



American Fibromyalgia Syndrome Association, Inc.

Record Retention and Destruction Policy

I. Purpose of Policy

This policy provides for the systematic review, retention and destruction of records received or created by AFSA in connection with the transaction of business. This policy covers all records, regardless of physical form, contains guidelines for how long certain records should be kept and how records should be destroyed.

This policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate AFSA's operation by promoting efficiency and freeing up valuable storage space. Included in the federal laws necessitating compliance with this policy is the Sarbanes-Oxley Act ("The American Competitiveness and Corporate Accountability Act of 2002"), which makes it a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding.

II. Records Covered

This policy applies to all records in any form, including electronic documents.

A record is any material that contains information about AFSA's plans, results, policies, or performance. Anything that can be represented with words or numbers is a business record for the purposes of this policy.

Electronic documents must be retained as if they were paper documents. Therefore, any electronic files, including information received on line, that fall into one of the document types on the schedule must be maintained for the appropriate amount of time. Backup and recovery methods will be tested on a regular basis.

III. Record Retention

AFSA 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.



American Fibromyalgia Syndrome Association, Inc.

A. Permanent Retention

Permanent records – Permanent records are records required by law to be permanently retained and which are ineligible for destruction at any time for any reason. These records are necessary for the continuity of business and the protection of the rights and interests of the organization and of individuals. These include records such as organizational documents (Articles of Incorporation and Bylaws), Board minutes and policies, and federal and state tax exempt status.

No record, whether or not referenced, may be destroyed if in any way the records refer to, concern, arise out of or in any other way are involved in pending and threatened litigation.

While the listings below contain commonly recognized categories of records, the list should not be considered as having identified all records that AFSA may need to consider for permanent and non-permanent status. In particular, and as noted above, any documents that are, or may be involved in pending or threatened litigation, must be retained. The nonprofit's legal counsel should be asked to assist in determining what records must be retained.

Corporate Records – Permanent

- Annual Reports to Secretary of State/Attorney General
- Articles of Incorporation
- Board Meeting and Board Committee Minutes
- Board Policies/Resolutions
- By-laws
- IRS Application for Tax-Exempt Status (Form 1023)
- IRS Determination Letter
- State Sales Tax Exemption Letter

Accounting and Corporate Tax Records – Permanent

- Annual Audits and Financial Statements
- General Ledgers
- IRS 990 Tax Returns

Bank Records – Permanent

- Check Registers



American Fibromyalgia Syndrome Association, Inc.

Payroll and Employment Records – Permanent

None – AFSA is an all-volunteer organization. There are no paid employees.

Legal, Insurance and Safety Records – Permanent

Insurance Policies
Stock and Bond Records
Trademark Registrations

B. Non-permanent Retention

Non-permanent records – Certain records are not required by law to be permanently retained and may be destroyed after the passage of certain years or upon the passing of events as defined by this policy.

Notwithstanding the listing of documents below, no record, whether or not referenced may not be destroyed if in any way the records refer to, concern, arise out of or in any other way are involved in pending or threatened litigation.

Corporate Records

Contracts (after expiration)	7 years
Correspondence (general)	3 years

Accounting and Corporate Tax Records

Business Expense Records	7 years
IRS 1099s	7 years
Journal Entries	7 years
Invoices	7 years
Sales Records	5 years
Cash Receipts	3 years
Credit Card Receipts	3 years

Bank Records

Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years



American Fibromyalgia Syndrome Association, Inc.

Payroll and Employee Records

None – AFSA is an all-volunteer organization. There are no paid employees.

Legal, Insurance and Safety Records

Donor Records and Acknowledgements	7 years
Grant Applications and Contracts	5 years after completion
General Contracts	4 years after termination

IV. Emergency Planning

AFSA's records will be stored in a safe, secure, and accessible manner. All documents and financial files that are essential to keeping AFSA operating in an emergency will be duplicated or backed up at least every month and maintained off site. All other documents and financial files will be duplicated or backed up periodically as identified by the Chief Financial Officer or other person as designated by the President and maintained off-site.

V. Document Destruction

AFSA Chief Financial Officer or other representative as designated by the President is responsible for the ongoing process of identifying its records when have met the required retention period and overseeing their destruction. Destruction of financial 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 to be imminent. Destruction will be reinstated upon conclusion of the investigation or claim, whichever is latest.

VI. Compliance

Failure on the part of volunteers to follow this policy can result in possible civil and criminal sanctions against AFSA and its board. The Chief Financial Officer or



American Fibromyalgia Syndrome Association, Inc.

individual designated by the President will periodically review these procedures with the organization's certified public accountant to ensure that they follow new or revised regulations.

Questions concerning these policies, the applicability of certain records to the retention or destruction policies, must be addressed to the Chief Financial Officer or other individual as designated by the President.