

(Revised January 8, 2016)  
(Revised May 4, 2019) (Accepted by Vote June 2019)  
(Revised June 2020) (Accepted by Vote June 2020)

**CONSTITUTION  
OF THE  
SOCIETY OF HEALTH AND PHYSICAL EDUCATORS WEST VIRGINIA (SHAPEWV)**

**ARTICLE I. NAME.**

The organization shall be called the Society of Health and Physical Educators of West Virginia (SHAPEWV)\_Incorporated.

**ARTICLE II. Mission Statement**

The mission of the Society of Health and Physical Educators West Virginia (SHAPEWV) shall be commensurate with the mission of SHAPE America and are as follows:

SHAPE America’s mission is to promote and support leadership, research, education, and best practices in the professions that support creative, healthy, and active lifestyles.

1. to develop and disseminate professional guidelines, standards, and ethics;
2. to enhance professional practice by providing opportunities for professional growth and development;
3. to advance the body of knowledge in the fields of study and in the professional practice of the fields by initiating, facilitating, and disseminating research;
4. to facilitate and nurture communication and activities with other associations and other related professional groups;
5. to serve as their own spokespersons;
6. to promote public understanding and improve government relations in their fields of study;
7. to engage in future planning; and
8. to establish and fulfill other purposes which are consistent with the purposes of SHAPE America.

**ARTICLE III. MEMBERSHIP.**

The membership of the Association shall be prescribed and governed in the Constitution, By-Laws and Operating Codes.

**ARTICLE IV. GOVERNMENT**

The business of the Association shall be conducted by the Executive Committee, Board of Directors (BOD), Representative Assembly (RA) and committees.

**ARTICLE V. FISCAL YEAR**

The fiscal year shall extend from June 1 to May 31.

**ARTICLE VI. DISPOSAL OF ASSETS**

Upon dissolution, all of the assets of the Association shall be turned over to such nonprofit organizations qualifying as exempt from federal tax under Section 501(c) (3) of the Internal Revenue

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Code of 1954 or any successor provision thereto as the then BOD shall select.

#### **ARTICLE VII. RESTRICTIONS**

The Association shall not divert any part of its income or corpus to any member, sponsor, donor, creator, director, officer, or employee; by lending any part of its income or corpus without receipt of adequate security and a reasonable rate of interest; by paying any compensation in excess of reasonable allowance for salaries, or other compensation for personal services rendered; by making any purchases of security or other property for more than adequate consideration for money or money's worth; by selling any substantial part of its securities or other property for less than adequate consideration for money or money's worth; or by engaging in any other transaction which either, directly or indirectly, results in such diversion of its income or corpus. The Association shall not make any accumulation of its income, unreasonable in amount or duration, or use any income for purposes other than the objectives hereinbefore set forth or invest any income in any manner as to jeopardize the fulfillment or carrying out of its objectives. The Association shall not devote a substantial portion of its activities to carrying on propaganda or otherwise attempting to influence legislation, and in no event shall the Association engage in any legislative activities other than those to direct the furtherance of the Association's stated objectives. The Association shall not participate in or intervene in any political campaign on behalf of any candidate for public office. In general, the Association shall not act in any way or engage in any activity which might affect its right to full tax exemption or the right of donors to the Association to full tax deduction for their contributions to the Association, and SHAPE America shall be so operated as to be entitled to and receive all tax exemptions, federal or local, which may from time to time be granted to charitable, scientific, or educational associations or foundations.

No part of the net earnings of the Association shall be used for the benefit of, or to the advantage of any member, sponsor, donor, creator, trustee, officer, employee, or without limitation, any other private individual. (Included in this would be purchase of alcoholic beverages). No part of the net earnings shall be used for the benefit of any corporation or organization in which any private individual might benefit, or in which a substantial part of the activities of such corporation or organization is the carrying on of propaganda or otherwise attempting to influence legislation, provided that this restriction shall not prevent payment of reasonable compensation for services actually rendered to or for the Association in effecting its purpose.

The Society of Health and Physical Educators West Virginia (SHAPEWV) is required to purchase liability coverage yearly as prescribed by SHAPE America.

