Agenda Point
Kiwanis Online Board Meeting
Sunday May 16, 2021

New Policies to District Policy Statements
Whistleblower
Record Retention

Background

The IRS best practices for Non-Profit organizations to have a Whistleblower Policy and a Record Retention and Destruction Policy. This question is asked on the Form 990. The two new policies will bring us into compliance. Both policies were drafted from examples from the National Council of Nonprofit Associations.

Board Required Action:
Motion for Board Action:

> The Capital District Board of Trustees moves to adopt the attached Whistleblower Policy and Record Retention and Destruction Policies and add them to the District Policy Statements.

Capital District Kiwanis International Policy Statement

SECTION 31 – RECORD RETENTION AND DESTRUCTION POLICY

DRAFT FOR MAY 16, 2021 BOARD REVIEW

Purpose

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 Capital District Kiwanis International in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept, and how records should be destroyed (unless under a legal hold). The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records, and to facilitate the Capital District Kiwanis International's operations by promoting efficiency and freeing up valuable storage space.

Document Retention

The Capital District Kiwanis International follows the document retention procedures outlined below. Documents that are not listed but are substantially similar to those listed in the schedule, will be retained for the appropriate length of time.

Corporate Records	
Annual Reports to Secretary of State	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
Bylaws	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status	Permanent
IRS Determination Letter	Permanent
State Sales Tax Exemption Letter	Permanent
Contracts (after expiration)	at least 7 years
Correspondence (general)	at least 5 years

Accounting and Corporate Tax Records	
Annual Audits and Financial Statements	Permanent
Depreciation Schedules	Permanent
IRS Form 990 Tax Returns	Permanent
General Ledgers	at least 7 years
Business Expense Records	at least 7 years
IRS Forms 1099	at least 7 years
Journal Entries	at least 7 years

Invoices	at least 7 years
Cash Receipts	at least 7 years
Credit Card Receipts	at least 7 years
Bank Records	
Check Registers	at least 7 years
Bank Deposit Slips	at least 7 years
Bank Statements and Reconciliation	at least 7 years
Electronic Fund Transfer Documents	at least 7 years
Payroll and Employment Tax Records	
Payroll Registers	Permanent
State Unemployment Tax Records	Permanent
Earnings Records	at least 7 years
Garnishment Records	at least 7 years
Payroll Tax Returns	at least 7 years
W-2 Statements	at least 7 years
Employee Records	
Employment and Termination Agreements	Permanent
Retirement and Pension Plan Documents	Permanent
Records Relating to Promotion, Demotion, or Discharge	at least 7 years after termination
Accident Reports and Worker's Compensation Records	at least 5 years
Salary Schedules	at least 5 years
Employment Applications	at least 3 years
1-9 Forms	Most current, at least 3 years after termination
Timecards/Sheets	at least 7 years
Legal, Insurance, and Safety Records (if applicable)	
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Trademark Registrations	Permanent
Leases	6 years after expiration
General Contracts	3 years after termination

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document

types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an e-mail message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning
The Capital District Kiwanis International records will be stored in a safe, secure, and accessible manner. Documents and Financial files are essential to keeping the Capital District Kiwanis International operating in an emergency will be duplicated or backed up at least every week and maintained off-site.

Document Destruction
The Capital District Kiwanis International Secretary-Treasurer is responsible for the ongoing process of identifying its records, which have met the required retention period, and overseeing their destruction. Destruction of financial, Board, 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.

Compliance
Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Capital District Kiwanis International and its employees and possible disciplinary action against responsible individuals. The Board of Trustees will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.

Capital District Kiwanis International Policy Statement

SECTION 32 – Whistleblower Policy

DRAFT FOR MAY 16, 2021 BOARD REVIEW

Capital District Kiwanis International requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Capital District Kiwanis International, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility
This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns internally so that Capital District Kiwanis International can address and correct inappropriate conduct and actions. It is the responsibility of all board members, officers, employees and volunteers to report concerns about violations of Capital District Kiwanis International's code of ethics or suspected violations of law or regulations that govern Capital District Kiwanis International's operations.

No Retaliation
It is contrary to the values of Capital District Kiwanis International for anyone to retaliate against any board member, officer, employee or volunteer who in good faith reports an ethics violation, or a suspected violation of law, such as a complaint of discrimination, or suspected fraud, or suspected violation of any regulation governing the operations of Capital District Kiwanis International. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment.

Reporting Procedure
Capital District Kiwanis International has an open door policy and suggests that employees share their questions, concerns, suggestions or complaints with their supervisor. If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the District Governor. Supervisors and managers are required to report complaints or concerns about suspected ethical and legal violations in writing to the Capital District Kiwanis International's Secretary-Treasurer or District Governor, who has the responsibility to investigate all reported complaints.

Compliance Officer
The Capital District Kiwanis International's Secretary-Treasurer is responsible for ensuring that all complaints about unethical or illegal conduct are investigated and resolved. The Compliance Officer will advise the Board of Trustees of all complaints and their resolution and will report at least annually to the District Governor on compliance activity relating to accounting or alleged financial improprieties.

Accounting and Auditing Matters
The Capital District Kiwanis International's Secretary-Treasurer shall immediately notify the Finance Committee of any concerns or complaint regarding corporate accounting practices, internal controls or auditing and work with the committee until the matter is resolved.