DOCUMENT RETENTION AND DESTRUCTION POLICY

1. Policy and Purposes

This Policy represents the policy of Marathon Kids, Inc. (“Marathon Kids”) with respect to the retention and destruction of documents and other records, both in hard copy and electronic media (which may merely be referred to as “documents” in this Policy). Purposes of the Policy include (1) retention and maintenance of documents necessary for the proper functioning of Marathon Kids as well as to comply with applicable legal requirements; (2) destruction of documents that no longer need to be retained; and (3) guidance for the Board of Directors, officers, staff and other constituencies with respect to their responsibilities concerning document retention and destruction. Notwithstanding the foregoing, Marathon Kids reserves the right to revise or revoke this Policy at any time.

2. Administration

2.1 Responsibilities of the Administrator. Marathon Kids’ Executive Director shall be the Administrator in charge of the administration of this Policy. The Administrator’s responsibilities shall include supervising and coordinating the retention and destruction of documents pursuant to this Policy and particularly the Document Retention Schedule included below. The Administrator shall also be responsible for documenting the actions taken to maintain and/or destroy organization documents and retaining such documentation. The Administrator may also modify the Document Retention Schedule from time to time as necessary to comply with law and/or to include additional or revised document categories as may be appropriate to reflect organizational policies and procedures. The Administrator is also authorized to periodically review this Policy and Policy compliance with legal counsel and to report to the Board of Directors as to compliance. The Administrator may also appoint one or more assistants to assist in carrying out the Administrator’s responsibilities, with the Administrator retaining ultimate responsibility for administration of this Policy.

2.2 Responsibilities of Constituencies. This Policy also relates to the responsibilities of board members, staff, volunteers and outsiders with respect to maintaining and documenting the storage and destruction of Marathon Kids’ documents. The Administrator shall report to the Board of Directors (the board members acting as a body), which maintains the ultimate direction of management. Marathon Kids’ staff shall be familiar with this Policy, shall act in accordance with it, and shall assist the Administrator, as requested, in implementing it. The responsibility of volunteers with respect to this Policy shall be to produce specifically identified documents upon request of management, if the volunteer still retains such documents. In that regard, after each project in which a volunteer has been involved, or each term that the volunteer has served, it
shall be the responsibility of the Administrator to confirm whatever types of documents the
volunteer retained and to request any such documents that the Administrator feels will be
necessary for retention by Marathon Kids (not by the volunteer). Outsiders may include vendors
or other service providers. Depending upon the sensitivity of the documents involved with the
particular outsider relationship, Marathon Kids, through the Administrator, shall share this Policy
with the outsider, requesting compliance. In particular instances, the Administrator may require
that the contract with the outsider specify the particular responsibilities of the outsider with
respect to this Policy.

3. Suspension of Document Destruction; Compliance. Marathon Kids becomes subject to a
duty to preserve (or halt the destruction of) documents once litigation, an audit or a government
investigation is reasonably anticipated. Further, federal law imposes criminal liability (with fines
and/or imprisonment for not more than 20 years) upon whomever “knowingly alters, destroys,
mutilates, conceals, covers up, falsifies, or makes a false entry in any record, document, or
tangible object with the intent to impede, obstruct, or influence the investigation or proper
administration of any matter within the jurisdiction of any department or agency of the United
States … or in relation to or contemplation of any such matter or case.” Therefore, if the
Administrator becomes aware that litigation, a governmental audit or a government investigation
has been instituted, or is reasonably anticipated or contemplated, the Administrator shall
immediately issue a preservation notice or, if necessary, order a halt to all document destruction
under this Policy, communicating the order to all affected constituencies in writing. The
Administrator should confer with legal counsel to ensure that the preservation notice is adeq
ate to protect and preserve documents that could be related to the litigation, audit, or investigation.
If any board member or staff member becomes aware that litigation, a governmental audit or a
government investigation has been instituted, or is reasonably anticipated or contemplated, with
respect to Marathon Kids, and they are not sure whether the Administrator is aware of it, they
shall make the Administrator aware of it. Failure to comply with this Policy, including,
particularly, disobeying any destruction halt order, could result in possible civil or criminal
sanctions. In addition, for staff, it could lead to disciplinary action including possible
termination.

4. Electronic Documents; Document Integrity. Documents in electronic format shall be
maintained in their native format, wherever possible, in accordance with the Document Retention
Schedule. Due to the fact that the integrity of electronic documents, whether with respect to the
ease of alteration or deletion, or otherwise, may come into question, the Administrator shall
attempt to establish standards for document integrity, including guidelines for handling
electronic files, backup procedures, archiving of documents, and regular checkups of the
reliability of the system; provided, that such standards shall only be implemented to the extent
that they are reasonably attainable considering the resources and other priorities of Marathon
Kids.

5. Privacy. It shall be the responsibility of the Administrator, after consultation with counsel, to
determine how privacy laws will apply to Marathon Kids’ documents from and with respect to
employees and other constituencies; to establish reasonable procedures for compliance with such
privacy laws; and to allow for their audit and review on a regular basis.
6. **Emergency Planning.** Documents shall be stored in a safe and accessible manner. Documents that are necessary for the continued operation of Marathon Kids in the case of an emergency shall be regularly duplicated or backed up and maintained in an off-site location. The Administrator shall develop reasonable procedures for document retention in the case of an emergency.

