



Physical and Electronic Record Retention and Destruction Policy

March 2024

A. Purpose:

The purpose of this Record Retention and Destruction Policy is to set forth guidelines for the effective management and safeguarding of the Boston Public Library Fund's (BPLF) records and data. Although it is not intended to be inclusive of all record types or record management processes at BPLF, it sets guidelines and ensures accountability, transparency, and regulatory compliance and will serve to streamline operations, mitigate risks, and optimize resource allocation.

A record retention policy is crucial for the efficient and compliant management of an organization's records and data. All nonprofits must establish guidelines for the retention and disposal of various types of records. This policy serves as a roadmap, outlining the appropriate duration for retaining different types of records, from financial records to donor records and beyond. By implementing a structured record retention policy, BPLF can ensure legal compliance, mitigate risks, optimize resource allocation, and safeguard sensitive information, ultimately supporting BPLF's mission and promoting transparency and accountability. Specifically, the primary purpose of this policy is, to the best of our ability, to ensure the following:

- ♦ **Compliance: Ensuring compliance with legal and regulatory requirements.** Nonprofits, like other organizations, are subject to laws and regulations regarding recordkeeping, such as tax laws, employment laws, and industry-specific regulations. Having a formal record retention and destruction policy helps to ensure that BPLF is meeting its legal and industry-related obligations.
- ♦ **Risk Management: Minimizing the risk of legal disputes or audits.** By retaining necessary records for a specified duration, BPLF can provide evidence to support its activities and decisions if it faces legal challenges or audits.
- ♦ **Efficiency: Streamlining document management processes.** A clear retention policy helps staff know what documents to keep and for how long, reducing confusion and the likelihood of unnecessary document storage or accidental exposure of confidential or personally identifiable information to non-BPLF staff members.
- ♦ **Resource Management: Optimizing the use of resources.** Storing and managing records can be costly in terms of physical space, digital storage, and staff time. By disposing of records that are no longer needed, BPLF can free up resources for more productive uses.
- ♦ **Protecting Privacy: Safeguarding sensitive information.*** Record retention policies help ensure that sensitive data, such as personal or financial information, is appropriately retained and securely disposed of when no longer needed, reducing the risk of data breaches or unauthorized access.

The record retention needs of a nonprofit vary depending on their size, operational scope, and regulatory requirements. BPLF acknowledges the importance of crafting a flexible and scalable record retention policy and understands the necessity of prioritizing efficiency and compliance while

minimizing administrative burden. As such, BPLF's Record Retention and Destruction Policy aims to strike a balance between meeting legal obligations and aligning with the practical realities and resources of our organization.

In designing this policy, BPLF has considered the specific types of records relevant to our operations, the frequency of record creation, and the resources available for storage and management. By customizing our record retention policy to the unique characteristics and needs of BPLF, we aim to ensure that our record management practices support our mission-driven objectives while minimizing unnecessary burdens and maximizing resource utilization. As set forth in this policy, BPLF recognizes that certain documents, such as financial records and board meeting minutes, hold long-term significance, while others may have a shorter retention period based on regulatory requirements or operational necessity. Furthermore, our policy allows for periodic review of and adjustment to this policy to accommodate changes in our organization's size, activities, or legal landscape. We understand that to remain effective and compliant, as BPLF evolves, so too must our record retention practices.

The retention period of a physical or electronic record depends on the type of its subject matter as set forth below. The following list of record types that BPLF acquires, maintains, and utilizes shall be consistently and proactively maintained and updated in accordance with federal and state laws and regulations and industry best practices.

In addition to this Record Retention and Destruction policy, all BPLF staff members, Board members, and volunteers agree to adhere to the wider City of Boston (CoB) Information Technology Security Policy. Boston Public Library (BPL), a department of the City of Boston, is governed by the wider CoB Information Technology Security Policy and because BPLF uses BPL-issued computer equipment as well as the BPL computer network, it is also governed by the CoB IT Security Policy. For further information regarding the CoB Information Security Policy please visit www.boston.gov.

B. Record Types:

The following record types are intended to provide general examples and should not be interpreted as inclusive of all types of physical and electronic records received, used, and maintained by BPLF.

