

Society for Military History
Policies and Procedures
Data Storage, Retention, and Disposal Policy

1. Purpose. Under Applicable Laws and, in some instances, pursuant to contract, the Society for Military History (SMH) has obligations pertaining to the storage, retention, and disposal of records created, received, modified, transmitted, or stored by SMH (“Records”). The objective of this Policy is to establish guidelines to ensure:

- a. The adequate protection and maintenance of Records (including those pertaining to employees (referred as “Staff”), vendors, members, subscribers, program participants, and others) in accordance with legal obligations and business purposes;
- b. The limitation of Personal Data maintained in Records to the minimum extent necessary to meet the purpose of the collection;
- c. The timely and appropriate disposal of Records that are no longer needed or relevant; and
- d. The appropriate disposal of any SMH Systems or peripheral devices that may process or store Records, and which are under SMH’s custody and control (“Equipment”).

2. Scope. All Staff share the responsibility to ensure that Records are adequately protected, stored, retained, and disposed of in accordance with this Policy. Failure to adhere to these obligations can result in legal, financial, and reputational implications for SMH. Violators of this Policy may be subject to disciplinary action, up to and including dismissal or termination of contract by SMH.

3. Applicability. This Policy applies to all Records generated or received in the course of SMH’s operations, including: (a) original documents and reproductions; (b) Records stored in any format on any media, including digital and paper Records; (c) Records stored on Equipment; (d) Records maintained for members, subscribers, and program participants of SMH; and (e) Records maintained on behalf of SMH by Vendors.

3.1 Paper Records include handwritten notes, letters, memoranda, correspondence, financial, banking and tax records, corporate and legal documents, employment records, contracts and invoices.

3.2 Electronic Records include email, voicemail, Web files, text files, PDF files, instant messages, SMS, and any documents stored on Equipment or shared network drives.

3.3 Equipment includes personal computers, servers, hard drives, laptops, mainframes, smart phones, or handheld computers (e.g., Windows Mobile, iOS or Android-based devices), peripherals (e.g., keyboards, mice, speakers), printers, scanners, digital copiers, digital typewriters, compact and floppy discs, portable storage devices (i.e., USB drives), backup tapes, and printed materials.

- 4. Storage of Records.** SMH must be able to locate where Records are stored in the business. Records may be stored in a number of locations, including on or in:
- a. Equipment or other SMH Systems;
 - b. Approved third-party servers;
 - c. SMH staff and officer email accounts;
 - d. Paper files, whether stored on premise or in a remote facility; and
 - e. Employee-owned devices (BYOD) used in accordance with the BYOD Policy.

4.1 Recordkeeping Requirements. Under Applicable Laws, Individuals may have rights that require SMH to store Records in a certain way. In order to meet requirements, SMH is required to store Personal Data in an identifiable, but secured manner. The protective measures applied to the stored Records will align with the sensitivity of the data contained therein; this ensures appropriate safeguards are implemented. In addition, SMH is obliged to provide Data Subjects with details of the period for which their Personal Data will be stored, provided that, if this is not possible, SMH shall provide the criteria used to determine that period. Should the retention period of Records change, SMH must notify the Data Subject.

4.2 Responding to Data Requests. Under Applicable Laws, SMH may be required to respond to requests from Individuals seeking to exercise their rights. For example, under the GDPR, Data Subjects may have the following rights in their Personal Data: (a) access; (b) rectification of errors; (c) erasure; (d) restriction of Processing; (e) portability; (f) objection to Processing (e.g., opting-out of or revoking consent to Processing); and (g) not to be evaluated on the basis of automated processing (i.e., profiling). Upon receipt of Data Subject requests, SMH must respond without undue delay, to the extent reasonably practicable, and consult with legal counsel when appropriate.

5. Retention of Records. SMH shall maintain a Record: (a) only so long as the Record is necessary to serve the purpose for which it was originally collected, processed, stored, or used; (b) as required to be retained by statute or regulation (e.g., employment or tax law), or by contract (e.g., a customer contract); or (c) to the extent relevant to pending or reasonably foreseeable litigation or government investigation. SMH must also schedule and conduct periodic reviews of Records retained to ensure compliance with this Policy.