7. **Document Creation and Generation.** The Administrator shall discuss with staff the ways in which documents are created or generated. With respect to each employee or organizational function, the Administrator shall attempt to determine whether documents are created that can be easily segregated from others, so that, when it comes time to destroy (or retain) those documents, they can be easily culled from the others for disposition. This dialogue may help in achieving a major purpose of the Policy -- to conserve resources -- by identifying document streams in a way that will allow the Policy to routinely provide for destruction of documents. Ideally, Marathon Kids will create and archive documents in a way that can readily identify and destroy documents with similar expirations.

8. **Document Retention Schedule.** [Subject to input/refinement from auditors.]

<table>
<thead>
<tr>
<th>Document Type</th>
<th>Retention Period</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Accounting and Finance</strong></td>
<td></td>
</tr>
<tr>
<td>Accounts Payable</td>
<td>7 years</td>
</tr>
<tr>
<td>Accounts Receivable</td>
<td>7 years</td>
</tr>
<tr>
<td>Annual Financial Statements and Audit Reports</td>
<td>Permanent</td>
</tr>
<tr>
<td>Bank Statements, Reconciliations &amp; Deposit Slips</td>
<td>7 years</td>
</tr>
<tr>
<td>Canceled Checks – routine</td>
<td>7 years</td>
</tr>
<tr>
<td>Canceled Checks – special, such as loan repayment</td>
<td>Permanent</td>
</tr>
<tr>
<td>Credit Card Receipts</td>
<td>3 years</td>
</tr>
<tr>
<td>Employee/Business Expense Reports/Documents</td>
<td>7 years</td>
</tr>
<tr>
<td>General Ledger</td>
<td>Permanent</td>
</tr>
<tr>
<td>Interim Financial Statements</td>
<td>7 years</td>
</tr>
<tr>
<td><strong>Contributions/Gifts/Grants</strong></td>
<td></td>
</tr>
<tr>
<td>Contribution Records</td>
<td>Permanent</td>
</tr>
<tr>
<td>Documents Evidencing Terms of Gifts</td>
<td>Permanent</td>
</tr>
<tr>
<td>Grant Records</td>
<td>7 yrs after end of grant period</td>
</tr>
<tr>
<td><strong>Corporate and Exemption</strong></td>
<td></td>
</tr>
<tr>
<td>Articles of Incorporation and Amendments</td>
<td>Permanent</td>
</tr>
<tr>
<td>Bylaws and Amendments</td>
<td>Permanent</td>
</tr>
<tr>
<td>Minute Books, including Board &amp; Committee Minutes</td>
<td>Permanent</td>
</tr>
<tr>
<td>Annual Reports to Attorney General &amp; Secretary of State</td>
<td>Permanent</td>
</tr>
<tr>
<td>Other Corporate Filings</td>
<td>Permanent</td>
</tr>
<tr>
<td>IRS Exemption Application (Form 1023 or 1024)</td>
<td>Permanent</td>
</tr>
<tr>
<td>IRS Exemption Determination Letter</td>
<td>Permanent</td>
</tr>
</tbody>
</table>
State Exemption Application (if applicable) Permanent
State Exemption Determination Letter (if applicable) Permanent
Licenses and Permits Permanent
Employer Identification (EIN) Designation Permanent

Correspondence and Internal Memoranda
Hard copy correspondence and internal memoranda relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate.

Hard copy correspondence and internal memoranda relating to routine matters with no lasting significance. Two years

Correspondence and internal memoranda important to Marathon Kids or having lasting significance. Permanent, subject to review

Electronic Mail (E-mail) to or from Marathon Kids
Electronic mail (e-mails) relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document to which they relate, but may be retained in hard copy form with the document to which they relate.

E-mails considered important to Marathon Kids or of lasting significance should be printed and stored in a central repository. Permanent, subject to review

E-mails not included in either of the above categories. 12 months

Electronically Stored Documents
Electronically stored documents (e.g., in pdf, text or other electronic format) comprising or relating to a particular document otherwise addressed in this Schedule should be retained for the same period as the document that they comprise or to which they relate, but may be retained in hard copy form (unless the electronic aspect is of significance).

Electronically stored documents considered important to Marathon Kids or of lasting significance should be printed and stored in a central repository (unless the electronic aspect is of significance). Permanent, subject to review

Electronically stored documents not included in either of the above categories. Two years

Employment, Personnel and Pension
Personnel Records 10 yrs after employment ends
Employee contracts 10 yrs after termination
Retirement and pension records

**Insurance**
Property, D&O, Workers’ Compensation and General Liability Insurance Policies
Insurance Claims Records

**Legal and Contracts**
Contracts, related correspondence and other supporting documentation
Legal correspondence

**Management and Miscellaneous**
Strategic Plans
Disaster Recovery Plan
Policies and Procedures Manual

**Property – Real, Personal and Intellectual**
Property deeds and purchase/sale agreements
Property Tax
Real Property Leases
Personal Property Leases
Trademarks, Copyrights and Patents

**Tax**
Tax exemption documents & correspondence
IRS Rulings
Annual information returns – federal & state
Tax returns

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Questions about this policy should be referred to the Executive Director or the Chairman of the Finance Committee of the Board of Directors.