

Adopted by the Board of Directors
on July 31, 2024

**SIENNA PREMIER AQUATICS, INC.
RECORD RETENTION POLICY**

**ARTICLE I
PURPOSE OF POLICY**

Sienna Premier Aquatics, Inc. (the “Organization”) is committed to complying with the Sarbanes–Oxley Act and promoting the proper treatment of the Organization’s corporate records, both in hard copy and electronic media. The purpose of this *Record Retention Policy* is to establish principles and procedures to be followed by all directors, officers, committee members, employees, and volunteers of the Organization when handling the Organization’s records.

**ARTICLE II
POLICY**

All directors, officers, committee members, employees, and volunteers of the Organization must follow this *Policy*, which applies to records stored both onsite and with third-party vendors. They must read and understand this *Policy* and are expected to familiarize themselves with the procedures below.

As used in this *Policy*, the term “**record(s)**” includes all paper documents, including without limitation: final documents, drafts, correspondence, and handwritten notes. The term “**record(s)**” also includes videotapes, audio tapes, computer files, disks, e-mail, and documents in electronic form.

In accordance with the Electronic Signatures in Global and National Commerce Act (the “E-Signature Act”), 15 U.S.C. §§ 7001–31 (2000), the Organization may choose to comply with statutory and regulatory retention requirements by storing records electronically.

Nothing in this *Policy* is intended to alter or abrogate any contractual undertaking of the Organization to return, destroy, or not retain copies of confidential information.

Any perceived conflict between any applicable law and this *Policy* should always be resolved by adherence to the law. Any perceived conflict should promptly be brought to the attention of the Compliance Official (described below).

**ARTICLE III
PROCEDURE**

This section of this Policy provides the procedures to be followed in deciding whether, how, and how long to retain the Organization’s records.

1. **General Rule.** All records necessary to conduct the operations of the Organization shall be retained as long as there is a reasonable need for them. Records should not be kept, however, if they are no longer needed for the operation of the Organization or required by

law. Unnecessary records should be eliminated from the files. The cost of maintaining records is an expense that can grow unreasonably if good housekeeping is not performed. A mass of records also makes it more difficult to find pertinent records.

2. **Exception for Records Relevant to Litigation.** The Organization expects all directors, officers, committee members, employees, and volunteers of the Organization to comply fully with any published records retention or destruction schedule, provided that they must adhere to the following general exception to any stated destruction schedule:

If any individual believes, or is informed by the Organization, that the Organization's records are relevant to litigation or potential litigation (i.e., a dispute that could result in litigation), then the individual must preserve those records until it is determined the records are no longer needed. This exception supersedes any previously or subsequently established destruction schedule for those records.

It is the intent of the Organization to comply with its legal duty to preserve (or halt the destruction of) documents once litigation, a governmental audit, or a governmental investigation is reasonably anticipated. Federal law imposes criminal liability (with fines, imprisonment for up to twenty years, or both) upon any person who “*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 Compliance Official becomes aware that litigation, a governmental audit, or a governmental investigation has been commenced or is reasonably anticipated or contemplated, the Compliance Official shall immediately order a halt to all destruction under this *Policy*, communicating the order to all affected parties in writing. The Compliance Official may thereafter amend or rescind that order only after consulting with the Organization's legal counsel.

If any director, officer, committee member, employee, or volunteer of the Organization becomes aware that litigation, a governmental audit, or a governmental investigation has been commenced or is reasonably anticipated or contemplated and is not sure whether the Compliance Official is aware of it, the director, officer, committee member, employee, or volunteer shall make the Compliance Official 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, it could result in disciplinary action, including removal from all non-employment positions held with the Organization and termination of employment, as applicable.

3. **Retention Schedule.** From time to time, the Organization may establish retention or destruction schedules for specific categories of records in order to ensure legal compliance and to accomplish other objectives, such as cost management or preserving intellectual property. Several categories of documents that warrant special consideration are identified in Article IV below. While minimum retention periods are established, the retention of the

documents identified in Article IV and documents not included in the identified categories should be determined primarily by the application of the general rule affecting document retention, as well as the exception for documents relevant to litigation and any other pertinent factors.

4. **Questions.** Any questions concerning this *Policy* should be directed to the Compliance Official.

