**RECORD MANAGEMENT AND RETENTION POLICY**

The Directors of **Sample Land Trust** (the Corporation) recognize that maintenance of consistent, complete, secure and authentic records is essential to achievement of its conservation mission. The Corporation’s Records Management and Retention Policy (“Records Policy”) has been developed to ensure compliance with the intentions of the Corporation’s donors, to document and sustain the conservation values of protected lands under conservation easement or in fee ownership, to secure the Corporation’s status as a public charity, and to comply with Land Trust Standards and Practices. The Corporation’s completed conservation transaction records must exist in perpetuity to fulfill our stewardship responsibilities as well as to comply with applicable law. The Corporation’s Records Policy supports and is integral to other Corporation policies.

This Policy creates important responsibilities for the Corporation’s employees, Directors, and volunteers, as well as certain independent contractors and outsiders. This Policy also establishes a uniform and effective record maintenance program, ensuring that crucial documents will be preserved and protected, while unnecessary, outdated or valueless documents will be destroyed at the proper time and in the proper manner.

“Records” covered by this Policy include correspondence, contracts, appraisals, deeds, financial and investment records, photographs, computer records, and back-ups of all kinds, and other documents and materials that serve to perpetuate knowledge of acts, transactions, events, or conditions. “Records Management” is the manner of treating, handling, maintaining and controlling records. A “Records Policy” is a written policy statement adopted by the Corporation that sets forth its Records Management System.

The offices of the Corporation shall be the repository for all organizational records. Permanent records shall be kept in paper and digital form unless otherwise permitted by law and Standards and Practices. All archived paper files shall be stored in a secure record retention facility separate from where copies are stored so that both originals and copies are not likely to be destroyed in the same calamity, or in one-hour fire-proof cabinetry. All digital files shall be stored on the computer server of the Corporation, unless otherwise noted, and backed-up at least once daily on offsite hard drive(s).

Except for Property Records, as defined in Section IV below, all other Records shall be digitized in compliance with Standards and Practices and to the extent practical and possible. All Property Records shall be digitized.

Unless otherwise noted, all retention periods shall begin at the end of the year when the tax return (Form 990 or otherwise) is filed for the applicable document. If the statute of limitations concerning a tax year is extended, retention shall be extended accordingly. While records should be destroyed when the retention period has passed, the historical or archival value of some records shall be considered in the light of future research or public relations purposes.

In the event that the Corporation becomes (or may reasonably become) subject to, or anticipates being subject to, litigation, a government investigation or proceeding, or an audit, no document shall be altered, deleted or destroyed that is pertinent to such litigation, investigation, proceeding, or audit.

**Custodian of Records**

Unless otherwise indicated, the Executive Director shall be the Custodian of Records for all original paper and electronic records of the Corporation. The Custodian shall be available and able to testify that s/he is the custodian or other qualified witness, that the record was made by a person with knowledge of the facts or made from information transmitted by a person with knowledge of the facts, that the record was made at or near the time of the act or events appearing on it, and that the record was made as part of the regular practice of that business activity and was kept in the course of a regularly conducted business activity.

1. **ORGANIZATION RECORDS**
	1. The Articles of Incorporation, including amendments, the IRS Letter of Determination of Tax-Exempt Status, the By-laws of the Corporation, including amendments, shall be kept together with State and Federal Corporate filings and Policies and Procedures approved by the Board of Directors as a permanent record.
	2. Minutes and materials of each meeting of the Board of Directors shall be kept in the Minutes Book of the Corporation. Minutes and materials shall be retained as a permanent record.
	3. Minutes and materials of every Board of Director Committee meeting shall be kept in the Committee Meetings Minutes Book of the Corporation. Committee minutes and materials shall be retained as a permanent record.
2. **FINANCIAL AND MANAGEMENT RECORDS**
	1. A copy of State and Federal tax returns and filings shall be kept at the office of the Corporation for three years after the due date or filing date of the return and shall be available for public inspection and copying upon request and without charge (except for a reasonable charge for copying). Copies shall also be posted on Guidestar and the Corporation’s website. The Corporation does not have to disclose Schedule B of Form 990 and does not need to identify its contributors. Older filings, if available, may be kept in the archives of the Corporation as a permanent record.
	2. The Corporation shall keep a copy of the last three years of Treasurer’s and/or Financial reports. Older reports, if available, may be kept in the archives of the Corporation as a permanent record.
	3. The Corporation shall maintain correct books of account of the activities and receipts and disbursements and other transactions of the Corporation, including financial statements and information, paper or digital copies of bank and securities account statements.
	4. The Corporation shall maintain a Personnel File for each employee, containing appropriate documents and reports, including electronic mail and facsimiles, pertaining to a particular employee that are used or have been used by an employer to determine such employee's eligibility for employment, promotion, additional compensation, transfer, termination, disciplinary or other adverse personnel action including employee evaluations or reports relating to such employee's character, credit and work habits. The Personnel File shall include any signed compensation agreements, approval of changes in compensation, and any benefits such as deferred compensation. Personnel Files shall be kept for at least one year after the termination of such employee's employment, except that job descriptions, performance goals, and annual reviews shall be retained for seven (7) years following termination. Personnel Files kept in digital form shall be stored on the Executive Director’s computer, or another location designated by the Executive Director, and backed-up to a secondary drive as needed to maintain a complete record and not less than annually. The back-up drive shall be kept in a secure, fireproof location.
	5. Payroll Records and reports to State and Federal agencies including copies of W-2 statements, records of hours worked and wages paid, earnings records, and IRS Form 1099’s shall be kept for seven (7) years. I-9 Immigration Forms shall be retained for five (5) years following separation,
	6. The Corporation shall maintain a file for each independent contractor, which shall include Federal Tax Identification Number or Social Security Number, along with documentation of applicable liability and workman’s compensation insurance, if available, shall be maintained for a period of seven (7) years.
	7. Insurance policies and insurance disbursements/denials shall be kept as a permanent record. Safety Records and Fire Inspection Reports may be destroyed after seven (7) years.
	8. Vendor contracts shall be kept for seven (7) years.
	9. All leases shall be retained for one additional year after they are no longer in effect.
	10. All grant proposals, original contract agreements, supporting data, accounting documents, financials, sub-recipient policy reports, time cards, invoices for payments to sub-awardees, sub-award agreements, procurement documents, and related correspondence shall be kept for a period of seven (7) years following the filing of the closing report and acceptance by the funding agency.
3. **MEMBERSHIP/DONOR RECORDS**
4. The Corporation shall keep the last three years of membership records, including name, address, date, and amount of payment or pledge. Older reports shall be kept in the archives of the Corporation, if available.

