

VETERANS OF FOREIGN WARS OF THE UNITED STATES
DEPARTMENT OF SOUTH CAROLINA, **POST** _____



**POST RECORD RETENTION &
DESTRUCTION POLICY**



Retention of documents related to lawsuits is one of only two provisions of the 2002 Sarbanes-Oxley Act that are applicable to nonprofits. Nationally recognized nonprofit attorney *Tom Silk* wrote this Model Document Retention Policy on a pro bono basis for *Compass Point Nonprofit Services* to use and make available for all nonprofits.

This document management policy was designed to conform with the charitable laws of states which, like California, given the Attorney General an unusually long statute of limitations (10 Years) within which to bring an action for breach of charitable trust. This policy additionally reflects National VFW modifications and clarifications made by the Department of South Carolina VFW Council of Administration.

1) Think about this as part of document management, rather than simply document retention. *All permanent records (documents) are to be stored at your Post home, or if you do not have a Post home, at the Post Adjutant's home or the Post Quartermaster/Adjutant's home.*

2) There may be some documents that are worth saving for the community's sake.

3) It must be remembered that **e-mail messages** are documents that should conform to these guidelines.

◆ **RECORD NAME:**

- Accounts payable ledgers:
- Accounts payable invoices:
- Accounts receivable ledgers:
- Post monthly meeting financial reports, quarterly Trustee Reports of Audit and an annual outside accountant's audit report (recommended):
- Articles of Incorporation (From National when Chartered):
- Articles of Incorporation from South Carolina Secretary of State:
- Bank Statements:
- Cash on hand books (if any):
- Cash receipt records:
- Certificates of Deposit (CD's)
- Checks (cancelled, with exception below):
- Checks (cancelled, for important payments; i.e., taxes, purchase of property, special contracts, etc. {checks should be filed with the papers pertaining to the underlying transaction}):
- Community Service Reports (All Programs Report Form)
- Contracts & Leases (expired):
- Contracts and Leases (still in effect):
- Correspondence, general:
- Correspondence (legal & important matters):
- Depreciation Schedules:
- Donation records of significant restricted funds:

◆ **RETENTION PERIOD:**

- 10 Years
- 10 Years
- 10 Years
- Permanently
- Permanently
- Permanently
- 10 Years
- 10 Years
- 10 Years
- Permanently
- 10 Years
- Permanently
- 3 Years *1
- 10 Years
- Permanently
- 4 Years
- Permanently
- 10 Years
- Permanently

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POST RECORD RETENTION & DESTRUCTION POLICY continued....



◆ RECORD NAME:

- Donation records, other:

{Note: Donation records include a written agreement between the donor and the public charity with regard to any contribution, an e-mail communication or notes of or recordings of an oral discussion between the public charity and the donor with regard to the contribution in which the donor may have relied in making the gift. }

- Election Reports of Post:
- Employee personnel records (after termination):
- Employee accident reports:
- Employment applications:
- Expense analyses and expense distribution vouchers (includes any reimbursement to Post officers, either elected or appointed, for travel and other expenses):
- A financial annual end-of-year statement provided to the incoming Post Commander and/or Post Quartermaster. Upon request, any Post Comrade (in good standing) may be allowed to look at, after a proper appointment made with the Post Quartermaster, such annual financial statement:
- General Ledgers and end-of-year statements:
- Governance Policies
- Inspection Post reports made by any duly authorized Department Inspector:
- Insurance policies (expired):
- Insurance records, current accident reports, claims, policies, etc.:
- Internal reports, miscellaneous:
- Inventories of furniture, computers and computer related & supplies:
- Invoices from vendors:
- Membership applications:

{Note: Membership applications must be retained as a permanent record to aid in establishing tax exempt status, length of membership, original eligibility and other items of historical nature. **If a member transfers to another Post, it is the burden of the Post receiving the member, to establish proof of eligibility again**, but you can give the transferring member the original application, as long as you retain a copy in the Post record files. }

- Minutes of Post meetings, including by-laws and any by-law changes:
- Payroll records and summaries:
- Proof of eligibility
- Tax returns and worksheets, revenue agent reports and other documents relating to determination of tax liability:
- Time sheets or time cards:
- Volunteer records (hospital, VAVS etc.):

◆ RETENTION PERIOD:

- 10 Years
- 10 Years
- 7 Years
- 30 Years after settlement
- 3 Years
- 10 Years
- Permanently
- Permanently
- Permanently
- 10 Years
- Permanently
- Permanently
- 3 Years
- Permanently *3
- 10 Years
- Permanently
- Permanently
- 10 Years
- *2
- Permanently
- 10 Years
- 3 Years

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**POST RECORD RETENTION &
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◆ **POST DOCUMENT DESTRUCTION POLICY:**

◆ **SECTION 1. METHOD OF DOCUMENT DESTRUCTION:**

- Documents which have expired under the provisional retention times listed on pages 1 and 2 can be destroyed.
- A document shredder, located at the Post home, or in the case the Post does not have a Post home, the Post Adjutant or the Post Adjutant/Quartermaster's home shall be used for document destruction.
- Any document that pertains to the document retention policy which have expired, must have at least two Post Officers present.
- The Post Adjutant or the Post Adjutant/Quartermaster shall record which documents were destroyed, the month, day and year the document (s) were destroyed, as well who was present during said document destruction.
- The Post Adjutant, or the Post Adjutant/Quartermaster shall include in a report to the Comrades at the next regularly scheduled Post meeting or special meeting, the documented destruction of said documents described above.

◆ **SECTION 2. CAUSE TO HALT DOCUMENT DESTRUCTION:**

- All permitted document destruction shall be halted if your Post is being investigated by a governmental law enforcement agency, or the Department of South Carolina VFW; routine destruction shall not be resumed without the written approval of legal counsel or the Department of South Carolina VFW State Commander. ###

*1 (page 1 under community service all report form): **Community Service is a requirement of our maintaining a nonprofit status with the IRS and South Carolina Secretary of State exemption laws.** The Department of South Carolina VFW is the parent group over all units (Posts). The Department of South Carolina or subsidiary units (Posts) shall provide such records, if investigated, to justify its continued eligibility for Tax exempt status; these files (reports) will be asked for to determine the level of activity within their respective communities. Hence, they are extremely important records.

*2 Proof of eligibility is provided to the Post membership committee with the original application for making a determination as to the eligibility of the individual making application for membership; said document (s) of proof of eligibility is returned to the individual seeking to be a Post member after the committee has signed off on the original application. Proof of eligibility though, for all Post officers, both elected and appointed, will be reviewed and kept on file with the Post Adjutant, prior to the installation or assumption of duty. **Proof of eligibility for District Commanders, District Sr. Vice Commanders and District Jr. Vice Commanders will be submitted within 30 days of the District election to the Department Adjutant for filing, as they are all directly or potentially members of the Department of South Carolina VFW Council of Administration.**

*3 Ceremonial weapons or items received through the Department of Defense surplus, or outdated inventory in the possession of the Post, must also be inventoried. When the weapon or item is no longer needed or wanted, the Post shall turn such weapons or items in through proper military channels and not be disposed of privately.