ARTICLE IV RECORD RETENTION GUIDELINES

1. **Organizational Documents.** Organizational records include the Organization's certificate of incorporation and other corporate filings with any State, including but not limited to filings for authorization to transact business in any State, bylaws, IRS Form 1023 (Application for Exemption), the IRS tax-exemption determination letter, filings for authorization to transact business in any State, any application for exemption with any State, and any tax-exemption determination or certification from any State. Organizational records should be retained **permanently**. IRS regulations require that the Form 1023 with its attachments be available for public inspection upon request.
2. **Tax Records.** Tax records include, but may not be limited to, the Organization's federal and state income tax returns, documents concerning payroll (including federal and state payroll tax returns and issued IRS Forms W-2), business expense records, IRS Forms 1099 (both those issued by the Organization and any that are issued to the Organization), proof of contributions to the Organization, grant records (both grants made by the Organization and those received by the Organization), accounting procedures, and other documents concerning the Organization's revenues. Tax records should be retained for at least **seven years**; or, in the case of tax returns, **seven years from the date of filing the applicable return**; or in the case of grants, **a longer period** if required under the terms of the grant.
3. **Employment and Personnel Records.** State and federal statutes require the Organization to keep certain recruitment, employment, and personnel information. The Organization should also keep personnel files that reflect performance reviews and any complaints brought against the Organization, employees of the Organization, or representatives of the Organization under applicable state and federal law. The Organization should also keep in the employee's personnel file all final memoranda and correspondence reflecting performance reviews and actions taken by or against personnel. Employee handbooks, and retirement and pension records, should be kept **permanently**. All other employment and personnel records should be retained for **seven years** (or, for records related to a specific employee, **seven years after the individual's date of termination**).
4. **Board and Board Committee Materials.** Meeting minutes should be **permanently** retained in the Organization's minute book. Board policies and signed annual statements regarding conflicts of interest should be retained **permanently**. A copy of all other Board and committee materials should be kept for **no less than three years**.

5. **Press Releases and Public Filings.** The Organization should **permanently** retain copies of all press releases and publicly filed documents, as the Organization should have its own copy to test the accuracy of any document a member of the public can theoretically produce against the Organization.
6. **Legal Files.** Legal counsel should be consulted to determine the retention period of particular documents, but legal documents should generally be maintained for a period of **ten years**.
7. **Marketing and Sales Documents.** The Organization should keep final copies of marketing and sales documents for the same period of time it keeps other corporate files, generally **three years**. An exception to the three-year policy may be sales invoices, contracts, leases, licenses, and other legal documentation. These documents should be kept for **at least three years beyond the life of the agreement**.
8. **Development/Intellectual Property and Trade Secrets.** Development documents are often subject to intellectual property protection in their final form (e.g., patents and copyrights). The documents detailing the development process are often also of value to the Organization and are protected as a trade secret where the Organization:
 - a. derives independent economic value from the secrecy of the information; and
 - b. has taken affirmative steps to keep the information confidential.

The Organization should keep all documents designated as containing trade secret information for at least the **life of the trade secret**.

9. **Contracts.** Final, executed copies of all contracts entered into by the Organization should be retained. The Organization should retain copies of the final contracts for at least **three years** beyond the life of the agreement, and **permanently** in the case of publicly filed contracts.
10. **Correspondence.** Unless correspondence falls under another category listed elsewhere in this policy, correspondence should generally be saved for **three years**.
11. **Banking and Accounting.** Accounts payable ledgers and schedules should be kept for **seven years**. Bank reconciliations, deposit slips, and cancelled checks should be kept for **seven years** (except checks for important payments and purchases should be kept **permanently**). Bank statements should be kept for **ten years**. Any inventories of products, materials, and supplies and any invoices should be kept for **seven years**. Year-end financial statements should be kept **permanently**.
12. **Insurance.** Expired insurance policies, insurance records, accident reports, claims, etc. should be kept **permanently**.
13. **Audit Records.** External audit reports should be kept **permanently**. Internal audit reports should be kept for **three years**.

14. **Governmental Auditing Standards.** Any document that is subject to a governmental auditing standard (for example, under a single audit act) shall be retained for the **period of time required under that standard.**
15. **Documents within Multiple Categories.** If a record may fall into more than one of the above-listed categories, the **longest retention period** specified among the applicable categories shall apply.

ARTICLE VI COMPLIANCE OFFICIAL

The Compliance Official is responsible for interpreting, implementing, and evaluating the efficacy of this Policy, with assistance from the Board of Directors or the Organization's legal counsel, as appropriate under the circumstances.

The Organization's President is the "Compliance Official" for purposes of this Policy. As of this Policy's publication date, the Organization's President is:

Grace Sobczak
President
Sienna Premier Aquatics, Inc.
6140 Highway 6
Missouri City, Texas 77459
grace.spaswimming@gmail.com

The identity and contact information of the current President can be found on the Organization's website, at <https://www.gomotionapp.com/team/stspa/page/system/coaches>.