5.1 Retention Guidelines and Periodic Review. *Appendix A* sets forth a “**Retention Schedule**” which reflects the general terms of this Policy. Notably, the Retention Schedule is intended as a guideline and may not contain all of the Records that SMH may be required to keep in the future, such as Records we may be required to keep in accordance with a customer contract. Periodically, but no less than annually, each SMH business unit will review the Retention Schedule to ensure it is comprehensive, relevant, and current. Questions regarding the retention of Records or any deviations from the retention periods not listed in Retention Schedule should be directed to the Compliance Manager to evaluate with SMH’s legal counsel.

5.2 Accidental or Intentional Deletion of Records. SMH must adhere to defined, specific retention periods, where required. The accidental or intentional destruction of Records prior to expiration of retention periods required by law or by contract could result in any or all of the following consequences for SMH and Staff:

- a. breach of contract claims;

- b. fines, penalties and other sanctions;
- c. loss of rights;
- d. obstruction of justice charges;
- e. inference of spoliation of evidence and spoliation tort claims;
- f. contempt of court charges;
- g. serious disadvantages in litigation.

5.3 Retention of Records Containing Personal Data. As noted in Section 4.2 above, certain Applicable Laws may provide Individuals with the right to erase or rectify Personal Data. For example, notwithstanding SMH's general policy decisions regarding data retention as reflected in the Retention Schedule, for Personal Data Processed under the GDPR, SMH must dispose of/delete a Record where: (a) the lawful basis for Processing the Record is consent and the Data Subject withdraws consent; (b) the original purpose for which the data was collected has been met and the data is no longer needed (e.g. the contract has been performed or cannot be performed anymore); or (c) the data is inaccurate.

5.4 Data Retention Committee. SMH's "Data Retention Committee" is made up of SMH's: (a) Data Privacy Manager, (b) Security Practice Manager; and (c) IT Lead. The Data Retention Committee is responsible for assessing the various Records that SMH collects, processes, uses or stores and determining, in collaboration with SMH's legal counsel, the proper retention periods. The Data Retention Committee also arranges for the proper and identifiable storage and retrieval of Records, coordinating with outside Vendors, when appropriate, and for periodic reviews of the Records retained, as noted in Section 5.1.

6. Disposal of Records. In addition to contractual obligations, certain Applicable Laws require SMH to destroy or properly dispose of certain Records at a certain point in time (e.g., when the Records are no longer accurate or current or when a contract expires) and to dispose of those Records in a manner that safeguards information included in the Records, such as Protected Data. Accordingly, SMH must:

- a. Carefully plan for the timely disposal of certain Records; and
- b. In any event, when SMH disposes of certain Records, including any Equipment that includes Records, SMH must properly erase those Records in accordance with Applicable Laws and with contractual obligations.

6.1 Disposal of Equipment & Records. When disposing of Records, SMH shall take all commercially reasonable steps to dispose, or arrange for the disposal, of Records and Equipment within its custody or control containing Personal Data or other Protected Data by: (a) shredding, (b) erasing, or (c) otherwise modifying any Personal Data and/or any Protected Data in those Records to make it unusable, unreadable, or indecipherable. Additionally, SMH must ensure that:

- a. Equipment disposal is carried out in an environmentally responsible manner and properly disposed, as may be required by Applicable Laws.
- b. When a piece of Equipment has reached the end of its useful life, it should be sent to the IT team for proper disposal.
- c. The IT team will securely erase all storage mediums in accordance with current industry best practices.
- d. All Records, including all files and licensed software, must be removed from Equipment using disk sanitizing software that cleans the media, overwriting each

and every disk sector of the machine with zero-filled blocks, meeting US Department of Defense standards and any other applicable standards.

- e. No Equipment may be sold or given to any individual, unless it has been sanitized, determined not to pose a risk to any Protected Data, and previously approved by the Data Privacy Manger in writing.
- f. All electronic drives must be degaussed or overwritten with a commercially available disk cleaning program. Hard drives may also be removed and rendered unreadable (via drilling, crushing or other demolition methods).
- g. The IT team will document each disk wipe in the IT ticketing system, including the date and name of the technician who performed the disk wipe.
- h. Equipment with non-functioning memory or storage technology will have the memory or storage device removed and physically destroyed.

The disposal of records in accordance with this policy should be documented.

7. Litigation Holds and Other Special Situations. If you believe, or the SMH's management informs you, that Records are relevant to current litigation or reasonably foreseeable litigation, government investigation, audit or other event, you must preserve and not delete, dispose, destroy or change those Records, including e-mails, until the SMH's management and legal counsel determine those Records are no longer needed. This exception is referred to as a "litigation hold" or "legal hold" and replaces any previously or subsequently established destruction schedule for those Records.

