



FISH Fairborn

An Ohio Non-profit Corporation

RECORD OF RETENTION POLICY

ARTICLE I: PURPOSE The purposes of this retention policy are for FISH Fairborn is to enhance compliance with the Sarbanes-Oxley Act and to promote the proper treatment of corporate records of the Organization.

ARTICLE II: Section 1. POLICY Unnecessary records should be eliminated from the files. The cost of maintaining records is an expense which can grow unreasonably if good housekeeping is not performed. A mass of records also makes it more difficult to find pertinent records. From time to time, the Organization may establish retention or destruction policies or schedules for specific categories of records to ensure legal compliance, and also to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of documents that warrant special consideration are identified below. While minimum retention periods are established, the retention of the documents identified below and of documents not included in the identified categories should be determined primarily by the application of the general guidelines affecting document retention, as well as the exception for litigation relevant documents and any other pertinent factors.

ARTICLE II Section 2. Exception for Litigation Relevant Documents. The Organization expects all officers, directors, and volunteers to comply fully with any published records retention or destruction policies and schedules, provided that all officers, directors, and volunteers should note the following general exception to any stated destruction schedule: If you believe, or the Organization informs you, that Organization 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.

ARTICLE II Section 3. Minimum Retention Periods for Specific Categories. (a) **Organizational Documents.** Organizational records include the Organization's articles of incorporation, by-laws and IRS Form 1023, Application for Exemption. IRS regulations require that Form 1023 be available for public inspection upon request. (b) **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 Organization's revenues. Tax records should be retained for at least seven years from the date of filing the applicable return. (c) **Employment Records/Personnel Records.** State and federal statutes require the Organization to keep certain recruitment, employment and personnel information. The Organization should also keep personnel files that reflect performance reviews and any complaints brought against the Organization or individual volunteers under applicable state and federal statutes. The Organization should also keep in the employee's personnel file all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel.


Personnel records should be retained for seven years. (d) **Board and Board Committee Materials.** Meeting minutes should be retained in perpetuity in the Organization'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 Organization. (e) **Press Releases/Public Filings.** The Organization should retain permanent copies of all press releases and publicly filed documents under the theory that the Organization should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the Organization. (f) **Legal Files.** Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of ten 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. (h) **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 Organization and are protected as a trade secret. Unless correspondence falls under another category listed elsewhere in this policy, correspondence should generally be saved for two years. (k) **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. (l) **Insurance.** Expired insurance policies, insurance records, accident reports, claims, etc. should be kept permanently. (m) **Audit Records.** External audit reports should be kept perm) Audit Records. External audit reports should be kept permanently. Internal audit reports should be kept for three years. **Section 4. Electronic Mail.** E-mail that needs to be saved should be either: (i) printed in hard copy and kept in the appropriate file; or (ii) 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 e-mail, as covered elsewhere in this policy.

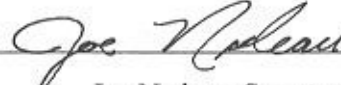
CERTIFICATE OF ADOPTION OF RETENTION POLICY

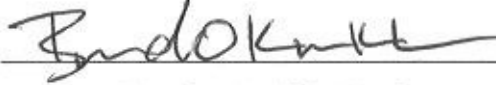
We, the undersigned, do hereby certify that the above stated Articles of Retention of FISH Fairborn were approved by the board of directors on January 18, 2024, and constitute a complete copy of Articles of Incorporation of the FISH Fairborn.


Jane Doorley, Executive Director, Ex Officio


Gene Lolli, President


Dr. Ann Stalter, Treasurer


Joe Nadeau, Secretary


Brandon Kunkle, Member