and does not set terms or conditions of employment or create an employment contract.

Signature

Print Name and Title

Date