

Montana Nonprofit Association (MNA)

Document Retention and Destruction Policy

I. Purpose

- A. MNA recognizes the importance of maintaining records for many reasons, including, but not limited to, the following:
 - 1. Maintain a record of the legal structure of MNA
 - 2. Document Board and board committee membership, decisions and activities
 - 3. Document membership, membership votes and other activities related to involvement of members in the governance of MNA
 - 4. Maintain a list of non-voting affiliates
 - 5. Maintain MNA's policies -- both board and administrative policies
 - 6. Allow MNA to demonstrate effective pursuit of its mission, to evaluate the success of its programs and to determine whether the organization is achieving desired results
 - 7. Maintain a record of federal and state tax filings and important supporting information
 - 8. Maintain a record of financial statements and budgets and important supporting information, to monitor budgetary and financial results and activities, and to identify sources of receipts
 - 9. Identify all donations and grants and to maintain required documents
 - 10. Maintain personnel and employment records
 - 11. Maintain records of all contracts or other documents creating legal obligations or potential legal liabilities, including insurance contracts, vendor contracts, personal services contracts, leases and other property related contracts, as well as notices of any legal processes involving MNA or of any government investigations.
- B. MNA's goal is to maintain such documents for a time period defined at a minimum by law, but otherwise for as long as such documents create an important historical record of MNA's activities or may be relevant to MNA's business needs, legal obligations, or any litigation or investigation.

II. Method of Retention

- A. MNA may maintain records in electronic form or paper or in any other safe and reliable manner.
- B. Records shall be stored in a secure location, which may be in the MNA offices or in a storage facility or other location.
- C. MNA shall maintain a record of where records are stored or located so that they may be accessed within a reasonable period of time.

III. Document Destruction, Including Prohibition on Document Destruction

- D. Documents not covered by this policy shall be destroyed when no longer useful to MNA and the files of MNA should be periodically culled of such documents.
- E. Documents covered by this policy must be maintained for the period established in this policy, at a minimum, but may be maintained for a longer period of time.
- F. Documents may not be destroyed and must be preserved and not altered in any manner if MNA knows or has been informed that they may be relevant to an investigation by any government entity or to litigation or potential litigation.

IV. Executive Director’s Authority

- G. The Executive Director is authorized and directed to take steps to reasonably implement this policy and shall report to the Board on any issues, resource constraints, or concerns related to adequate implementation of this policy.
- H. The Executive Director shall notify the Board or the Governance and Nominating Committee of any additional document retention requirements mandated by law that should be added to this policy, and is directed to implement such requirements, even if not included in this policy.
- I. The Executive Director may, by administrative policy and without Board authorization, create additional document retention requirements, as long as such requirements are not more restrictive than this policy.

V. Documents that must be maintained and retention periods

Legal structure of MNA	
1. Articles of Incorporation and any amendments	Permanently
2. Annual filing with the Secretary of State	Permanently
3. Bylaws and any amendments	Permanently
4. IRS Form 1023 and amendments	Permanently
5. IRS letter recognizing MNA’s tax exempt status	Permanently
Board and Board Committee membership, decisions and activities	
1. Minutes of Board and standing committee meetings	Permanently
2. Financial statements and budgets approved by the Board or any committee of the Board	Permanently
3. List of board members, contact information, and their terms	Permanently

4. Periodic reviews of Board effectiveness conducted by the Board, a committee of the board, a consultant, or management	15 years
5. Board resolutions, including banking resolutions, should be maintained as part of the minutes	Permanently
6. Annual Conflict of Interest disclosure statements	10 years after director is no longer on the board
Membership, membership votes and other activities related to involvement of members in the governance of MNA	
1. List of nonprofit members, dates of membership, basic description of the member, and contact information	Permanently
2. Minutes of annual or special membership meetings	Permanently
3. Notices sent to membership related to governance functions	Permanently
4. Record of attendance at annual or special membership meetings	Permanently
5. Activities of members under the bylaws, including requests for governance actions	Permanently
6. Proxy statements or other evidence of authority of a person to vote for any nonprofit member	5 years after no longer effective
7. Record of membership fees paid by each nonprofit member	10 years.
Non-voting affiliates	
1. List of non-voting affiliates, dates of affiliation, and contact information	Permanently
2. Record of fees paid by each non-voting affiliate	10 years
MNA's policies -- both board and administrative policies	
1. Board policies, including record of effective dates, amendments and revisions	Permanently
2. Administrative policies, including record of effective dates, amendments and revisions	5 years after last effective date
Documents that demonstrate effective pursuit of MNA's mission, evaluate program success and determine whether the organization is achieving desired results	
1. Strategic planning documents approved by the Board	15 years after end of effective period
2. Board, board committee, management reviews or evaluations of MNA projects	15 years
3. Consultant's reports on core MNA projects	15 years
4. Program files on MNA programs	10 years for major projects involving more than \$25,000 during any fiscal year; as determined by the ED for other programs

Financial statements, budgets, tax returns, and important supporting information.	
<ol style="list-style-type: none"> 1. Federal and state annual tax returns and any amendments 2. Business records that support federal and state annual returns 3. Financial reviews by outside CPAs or audited financial statements of MNA 4. Documents that establish MNA's sources of receipts for tax and other purposes <p>Note: All other significant documents related to the budget and financial results and activities should be part of the minutes of the Finance and Audit Committee or the Board.</p>	<p>Permanently 10 years</p> <p>Permanently</p> <p>10 years</p>
Donations and grants	
<ol style="list-style-type: none"> 1. Records of all donations, names and contact information for donor, any limitations on use, and disbursements 2. Grants: records shall be kept as required by any grant document, but shall include the names and contact information of the grantor, any limitations on use, and disbursements 	<p>Permanently</p> <p>Permanently</p>
Other	
<ol style="list-style-type: none"> 1. Personnel and employment records 2. Contracts or other documents creating legal obligations or potential legal liabilities, including insurance contracts, vendor contracts, personal services contracts, leases and other property related contracts as well as notices of any legal processes involving MNA or of any government investigations. 	<p>10 years after termination</p> <p>10 years after termination</p>

Adopted by the Board of Directors on July 8, 2008