#### **ARTICLE VIII. MEETINGS.**

The Society of Health and Physical Educators West Virginia (SHAPEWV) shall hold at least one meeting each year during the annual convention and other meetings may be held as deemed necessary.

#### **ARTICLE IX. AMENDMENTS.**

This constitution may be amended at any official meeting of the RA, by a two-thirds vote. Any suggested changes must be sent out 30 days in advance to the BOD/RA prior to voting.

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## BY-LAWS

### ARTICLE I. MEMBERSHIP.

#### **Section 1. Membership**

Membership in The Society of Health and Physical Educators West Virginia (SHAPEWV) shall be open to all who are interested in the mission of the Association upon payment of dues.

#### **Section 2. Categories of Membership**

Professional members shall consist of persons professionally and actively engaged in one or more of the various allied fields.

Student members shall consist of undergraduate and graduate students enrolled in institutions of higher learning, preparing for vocations in the allied fields.

Retired members shall consist of those retired professionals that have retired from working in field or an allied field.

Honorary life members shall consist of those members who were retired and grandfathered into the association prior to SHAPE America. This membership will be honored for those members but is no longer available to current or future members.

#### **Section 3. Membership Fees.**

(a) *The annual dues shall be set by the association, reviewed annually and voted on by the BOD.*

(b) There are different fee structures for the various memberships.

#### **Section 4. Payment of Membership Fees.**

The annual membership fee shall be payable on the prescribed anniversary date and/or prior to the annual conference.

### ARTICLE II. BOARD OF DIRECTORS

#### **Section 1. Composition.**

The Executive Committee will consist of the three presidents, executive director, and treasurer.

The Board of Directors shall consist of the President, the President-Elect, the Immediate Past President, the Executive Director, the Vice President for each Division, the Secretary, the Treasurer, the Past Presidents' Council Representative, State Education Department Representative(s) (non-voting), Membership Director, Marketing Director, Resource Co-Directors, Parliamentarian (non-voting), Technology Co-Directors, and the Student Representative. Eight members of the committee present shall constitute a quorum.

#### **Section 2. Responsibilities**

The Executive Committee is responsible for recommendations to the BOD and RA.

The BOD is responsible for approving budgetary matters which involve the Association. The BOD approves all Presidential appointments. The Board is also responsible for other matters

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which pertain to the Association.

### **Section 3. Board of Directors Meetings**

A meeting of the BOD shall be held at the time and place of the annual meeting of the Association. Additional meetings may be called by the President or shall be called upon the written request of a majority of the BOD. The President shall notify all members of the BOD at least thirty (30) days prior to proposed meetings. In addition, emergency meetings can be called under the 30 day period when absolutely necessary as determined by the BOD.

### **Section 4. Proxies**

Members of the BOD may vote by proxy, via written confirmation from member, provided the proxy is a member of the Association. A member may have only one vote on the BOD. A proxy must present a written authorization signed by the appropriate officer.

## **ARTICLE III. REPRESENTATIVE ASSEMBLY.**

### **Section I. Composition.**

The Representative Assembly shall consist of the members of the Board of Directors, the immediate Past Vice President of each division, the Vice Presidents-Elect of each division, the chairpersons of each section. A simple Majority of Board and RA present at meeting will represent quorum.

### **Section 2. Responsibilities.**

It shall be the duty of the Representative Assembly: to affect all changes in the Constitution and By-Laws; to elect officers of the Association, to initiate such business as it deems desirable; and to approve or disapprove actions taken by the Board of Directors. Assembly action shall require a majority vote of those present or a majority of those voting on an electronic mailing referendum.

### **Section 3. Assembly Meetings.**

A meeting of the RA shall be held at the time and place of the annual meeting of the Association. Additional meetings may be called by the President or shall be called upon the written request of a majority of the RA members. The President shall notify all members of the RA at least 30 days prior to proposed meetings, excluding emergency meetings.

### **Section 4. Proxies.**

Members of the Representative Assembly may vote by proxy, via written confirmation from member, provided the proxy is a member of the Association. A member may have only one vote on the Representative Assembly. A proxy must present a written authorization signed by the appropriate officer.