8. Contract Provisions. Staff with contracting authority or oversight shall ensure that contracts with Vendors require compliance with this Policy and contain provisions regarding the destruction or return of Records upon the termination or expiration of the contract.

Exhibit A:

SMH DOCUMENT RETENTION SCHEDULE

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|-----------------|---|---------------------------------------|
| Corporate | Annual and quarterly reports and corporate seals | Permanent |
| | Board resolutions, Minutes of Board, and Board Committee meetings with attachments, eBooks, and reports for Board of Directors and Board committees and Executives meetings | Permanent |
| | Qualifications to conduct business in states and related records | Permanent |
| | Records of incorporation, bylaws, and amendments thereto for the Corporation and Subsidiaries | Permanent |
| | Strategic Plans, Business Plans | Permanent |
| Correspondence | Routine correspondence (including interdepartmental correspondence), form letters requiring no follow-up, letters of general inquiry and replies completing a cycle of correspondence, and other letters to which no further reference will be required | 3 years after creation |
| | Routine electronic correspondence, including email and instant messaging | 3 years after creation |
| | Public policy records | Permanent |
| | Letters pertaining to contracts | 3 years after termination of contract |
| | Letters requesting specific action that have no further value after the changes have been made or the appropriate action has been taken, such as name or address change | 3 years after date of action |
| | Requests for Proposals or similar quotation letters where no contracts result | 3 years after creation |
| | Routine notes not requiring acknowledgment or follow-up | As needed |
| Financials* | Accounts payable and accounts receivable ledgers | 7 years |
| | Audit reports (final from auditors) | Permanent |
| | Bank records, including registers, reconciliations, statements, canceled checks, and deposit slips, wire transfer and Electronic Funds Transfer statements | 7 years |
| | Cash books | 7 years |
| | Charts of accounts | 7 years |
| | Departmental budgets and related worksheets | 3 years |

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|--|--|--|
| | Depreciation schedules | Permanent |
| | Expense analyses and reconciliations (year-end) | 7 years |
| | Financial statements (quarterly; year-end) | Permanent |
| | General ledgers and year-end trial balance | Permanent |
| | General Journal and Journal entries | Permanent |
| | Invoices (to customers; from Vendors) | 7 years |
| | Notes receivable ledgers and schedules | 7 years |
| | Payroll records and summaries | 7 years |
| | Petty cash vouchers | 3 years |
| | Property records (including costs, depreciation reserves, year-end trial balances, depreciation schedules, blueprints, and plans) | Permanent |
| | Staff Expense Reports | 7 years |
| | Tax returns and worksheets, revenue agents' reports, and other documents relating to determination of income tax liability (Note: Form 990 must be available at for public inspection for the past three (3) years.) | Permanent |
| | Time cards (ADP and E-Time Report) | 3 years from date of creation |
| | Vouchers (invoices) for payments to employees (includes allowances and reimbursements of employees, officers, for travel and entertainment expenses) | 7 years |
| | Withholding tax statements | 7 years |
| * The retention period calculation is based on number of years after the end of the fiscal year to which the documents pertain | | |
| Human Resources | Applications, resumes, and related correspondence for non-hired applicants | 3 years after date of non-hiring decision |
| | Correspondence with employment agencies and advertisements for job openings | 3 years after creation or date of publication |
| | EEO employer information reports | 5 years after superseded or filing, whichever is longer |
| | W-2, W-4, W-9, W-8BEN and 1099 Forms and Statements | 7 years after the end of the fiscal year to which they pertain |
| | Employee handbooks, training manuals | 3 years after superseded |

