

Title of Policy: Record Keeping Policy
Policy No: (see board manual TOC for suggested numbering)
Approval Date:
Approved by: Board of Directors
Last Review: **Next Review:**

Page 1 of 5

Record Keeping - Policy Development Template

Record Management and Record Keeping

Relevant Standards and Practices

Standard 2D Compliance with Laws: Records Policy
Standard 6B Financial and Asset Management: Financial Records
Standard 9G Ensuring Sound Transactions: Recordkeeping
Standards to do with Land Transactions (8, 9, 10, 11, and 12)

Article I: Policy Statement (Purpose or Philosophy)

This policy, as adopted by the X Board of Directors embodies the functional principles of X's Records Policy. Additionally, the X Executive Director is empowered to develop and amend procedural documents as needed to implement the Records Policy. This policy shall be applied in a manner consistent with the X Privacy and Security Policies.

Maintenance of consistent, complete, secure and authentic records is essential to protecting a land trust's assets from future legal challenges and meeting reporting requirements.

The records policy addresses both organizational records (corporate record of board minutes, ensure compliance with donor intent, secures charitable status) and transaction records (deeds, documents to sustain conservation values of preserved lands)

1. Creating Documents

The following is a complete list of all types of documents created and maintained by X land trust and subject to this policy. This list is an index to all X land trust files and includes file name, date created/opened, author, current location of the print/e file, storage, retention, back-up and review instructions. The custodian for every document unless otherwise noted is the Executive Director.

What information should a Land Trust collect and keep? What are your key documents and records? What other documents are important? Why are they important? How much documentation is enough? Do you have/need a standardized file naming system? Protocol? Are there any legal requirements? When should you archive? Where? How? Who?

2002 Sarbanes-Oxley Act

This U.S. law makes it a crime to alter, cover-up, falsify or destroy any document to prevent its use in a federal official proceeding. This act turns intentional document destruction into a process that is monitored, justified and carefully administered. Although strictly speaking this act does not extend to non-profits – NGO's across North America, and land trusts in particular, agree following the act's requirements is advised and recommended as a best practice.

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Typical types of records a land trust would have:

Organizational Records

Incorporation documents
 By-laws
 Board records and minutes
 501(c)3 documentation
 Policies and Procedures
 Insurance
 Personnel Records
 Correspondence (including Emails)
 Volunteers
 History
 Financial Records
 Organizational
 Membership records
 History, solicitations, pledges,
 donations, relationships, thank you
 letters
 Accounting records
 Annual Reports
 Audits
 Outreach Materials
 Publications
 Funder Files – obligations
 Binding Agreements/Contracts
 IRS rulings, letters

Land Transaction Records

Deeds
 Conservation Easements
 Contracts
 Closing papers
 Title Policies
 Leases
 Appraisals
 Level I Haz Mat
 Site Inspection
 Letters and Correspondence
 Donation Records

Stewardship Records

Baseline Documentation Report
 Documentation of Conservation Values /
 public support
 Monitoring Reports
 Management Plans
 Biological Inventories
 Violations
 Amendments
 Signs
 Maps, Surveys
 Splits and Changes in ownership
 Exercised Rights / Denials
 Correspondence with landowner

Suggested file index format *OLTA to produce a master file index template.

File name denotes file location	Date Created	Date and # copies created	Author/Authority person responsible – specify signatures are req'd.	Destroy date	Back-up instructions
C:/admin-govern-finance-fundraise-outreach - personnel-land-CE /date/name	day month year	Detail when and how many copies are to be made; where stored.	For example, 1) BOD approved land prospect file 2) E.D. staff personnel file 3) Event Committee chair, annual event folder Etc.	Annually, 3 years, 5 years, 7 years, Never	1) active to be archived; 2) active to be dumped; 3) archived to be destroyed; 4) archived always or 5) special protocol

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2. Existing Documents

How frequently will you audit your paper and electronic files? How will the board monitor/evaluate the record keeping system? How will you know they are current and the system adequate to the need of the organization? Who will undertake record maintenance and develop day to day procedures? Who will conduct occasional audits and status reports?