- ◆ **BPLF Board Documents:** All board-related documents including meeting notes, meeting documents, and any other document shared with the BPLF board in the normal course of business
- ◆ **BPLF Organization Records:** Annual Reports, Articles of Incorporation, Board Policies/Resolutions, By-laws, IRS Application for Tax-Exempt Status (Form 1023), State Registrations, IRS Determination Letters, State Sales Tax Exemption Letter, and any other documentation related to BPLF as a 501(c)(3) organization
- ◆ **BPLF Accounting and Financial Documents:** Audits and financial statements, depreciation schedules, general ledgers, investment and endowment records, bank statements, budgets, IRS 990 tax returns, and all accounting documents including those generated through Quickbooks or provided to or by our accountant service provider, Wolf & Company
- ◆ **Contracts and Other Legal Documents:** agreements with third parties as part of the normal course of BPLF business
- ◆ **Correspondence – Donor and Constituent:** email correspondence, mail correspondence, and notes from verbal correspondence between a BPLF staff member, Board member, or volunteer and a BPLF donor or constituent

- ♦ **Correspondence – Vendor and Other Non-donors:** important emails, mail correspondence, and notes from verbal correspondence between a BPLF staff member and vendor or other non-donor parties
- ♦ **Correspondence – Legal and Other Important Correspondence:** any correspondence between any individual or organization and a BPLF staff member, Board member, volunteer, or person representing BPLF’s interests, that is known to be related to a current or potential future legal matter or one that could be reasonably expected as possibly relevant to a current or potential future legal matter
- ♦ **Donor Acknowledgement and Stewardship Records*:** gift receipts, thank you letters, stewardship reports and other special acknowledgement letters and documents sent to a donor as part of the BPLF stewardship process
- ♦ **Donor Agreements*:** MOUs, Gift Agreements, pledge cards, Letters of Intentions, Bequest documents, and any formal or informal electronic or written communications setting forth a donor’s intention to make a gift or pledge
- ♦ **Donor Financial Information*:** donor bank account information, checks, and/or credit card information
- ♦ **Employee Records:** recruitment, employment, and/or personnel information, including personnel files reflecting performance reviews, any complaints brought against an individual employee, documentation regarding compensation decisions, leave records, payroll records, termination records, and retirement records
- ♦ **Requests For Proposals:** any communication or document that may or may not include proprietary or confidential BPLF information shared in the normal course of business with third parties to acquire their services and/or fulfill BPLF’s mission

C. Implementation and Exceptions:

Responsibility for Implementation

The Executive Director of BPLF shall have overall responsibility for implementing, monitoring, and administering this Policy. The Director of Advancement Services is specifically responsible for:

- ♦ Providing a copy of this Policy to all employees involved in the implementation and maintenance of this Policy and providing an opportunity to all such employees to ask questions about this policy
- ♦ Ensuring that all records that may reasonably be used in or may reasonably be relevant to an actual, pending or reasonably anticipated Legal Proceeding are carefully preserved and maintained for the duration of the Legal Proceeding or as otherwise determined by this policy
- ♦ Promulgating and overseeing a process to determine when Records are deemed inactive in accordance with this Policy
- ♦ Restricting access to any Records that are deemed by the Executive Director as sensitive or confidential on a need-to-know basis and in accordance with BPLF policies, industry standards, and applicable state and federal laws and regulations
- ♦ Maintaining and updating this policy in accordance with BPLF policies, applicable state and federal laws and regulations, and industry standards

Exception for Documents Relevant to Ongoing or Potential Legal Proceedings:

All BPLF employees, Board members, and volunteers agree to comply fully with any published record retention or destruction policies and schedules, provided that all board members, volunteers, and employees should note the following general exception to any stated destruction schedule: If you

believe, or BPLF informs you, that any 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 by the Executive Director that the records are no longer needed. The Executive Director and the Director of Advancement Services oversee the process of identifying Records relevant to ongoing or potential litigation and informing Board members, volunteers, and employees of such records as appropriate. This exception supersedes any previously or subsequently established destruction schedule for those records. All information relating to any complaints or charges brought before a federal, state, or local governmental agency, whistleblower or other internal complaint, personnel records pertaining to a complaint, charge, compliance action, or enforcement action, and all litigation documents (e.g., briefs, correspondence, discovery materials, pleadings, notes and research, etc.) shall be retained permanently.

D. Record Storage and Method of Destruction:

Record Storage and Labeling: BPLF will maintain storage areas for records, including appropriate storage mechanisms for electronic records, for which the retention periods have not expired pursuant to this Policy. Records storage containers should be labeled in sufficient detail to facilitate prompt and accurate content identification of all Records other than electronic records.

Confidential Physical Document Destruction: Confidential physical documents must be disposed of via a cross-cut shredder or other technology that renders the document unreadable. From time to time, BPLF may also use professional confidential document destruction services for physical document disposal.

Confidential Electronic Records Destruction: Confidential electronic records must be disposed of by completely and irreversibly deleting the Record and any backups.

Termination of Employment: Upon voluntary or involuntary termination of employment, the supervising BPLF staff member will meet with the departing employee and request the return of all records in the departing employee’s possession, including hard copy and electronic records. The supervising BPLF staff member, or their designee, will review, retain, and dispose of those records as appropriate in accordance with this Policy.

