



The Lewes Public Library, Inc.

Document Retention and Destruction Policy

Library records must be routinely maintained for legally accountable periods of time and routinely destroyed under scheduled record retention periods. As such, the Lewes Public Library (“the LPL”) and the Board of Commissioners adopt the following policy for records retention.

1. Policy

- A. The LPL shall retain records for the period of their immediate or current use, unless longer retention is necessary for historical reference or to comply with contractual or legal requirements.
- B. Records and documents outlined in this policy include paper, electronic files (including e-mail) and voicemail records regardless of where the document is stored, including network servers, desktop or laptop computers and handheld computers and other wireless devices with text messaging capabilities.
- C. In accordance with 18 U.S.C. Section 1519 and the Sarbanes Oxley Act, the LPL shall not knowingly destroy a document with the intent to obstruct or influence an “investigation or proper administration of any matter within the jurisdiction of any department agency of the United States, or in relation to or contemplation of such matter or case.”
- D. If an official investigation is underway, or even suspected, document purging must stop in order to avoid criminal obstruction.

2. The following document retention schedule will be followed:

LPL staff, volunteers, members of the Board of Commissioners and others (e.g., independent contractors) are required to follow the policy.

- A. Paper or electronic documents indicated under the terms for retention below will be transferred and maintained by the LPL’s Director;
- B. All other electronic documents will be deleted from all individual computers, data bases, networks, and back-up storage after one year;
- C. No paper or electronic documents will be destroyed or deleted if pertinent to any ongoing or anticipated government investigation or proceeding and/or private litigation; and
- D. All other paper documents will be destroyed after three years.

3. Terms for Retention.

- A. Retain permanently:
 - i. *Governance records* – Charter and amendments, Bylaws, signed resolutions, library policies and other organizational documents and board and committee meeting minutes.

- ii. *Tax records* – Filed state and federal tax returns/reports and supporting records, tax exemption determination letter and related correspondence and files related to tax audits/reviews.
 - iii. *Intellectual property records* – Copyright and trademark registration and samples of protected works.
 - iv. *Financial records* – Audited/reviewed financial statements, bequests and endowments and grant application/award letters.
 - v. *Legal* – Legal documents and correspondences.
 - vi. *Building/Equipment* – Building plans and specifications, construction documents, blueprints, permit applications and approvals.
- B. Retain for ten years:
- i. *Pension and benefit records* – Pension (SIMPLE/IRA) plan participant/beneficiary records, actuarial reports, related correspondence with government agencies and supporting records.
 - ii. *Government relations records* – State and federal lobbying and political contribution reports and supporting records.
- C. Retain for three years:
- i. *Lease, insurance, and contract/license records* – Software license agreements, independent contractor agreements, employment agreements, consultant agreements and all other agreements (retain during the term of the agreement and for three years after the termination, expiration or renewal of each agreement).
 - ii. *Circulation records* – List of all outstanding materials, fees and fines.
 - iii. *Copyright compliance records* – Forms verifying compliance with federal copyright laws.
 - iv. *Personnel Files* - Confidential employee files to be held for three (3) years after end of employment (application, position description at time of hire, payroll records, written reprimands, performance evaluations, incident reports and I-9 Forms).
 - v. *Employment Recruitment Files* - Confidential recruitment files to be held for 3 years after position filed (search committee and interview notes).
- D. Retain for one year:
- All other electronic records, documents and files* – Correspondence files, past budgets, bank statements, publications, survey information and public notices (news releases and public service announcements regarding LPL classes/events).

Exceptions. Exception to these rules and terms for retention may be granted only by the LPL’s Board of Commissioners and its Director.

Adopted by the Lewes Library Board of Commissioners
June 12, 2009. Revised April 12, 2016