

Florida Local Government Information Systems Association

Document Retention Policy

Purpose

The purposes of this document retention policy are for Florida Local Government Information Systems Association (FLGISA) to ensure proper treatment of business records of the FLGISA.

Section 1. General Guidelines

Records will not be kept if they are no longer needed for the operation of the FLGISA or required by law. Unnecessary records will be eliminated from all paper and data files.

From time to time, the FLGISA may establish retention or destruction policies or schedules for specific categories of records in order to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management.

Section 2. Exception for Litigation Relevant Documents

The FLGISA expects all officers, directors, and employees to comply fully with any published records retention or destruction policies and schedules, provided that all officers, directors, and employees should note the following general exception to any stated destruction schedule: If you believe, or the FLGISA informs you, that FLGISA records are relevant to litigation, or potential litigation (i.e., a dispute that could result in litigation), then you must preserve those records until it is determined that the records are no longer needed. That exception supersedes any previously or subsequently established destruction schedule for those records.

Section 3. Minimum Retention Periods for Specific Categories

- FLGISA Documents. FLGISA records include the FLGISA's articles of incorporation, by-laws and IRS Form 1023, Application for Exemption. FLGISA records should be retained permanently. IRS regulations require that the Form 1023 be available for public inspection upon request.
- Tax Records. Tax records include, but may not be limited to, documents concerning payroll, expenses, proof of contributions made by donors, accounting procedures, and other documents concerning the FLGISA's revenues. Tax records should be retained for at least seven years from the date of filing the applicable return.

- Personnel Employment Records: At this time the FLGISA does not employ any personnel. Should the FLGISA employ any individual employment and personnel records will be retained for seven years.
- Board and Board Committee Materials. Meeting minutes should be retained in perpetuity in the FLGISA's minute book. A clean copy of all other Board and Board Committee materials should be kept for no less than three years by the FLGISA.
- Press Releases/Public Filings. The FLGISA should retain permanent copies of all press releases and publicly filed documents under the theory that the FLGISA should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the FLGISA.
- Legal Files. Legal counsel will be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of ten years.
- Marketing and Sales Documents. The FLGISA will keep final copies of marketing and sales documents for the same period of time it keeps other corporate files, generally three years. An exception to the three-year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents should be kept for at least three years beyond the life of the agreement.
- Development/Intellectual Property and Trade Secrets. Development documents are often subject to intellectual property protection in their final form (e.g., patents and copyrights). The documents detailing the development process are often also of value to the FLGISA and are protected as a trade secret where the FLGISA:
 - derives independent economic value from the secrecy of the information; and
 - has taken affirmative steps to keep the information confidential. The FLGISA should keep all documents designated as containing trade secret information for at least the life of the trade secret.
- Contracts. Final, execution copies of all contracts entered into by the FLGISA will be retained for a period of at least three years beyond the life of the agreement, and longer in the case of publicly filed contracts.
- Correspondence. Unless correspondence falls under another category listed elsewhere in this policy, correspondence should generally be saved for two years.
- Banking and Accounting. Accounts payable ledgers and schedules should be kept for seven years. Bank reconciliations, bank statements, deposit slips and checks (unless for important payments and purchases) should be kept for three years. Any inventories of products, materials, and supplies and any invoices should be kept for seven years.
- Insurance. Expired insurance policies, insurance records, accident reports, claims, etc. should be kept permanently.

- Audit Records. External audit reports should be kept permanently. Internal audit reports should be kept for three years.

Section 4. Electronic Mail

Email that needs to be saved should be either printed in hard copy and kept in the appropriate file or downloaded to a computer file and kept electronically or on disk as a separate file. The retention period depends upon the subject matter of the email, as covered elsewhere in this policy.

Approved by the FLGISA Board of Directors on November 12, 2009