E. Specific Retention and Destruction Policies per Record Type:

Document/Record Category	Physical Copy Retention and Storage	Physical Copy Destruction**/*	Electronic Record Retention and Storage	Electronic Record Destruction
BPLF Board Documents	All physical documentation related to the Board shall be stored in a secure location.	Destroyed after relevance of document expires or per the discretion of the Executive Director	All board related documents are stored on the BPLF secure server or our secure third-party site: OnBoard	PERMANENT RETENTION

BPLF Organization Records	All physical documentation related to BPLF as a 501(c)(3) organization shall be stored in a secure location.	PERMANENT RETENTION	All electronic documentation related to BPLF as a 501(c)(3) organization shall be stored on the BPLF secure network or its secure third-party site: Onboard.	PERMANENT RETENTION
BPLF Accounting and Financial Documents	All physical accounting and financial documents shall be stored in a secure location	PERMANENT RETENTION	All electronic accounting and financial records shall be stored on the BPLF secure network or its secure third-party site: Onboard	PERMANENT RETENTION
Correspondence – Donor and Constituent	Physical communications directly to or from the donor or constituent will be scanned into the CRM record; physical staff notes should be digitized and entered into the appropriate CRM record	Destroyed after upload	Any important electronic donor and constituent correspondence should be uploaded to the CRM; additionally, physical staff notes from important verbal communications should be digitized and entered into the appropriate CRM record	PERMANENT RETENTION
Correspondence – Vendor and Other Non-donors	Physical communications directly from the vendor or non-donor will be scanned into the appropriate CRM record or the BPLF secure network; important physical staff notes should be digitized and entered into the appropriate CRM record or the BPLF secure network as appropriate	Destroyed after upload	Any important Physical staff notes from important vendor and non-donor verbal communications should be digitized and entered into the appropriate CRM record or on the BPLF secure network	Life of vendor and non-donor relationship +5 years **/**
Correspondence – Legal and Other Important Correspondence	All physical legal and other important correspondence shall be stored in a secure location	PERMANENT RETENTION	All electronic legal and other important correspondence of this type is maintained on the BPLF secure network and where	PERMANENT RETENTION

			relevant and appropriate the CRM; Physical staff notes from legal or other important communications should be digitized and entered into the appropriate CRM record or on the BPLF secure network	
Donor Acknowledgement and Stewardship Records*	BPLF does not maintain physical copies of acknowledgement records	N/A	All donor acknowledgements are saved on the BPLF secure network and when appropriate the donor's CRM record.	PERMANENT RETENTION
Donor Agreements*	All physical donor agreements should be securely stored and maintained for a minimum of 1 year for auditing purposes.	Destroyed after 1 year	All donor agreements should be scanned and/or uploaded into the donor's CRM record.	PERMANENT RETENTION
Donor Financial Information*	All physical documentation of donor financial information shall be stored only for the time reasonably necessary to process the relevant transaction and must be stored in a locked drawer/cabinet or other secured location by the responsible BPLF staff member	Destroyed IMMEDIATELY after processing	BPLF does not directly electronically store any donor financial information****	N/A****
Employee Records	Any physical employee documentation shall be stored in a secure location	Destroyed 1 year after termination of employment	Any electronic employee record shall be stored on BPLF's secure third party HR provider site, Insuperity, or on the BPLF secure network with limited permissions access	PERMANENT RETENTION
Requests For Proposals	Any physical documentation related to an RFP containing BPLF proprietary or confidential information shall be stored in a secure location	Destroyed after relevance expires, per discretion of	Any electronic record related to an RFP containing BPLF proprietary or confidential	Destroyed after relevance expires, per discretion of

		responsible BPLF staff member	information shall be stored on the BPLF secure network	responsible BPLF staff member **/**
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**All BPLF employees, Board members, and volunteers, in addition to agreeing to adhere to this Record Retention and Destruction Policy, also agree to adhere to the BPLF Donor Privacy Policy that can be found on www.bplfund.org.*

*** Unless otherwise dictated at the discretion of the Executive Director, Deputy Executive Director, or the Director of Advancement Services*

**** Unless otherwise dictated by this policy such as when regarding a current or potential future legal matter*

***** BPLF does not directly electronically store any donor financial information. Exception: if a donor chooses to set up a “recurring” gift via the online portal that repeats in the future, our third party online giving processor, Blackbaud Merchant Services (BMS), uses its own secure mechanisms to store and process the payment card information using several risk mitigating measures. Blackbaud has been validated as a Level 1 service provider and payment gateway by the PCI Security Standards Council, having met the industry’s most stringent data security requirements. The Blackbaud Merchant Services payment gateway, known as the Blackbaud Vault, encrypts and tokenizes BPLF donors’ credit card data, including vaulting card data for recurring donations or payments, removing your risk of storing this sensitive information. It also automatically blocks transactions based on Internet protocol (IP) address and blacklisted credit cards.*

Approved by the BPLF Board of Directors 3.21.24