## **ARTICLE IV. ELECTIONS.**

### **Section 1. Nomination of Officers.**

Each member of the Association shall have an opportunity to nominate Association members as officers to the Nominating Committee. This committee, chaired by the President Elect, shall present a slate of names as candidates for each elective office. Each nominee for office shall have signified his/her willingness to serve, via completed application. All requirements are listed in the Operating Codes.

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**Section 2. Term of Office.**

All officers and section chairpersons shall serve for a one year term except for the Secretary (odd years), Treasurer (even years), and Past Presidents' Council Representative (even years) who are elected on alternate years for a two year term. They shall serve until their successor is elected or appointed.

**Section 3. Candidacy.**

No person may be a candidate for more than one office nor serve in more than one office at any given time.

**ARTICLE V. COMMITTEES.**

**Section I. Types.**

There shall be Standing Committees and Ad Hoc Committees.

**Section 2. Standing Committees.**

The Standing committees shall consist of: Nominating, Awards, Conference Planning, Marketing Director, Technology Co-Directors, Resource Co-Directors, Exhibits, Advocacy, Auditing, and Past President Council.

**Section 3. Ad Hoc Committees.**

Ad Hoc Committees are indefinite in number and are appointed by the President for specific duties. Ad Hoc Committees will dissolve at the end of each Presidency unless there is a need to continue the service. At that time, it can be carried over by the incoming President.

**ARTICLE VI. DIVISION ORGANIZATION.**

**Section I. Division Councils.**

The Association shall have Divisions to serve the needs and interests who identify with areas which each Division represents. Officers of each Division shall be a Vice-President, Vice-President-Elect, Past Vice-President, and Section Chairpersons, which constitute the Division Council.

The Divisions are:

- 1) Elementary
- 2) Secondary
- 3) Higher Education

The sections are:

- 1) Health
- 2) Physical Activity
- 3) Dance

**Section 2. Division and Section Functions.**

The Divisions and Sections should be encouraged to promote other activities and projects for the benefit of the association and its membership as listed in the Operating Codes.

**ARTICLE VII. SPECIAL MEETINGS.**

The Board of Directors may approve special meetings and those activities which provide unique services to members of the Association.

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#### **ARTICLE VIII. RULES OF ORDER.**

Questions of procedure shall be decided by Robert's Rules of Order, Recently Revised unless otherwise provided in this Constitution and By-Laws.

#### **ARTICLE IX. ADDITIONAL POLICIES**

##### **Section 1. Conflict of Interest**

The purpose of the conflict of interest policy is to protect the Society of Health and Physical Educators of West Virginia( SHAPEWV).

- a. It prevents entering into a transaction or arrangement that might benefit the private interest of any Board or Representative Assembly member.
- b. It protects the Association, in the situation that any Board or Representative Assembly member has other commitments that result in competing duties or responsibilities.

This policy is intended to supplement, but not replace any applicable state or federal laws governing conflict of interest applicable to nonprofit and charitable corporations.

#### **Definitions**

##### **1. Interested Party**

Any Board Officer or Representative Assembly member, member of a committee with board delegated powers who has a direct or indirect financial interest.

##### **2. Financial Interest**

A person has a financial interest if the person has, directly or indirectly, through business, investment or family:

- a. An ownership or investment interest in any entity with which SHAPEWV has transaction or arrangement,
- b. A compensation arrangement with SHAPEWV or with any entity or individual which SHAPEWV has a transaction or arrangement
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which SHAPEWV is negotiating a transaction or arrangement.
- d. Compensation includes direct or indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has financial interest may have a conflict of interest only if the appropriate board or committee decides that a conflict of interest exists.

##### **3. Competing Interest**

A person has a competing interest if the person has other duties or responsibilities by virtue of his or her employment or other volunteer commitments that may cause potential for a conflict between the duty owed to the employer or other volunteer organization and the duty owed to SHAPEWV. A competing interest might not be financial in nature.