Cull files before permanent storage - Have project person do the culling

- Throw away illegible hand scribbled notes
- Keep hand-written notes from donors/landowners
- Toss unnecessary copies
- Organize into categories
- Use checklist to track records
- Separate Permanent Transaction File from Working File
- Land or Easement Acquisition file vs. Stewardship file

Prepare detailed instructions for use of divided file folder, color code files, consistent naming system, logical filing system.

3. Document Storage and Retention

Insert contact person, address and contact details of off-site storage here.

There are off-site records storage facilities (not your garage). Think about volume, cost, distance. In more rural areas there may be creative solutions; Sharing space with another non-profit; Historical societies, museums; Banks
Also explain who has authorization and relevant protocols to access files. Consider convenience of accessing records. When do you need originals and when do you need copies? Permanent storage of records that you do not use on a regular basis
Can you get to your records when you need to when you need to?

Permanent records must be kept safe, on-site and off

The XLT will treat the following types of records accordingly;

- 1) Active records ongoing – file folder colour coded for each of admin-govern-finance-fundraise-outreach -personnel-land-CE -- specify which are to be kept locked file cabinet
- 2) Active records to be archived – who, when, by authority
- 3) Active/Archive to be destroyed – colour label code signifies destroy year, who, authority
- 4) Archived always – special file folders archive quality sleeves, other criteria, index kept where, copies kept where, access
- 5) Special protocol – as need be.

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Page 4 of 5

How will you protect from fire, flood, mold, mis-filing, loss, mis-handling, tampering, deterioration in your on and off-site location. What records must you be able to produce if you need to? How will you separate permanent and working files? How do/will you authenticate records?

Duplicate essential records and store in separate locations

These should be duplicated and copies stored in a different location. Sometimes these duplicates are recorded copies of documents, or digital copies.

When are paper files necessary? When are they useful? Which files should be digitized? How will you access electronic records in the future? Who moves documents to archives and when and to where? When should you keep digital records and files? How will you treat paper copies versus originals? naming and labelling, identifying author, dates, re-using paper, cross-filing, etc.

Digital Document Back-up System

In addition to the off-site archive storage of physical documents described, XLT maintains a back-up system for all digital data. The purpose of this system is two-fold: (1) to create reliable, retrievable data in the case of computer malfunctions, (2) to create copies for historical purposes, since it is physically unmanageable to archive every document, and (3) to preserve digital copies of physical documents and photographs that may deteriorate over time. Data is backed up nightly and taken off site. A digital back up is archived at the off-site storage facility on an annual basis.

Establish computer protocols: backing-up and off site disc storage, naming and labeling, dates, etc. Establish system for transferring electronic records How can you ensure electronic records will be permissible in a legal case? What to do with emails?

Electronic Records

Electronic records pertaining to files listed in section one must be retained in the format in which it was made, sent or received, on in a format that does not change the information contained in the electronic document that was originally made, sent or received. The information in electronic documents must be retained in a manner that ensures that it will be readable or perceivable by any person who is entitled to have access to it or who can require production of it. If an electronic document was sent or received, any information that identifies the origin and destination of the electronic document and the date and time when it was sent or received must also be retained.

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Page 5 of 5

4. Document Destruction

Destruction of business records after the prescribed holding periods expire shall be completed by the staff under the direct supervision of the Executive Director, but only after explicit, written approval by the Board of Directors by way of a Board resolution. Said expired business records shall be burned or shredded to ensure the privacy of records.

When should records be destroyed, if ever? Consider different record retention schedules for different documents. How should records be destroyed?: Shredding, recycling, the garbage; Keeping records on record keeping
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5. Organizational Dissolution and Revocation

In the event that the XLT is dissolved and/or its charitable status is revoked, it is required to maintain and retain its books and records for two (2) years from the date of dissolution and or revocation (which ever is the later). The records that are required to be kept include records concerning endowed gifts, records of the minutes of meetings of the members and directors/ executive, governing documents (Articles of Incorporation and by-laws). The general ledger, other records of financial transactions and supporting documentation are required to be kept for a period of six (6) years.