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|------------------------|---|---|
| | Employees' personnel records, including background checks, individual attendance records, wage and salary history, application forms and resumes, offer letters, background checks, drug test results, performance evaluations, employee complaints, workers compensation, requests for time off, sick leave requests, vacation requests, requests for reasonable accommodation, termination papers, exit interview records, withholding information, garnishments, employment contracts, separation agreements, immigration records, and I-9 forms | 7 years after termination |
| | Immigration matters | Employment + 3 years |
| | Job descriptions | 3 years after superseded |
| | IRA, 401(k), Keogh, and other retirement plans, including contributions, rollovers, transfers, and distributions | Permanent |
| | | |
| | | |
| General | Books, professional periodicals, published reports, etc. (review annually for useful materials and discard obsolete materials) | As needed |
| | Charitable contribution records | 7 years after date tax return filed |
| | Consultant reports (outside vendors) | 3 years |
| | Major speeches by corporate officers (review for historical value and grant relationship) | 3 years |
| | Material of historical value or significance (pictures, publications, volunteer records and, etc.) | Permanent |
| | Project files not otherwise classified (review at the close of the project) | As needed |
| | Vendor files (requisitions, invoices, purchase orders, pricing quotes, correspondence) | As long as vendor contract is in effect + 3 years |
| | | |
| [Members/Certificants] | Membership applications and renewal applications | 3 years after creation |
| | Routine electronic correspondence, including email and instant messaging | 3 years after creation |
| | Letters requesting specific action that have no further value after the changes have been made or the appropriate action has been taken, such as name or address change | 3 years after date of action |
| | | |

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|--|---|--|
| | | |
| Legal | Business Associate Agreements and other HIPAA documents | 7 years after termination |
| | Contracts (including government contracts), purchase orders, software maintenance agreements and service agreements, leases, and related documentation; Memorandum of Understanding (MOU), Letter of Intent or Agreement, Non-Disclosure Agreement, Equipment leases and Single/Sole Source Justification (procurement) | 7 years after termination of contract |
| | Correspondence re. legal matters | Permanent |
| | Court and arbitration orders/decisions involving the company | Permanent |
| | Copyright and Trademark registrations (and evidence of use documents for trademarks) | Permanent |
| | Financing documents, credit agreements, loan commitments, and due diligence information for both loans receivable and loans payable | 7 years after such commitments are fulfilled |
| | Intellectual property records and related documentation, including proprietary stock images, historical photographs, videos | Permanent |
| | Lease agreements | 3 years after termination |
| | Intellectual Property licensing agreements and related documentation (including invention/innovation journals and other documents or information evidencing creation, modification, or ownership of IP or other SMH property) | Permanent |
| | Litigation, arbitration, and mediation files (including accident and breach reports, correspondence, depositions, discovery, responses and pleadings) | 7 years after final disposition |
| | Regulatory investigations or actions, including as to licensing issues | 7 years after final disposition |
| | Member agreements and related documents | Permanent |
| | Mortgages | 5 years after satisfaction |
| | Permits, including applications, certificates, and related documentation | 3 years after expiration of permit |
| Property deeds and other documents related to the sale of property | 5 years after disposition of property | |

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|--------------------------|---|--|
| | Purchase and sale agreements | 5 years after disposition of property |
| | Requests for departure from Records Retention Policy | Permanent |
| | Settlement agreements and Release agreements | Permanent |
| Sales + Marketing | Authorizations, releases, and/or permission-granting documents | 3 years from expiration date |
| | Brochures, magazines, newsletters, and public service announcements | 3 years of last publication |
| | Photographs and/or corporate videos with identifiable people, places, and/or events (except for proprietary stock images, which are kept permanently) | 3 years after final use |
| | Historical or other important photographs and videos | Permanent |
| | Purchase Order, Contracts, and Statements of Work | 3 years |
| | Research, collateral, and planning documents | 3 years after execution |
| | Sales Records | 7 years |
| Operations and Insurance | Inventories of products or materials, invoices to customers | 7 years after the fiscal years to which they pertain |
| | Insurance records, including application and documentation regarding claims | Permanent |
| | Safety Records | 7 years |
| | Settlement details | 10 years from date of release/settlement |
| | Insurance policies and related documentation (including accident reports and claims) | Permanent |
| Website | Domain name registrations | Permanent |
| | Development and design agreements | Permanent |
| | Software licenses | Permanent |
| | Terms of use, terms and conditions, privacy policies | Permanent |
| | Copyright permissions | Permanent |
| Tax | Audit Reports | 3 years |

| CATEGORY | RECORD DESCRIPTION | RETENTION PERIOD |
|----------|-------------------------------------|--|
| | Property Tax Returns | Permanent |
| | Sales and Use Tax related documents | Permanent |
| | FICA and FUTA records | 7 years after the close of the fiscal year to which they pertain |
| | DC Unemployment Tax records | 3 years after the close of the fiscal year to which they pertain |
| | Withholding tax status | 7 years |