* 1. This information shall be kept in a donor database that .

is backed-up at least daily.

1. The Corporation shall keep a copy of all solicitation and fundraising letters for a period of seven (7) years. If a mass mailing is sent, the retention of one sample letter shall be considered to meet this requirement.
2. The Corporation shall store planned giving agreements (annuity gifts, life insurance, last wills and testaments, etc.) with other relative legal records and keep as a permanent record.
3. **PROPERTY RECORDS**

The Executive Director is the custodian of all Property Records. Property Records are those essential to the defense of each real property transaction, including but not limited to, legal agreements, baseline documentation reports, title insurance policies, surveys, appraisals, Forms 8283, monitoring reports, notices and approvals, contracts, and leases for long-term management activities. **All Property Records shall be kept as a permanent record.**

The Corporation uses ESRI ArcGIS software and mapping data. Due to the storage and memory requirements of this program, it is run from an individual hard-drive separate from the Corporation’s server. This ESRI ArcGIS data shall be backed-up to the server daily.

* 1. The acquisition and stewardship files shall further be kept as follows:
		1. Original hard copies shall be protected from daily use and kept in a secure location protected from fire, floods, and other foreseeable hazards.
		2. Digital records shall be exact replicas of the paper or original documents and stored on the computer server of the Corporation.
		3. Digital records shall be backed up daily on a hard drive in the offices of the Corporation and at an off-site location(s).
		4. Original signed monitoring forms shall be kept electronically on the Corporation’s server, which is backed-up at least daily to an offsite location. Duplicate monitoring forms shall be uploaded to the cloud-based software program currently in use by the Corporation (such as Landscape). Landscape itself shall be backed up to the Corporation’s server at a minimum of twice per calendar year.
		5. Each monitoring form shall also contain the following contents:
			1. Each form shall be completed and signed by the monitor and the Executive Director, or a staff member designated by the Executive Director who is not the monitor.
			2. The signatories on each form shall attest that the information provided on and in connection with the form is true, accurate, and complete and was part of **Sample Land Trust**’s annual property monitoring program.
	2. There shall be a GIS spatial database that maintains spatial data on each easement and fee property. Files related to conserved and managed properties, such as monitoring GPS tracks and property boundaries, shall be saved directly on the Corporation’s primary server within folders organized by the conserving landowner or grantor. Such files are backed-up daily.

Spatial data shall follow the following guidelines:

* + 1. GIS property boundaries shall be maintained for each easement and fee property. Digital boundaries of conserved properties shall be generated from legal descriptions and A-2 surveys whenever possible. The associated attribute tables shall mirror information included in the organization’s Fixed Asset List and include, as required by the Executive Director, other data to assist with monitoring, outreach, and organizational management.
		2. If an easement allows for the property to be split into one or more parcels, data on individual parcel boundaries shall be maintained as available. In other cases, the easement may prescribe different resource protection provisions for different areas of the easement property. This parcel or area specific data shall be maintained when available as spatial data with appropriate identifying and descriptive attributes.
		3. Building envelopes and improvements (residential and agricultural buildings, wells, sheds, etc.) shall be mapped using spatial data as necessary for monitoring, stewardship, and defense.
		4. The Corporation shall maintain and update spatial data on rare, threatened, and endangered species, habitats, and other important ecological and natural resources on lands conserved by the Corporation as such data becomes available.
	1. Property Records shall contain, whenever available, the following documents:
		1. Fully-executed and recorded legal agreements, deeds, conservation easements, subordinations, and amendments, including any MOU’s or other agreements with partners;
		2. Critical correspondence, including those related to project goals, tax and legal matters, enforcement, and other matters essential to the project;
		3. Fully-executed baseline documentation reports;
		4. Completed management plans;
		5. Title insurance policies and/or evidence of title investigation (including during the project review and immediately prior to recording);
		6. Surveys and maps;
		7. Appraisals used to substantiate the purchase price and/or used by the landowner to substantiate the value on the Form 8283;
		8. Annual Conservation easement or fee monitoring reports;
		9. Contracts and leases and other agreements in effect for land management activities;
		10. Conservation easement stewardship records, including substantive notices, requests, approvals, denials, interpretations, and exercise of reserved rights;
		11. IRS acknowledgement letters;
		12. Donor instructions, if any have been received
		13. Board and committee resolutions, minutes and review materials
		14. Initial site visit record and project selection criteria evaluation
		15. Enforcement records and Incident Reports
		16. Photographs