

Breakthrough Collaborative Board of Trustees Records Management Policy

Purpose

The purpose of this *Records Management Policy* is to ensure that:

- Necessary records (as defined in *Appendix1*) of the Breakthrough Collaborative (“BTC”) are adequately protected and maintained; and
- Records no longer needed or of no value are disposed of at the appropriate time.

United States law requires maintenance and retention of certain types of records, usually for a specified period of time. Failure to retain those records for those minimum periods could subject BTC to penalties and fines or charges of destruction of evidence or contempt; cause the loss of legal rights; or significantly impair BTC’s ability to defend itself in litigation.

This policy is designed to ensure that BTC is not subject to any of these risks.

Definition of “Record”

A “record” is any body of information that has been documented from the business activities of BTC, whether in written or electronic form. Examples of records include, but are not limited to: financial data, statements, and associated workpapers; analyses; agreements; books; contracts; charts or tables; data; correspondence and communications, which are created, sent or received; diagrams; electronic messages (email, text, and voicemail); images; invoices; letters; logs; memoranda; opinions; plans; projections; records of scheduled meetings; statements; studies; research; and any other item containing information.

Examples of what may not be records for records management policies are:

1. Superseded drafts of documents, including memoranda, financial statements or regulatory filings; notes on superseded drafts of memoranda, financial statements or regulatory filings that reflect incomplete or preliminary thinking;
2. Previous copies of workpapers that have been corrected for typographical errors or errors due to training of new employees; or
3. Duplicates of documents.

A record may exist in various forms, including printed, electronic, or recorded format such as letters, email messages, text messages, and voicemail messages. Records stored electronically also include records that are stored using equipment located within BTC offices or on other devices (whether or not owned by BTC) such as: cellular telephones; laptops or other portable computers; and smartphones/personal data assistants (I-Phone, Android, I-Pad, or other similar personal

communication devices). By way of example and not in limitation of the foregoing, the term “record” includes all copies of records designed to further BTC operations that are made to enable BTC personnel to work outside BTC premises.

Policy

The records management program will include the following components.

1. Identify and evaluate which records should be retained and the manner in which they should be stored.
2. Publish an appropriate retention and disposal schedule.
3. Monitor the applicable laws affecting record retention in the state of California and the United States of America.
4. Annually review the record retention and disposal program, including procedures.
5. Develop training for BTC employees responsible for records management.
6. Monitor for compliance with the records management program.

Responsibility

The BTC executive director is responsible for developing, implementing and revising this policy governing the management of BTC records. The executive director may designate others, on an *ad hoc* basis, to assist in that process.

The executive director is also responsible for periodically reporting on the status of the records management process to the Board of Trustees, as well as bringing records that may require board review to the board’s attention as necessary.

Applicability

This policy applies to any and all records generated in the course of BTC operations, as specified in the appendix to this policy. These records include, but are not limited to, both electronic and paper originals, as well as reproductions. The policy applies to records stored on computer and microfilm, electronic mail, electronic voicemail, smartphones/personal data assistants, and other digital storage devices.

To the extent that there are multiple copies of records, either in paper or electronic form, only one copy of each record need be retained. Likewise, if there are multiple drafts of a particular record, only the final record need be retained, unless such drafts reflect a course of communication by and between BTC and non-BTC personnel.

Retention Periods

From time to time, BTC will establish retention or disposal schedules for specific categories of records in order to ensure legal compliance and also to accomplish other objectives, such as preserving intellectual property and cost management. Several categories of potential documents frequently retained for specified time periods are identified in the attached *Appendix I*.

Draft 4/8/16