

DOCUMENT RETENTION AND DESTRUCTION POLICY

Purpose

Equal Play: Inspiring Confidence for Girls (the "Organization") has adopted this Document Retention and Destruction Policy (the "Policy") in order to define which Records (as defined below) must be retained for operational, legal, technical or historical purposes and the retention period for each Record type. The purpose of this Policy is to set out the Organization's commitment to managing its information and Records effectively. The objectives of this Policy are to: 1) reduce maintenance and Record storage costs; 2) ensure compliance with all federal, state, local or other government requirements concerning Records retention; 3) update previously issued Records retention schedules; and 4) ensure uniformity in Records retention throughout the Organization.

Scope

This Policy applies to all employees, officers, directors, agents, and affiliates ("Representatives") of the Organization. Non-compliance with this Policy may result in penalties to the Organization or the individual.

Definitions

- "Active Record" means any Record that is currently being used for a business or operational purpose of the Organization, such as for an ongoing project or current transaction (e.g., a letter from a donor relating to an issue that has not yet been resolved or completed, an e-mail that requires a response, a proposal document for a new program, etc.).
- "Hold Period" means the period of time from receipt of notification from the Compliance Officer of a pending or threatened proceeding relating to certain Records until receipt of notification from the Compliance Officer that Record storage and destruction pursuant to this Policy may resume.
- "Inactive Record" means any Record that is no longer needed for a current business or operational purpose.
- "Record" means any type of information or data whether in paper or machine-readable format, regardless of media, that is created, sent, or received by any Organization Representative or computer system and that is related to the Organization.
- "Retention Period" means the time period Records must be maintained to satisfy legal and/or business requirements.

Policy Governance

The Secretary of the Organization, or such other person(s) designated from time to time by resolution of the Board of Directors (the "Compliance Officer"), is responsible for maintaining and implementing this Policy and for updating it as needed. The Compliance Officer shall be responsible for ensuring that all employees comply with the requirements of this Policy and shall work with the Board of Directors to develop appropriate programs, procedures, and policies to achieve this goal.

The Compliance Officer also shall be responsible for providing advice to employees regarding

the interpretation of this Policy, and for notifying appropriate personnel to suspend Record destruction when required due to pending or threatened litigation or other special circumstances in accordance with the terms of this Policy.

Record Retention Period

Records must be maintained according to the Retention Periods established in the Records Retention Schedule attached to this Policy. Upon the expiration of the applicable Retention Period, the Record should be destroyed. It is important that the Retention Periods and procedures prescribed in this Policy be followed. Records should not be kept if they are no longer needed for the operation of the Organization or required by law.

Active Records should be retained for as long as they are needed for their intended purpose. Once inactive, Inactive Records should be retained for the applicable Retention Period set forth on the Record Retention Schedule or destroyed in accordance with this Policy.

If two or more Records with differing Retention Periods cannot be separated, such Records shall be kept for the longer Retention Period.

The Compliance Officer is responsible for establishing Retention Periods for Records not listed on the Record Retention Schedule. If you encounter a Record that is not listed on the Record Retention Schedule, please contact the Compliance Officer.

Periodic Assessments

All Organization locations are to conduct, at least annually, a formal Record review and purging process, based on the Record Retention Periods and other requirements set forth in this Policy. The process is to be planned and carried out by the Manager/Director of each functional department and business unit, and should include all existing Records, both paper and electronic, regardless of where stored. As part of the process, Records are to be screened by the individual responsible for them to determine if they are Active Records or Inactive Records. Whenever possible, duplicate copies are to be eliminated. Records determined to be Inactive Records are to be reviewed for possible off-site storage or destruction in accordance with this Policy.

Records requiring retention are to be identified, grouped and labeled as appropriate, and either retained locally or transferred for appropriate on-site or off-site storage in accordance with this Policy. Assessment for off-site storage of Inactive Records should be made by reviewing the need for retention in the immediate area of the individual or department or online on the company network, frequency of reference, nature of reference, established Retention Periods, filing requirements, and volume of files. Inactive Records held in off-site storage should also be reviewed to determine whether their Retention Period has expired.

All Records that have satisfied their required Retention Periods are to be promptly destroyed in an appropriate manner in accordance with this Policy. Procedures for such periodic review and purging of Records will be established by the Manager/Director of each department.

Record Destruction

- **General.** The destruction of Records in accordance with this Policy must be accomplished in such a way as to prevent the information in such Records from falling into unauthorized hands and to prevent any possibility of reconstruction from partially destroyed Records. Records designated as “permanent” may not be destroyed. Notwithstanding the Retention Periods outlined in this Policy, no Record shall be destroyed while it is an Active Record or if it subject to a Hold Period.
- **Paper Records.** Appropriate procedures must be used to ensure that paper Records are properly destroyed, and to ensure that confidential paper Records to be destroyed pursuant to this Policy are burned, shredded, or otherwise safely and completely destroyed.

- **Electronic Records.** Appropriate techniques must be used to ensure that electronic Records to be destroyed pursuant to this Policy are fully and completely destroyed, and that they cannot be reconstructed from the storage media on which they resided. Examples include establishing a routine for “wiping clean” the Records (such as “absolute delete”) so that the data is not retrievable by any process, including forensic methods, or destruction of the storage media itself.
- **Copies.** Multiple copies of Records may exist on a variety of media and in a variety of locations. Copies of electronic Records, for example, can exist in a number of different locations and in a number of different media, such as on local area networks, servers, ELANs, Zip drives, PCs, archive tapes, backup tapes, diskettes, and copies of e-mail messages residing on servers, individual PCs or laptop computers, and other media. Destruction procedures must be designed to destroy all copies of each Record to be destroyed are in fact destroyed.

Litigation, Investigations, and Similar Matters

Notwithstanding the Retention Periods set forth in this Policy, no Record, which is otherwise eligible for disposition, shall be destroyed if the Organization becomes aware that the Record may be needed for litigation or other special circumstances.

In the event of pending or threatened litigation, government or regulatory agency investigation (e.g., by the IRS), pending tax matters, subpoenas, other legal action, or other special situations, as determined by the Compliance Officer (the “Proceeding”), relevant Records should not be altered or destroyed under any circumstances, even if this Policy would otherwise require destruction. Once the Compliance Officer has learned of and verified a pending or threatened Proceeding, the Compliance Officer shall send written notification to all Representatives that a Hold Period for the relevant Records exists.

If any Representative become aware of a pending or threatened dispute, or other circumstances that may result in litigation, he or she must promptly notify the Compliance Officer in order to ensure that relevant Records are not destroyed in appropriate cases. The Organization takes this responsibility very seriously; if any Representative has any questions as to whether a Record is subject to a Hold Period, he or she should request in writing clarification from the Compliance Officer.

Questions

Questions regarding this Policy or its application to any particular Record should be directed to the Compliance Officer.

The above Document Retention and Destruction Policy was adopted by Resolution of the Board of Directors of the Organization on May 18, 2020.