## **Procedures**

### **1. Duty of Disclose**

In connection with any actual or possible conflicts of interests, an interested person must disclose the existence of any financial interest or other competing interest and all materials facts to directors and committee members with board delegated powers considering the proposed transaction or arrangement.

### **2. Determining Whether a Conflict of Interests Exists**

After disclosure of the financial interest or other competing interest and all material facts, and after any discussion with the interested person, he or she shall leave the board or committee meeting while the determination of the conflict of interest is discussed and voted upon. The remaining board or committee members shall decide if a conflict of interest exists.

### **3. Procedures for Addressing the Conflict of Interests**

An interested person may make a presentation at the board or committee meeting, but after the presentation, he or she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

The President of the board or chairman of a committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

After exercising due diligence, the board or committee shall # determine whether SHAPEWV can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to conflict of interest.

If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the board shall determine by a majority of vote of the disinterested directors whether the transaction or arrangement is in SHAPEWV's best interest and for its own benefit and whether the transaction is fair and reasonable to SHAPEWV. The board shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

### **4. Violations of the Conflict of Interest Policy**

If the governing board has reasonable cause to believe a member or employee has failed to disclose actual or possible conflict of interest, it shall inform the member or employee of the basis for such belief and afford the member or employee an opportunity to explain the alleged failure to disclose.

If, after hearing the response of the member or employee and after making further investigation as warranted by the circumstances, the board determines the member or

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employee has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

### **Records of Proceedings**

The minutes of the board and all committees with board delegated powers shall contain:

- a. The names of the persons who disclosed or otherwise were found to have a financial interest or other competing interest in connection with an actual or possible conflict of interest, the nature of the financial interest or other competing interest, any action taken to determine whether a conflict of interest was present, and the board's decision as to whether a conflict of interest in fact existed.
- b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and record of any votes taken in connection with the proceedings.

### **Compensation**

A voting member of the board who receives compensation, directly or indirectly, from SHAPEWV for services is precluded from voting on matters pertaining to that member's compensation.

No voting member of the governing board or any committee whose jurisdiction includes compensation matters who receives compensation, directly or indirectly, from SHAPEWV either individually or collectively, is prohibited information to any committee regarding compensation.

### **Annual Statements**

Each board member with board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy
- c. Has agreed to comply with the policy, and
- d. Understands SHAPEWV is charitable and in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

An additional Conflict of Interest Disclosure form should be completed by any board member, with board delegated powers, and given to SHAPEWV Treasurer if a conflict of interest arises during the year.

### **Periodic Reviews**

To ensure SHAPEWV operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects.



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- a. Whether compensation arrangements and benefits are reasonable, based on competent survey information and the result of arm's length bargaining.
- b. Whether partnerships, joint ventures, and arrangements with management organizations conform to SHAPEWV written policies are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes and do not result in inurement, impermissible private benefit or in an excess benefit transaction.

### **Use of Outside Experts**

When conducting the periodic reviews as provided for in Article VII, SHAPEWV may, but ~~not~~ need not, use outside advisors. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring periodic reviews conducted.

### **Confidentiality**

All Board, Representative Assembly, and committee members with delegated powers are subject to a continuing obligation to maintain the confidentiality of information provided to them as a result of their service to SHAPEWV which is sensitive or proprietary in nature and is reasonably expected to remain confidential. For example, and not intended to be a limitation, all board and committee discussions held in executive sessions, deliberation, personnel matters, financial matters, strategic plans and other information of a confidential nature that has not been released by virtue of board or committee minutes, reports or other documents that are intended for publication should be maintained as confidential.

### **Section 2. Whistleblower**

#### **Fraudulent or Dishonest Conduct and Whistleblower Policy Statement**

SHAPEWV maintains a high standard for the ethical conduct of its personnel and seeks to conduct its business activities with utmost propriety. Therefore, it is important to have a clear policy statement on fraud to protect the assets, interests and reputation of SHAPEWV. SHAPEWV is required to identify and promptly investigate all instances and allegations of fraudulent activities regarding its funds, documents, equipment that involves board members, vendors or other parties. Good business practice dictates that suspected embezzlement, misappropriation or other fiscal irregularities be promptly identified and investigated. Fraud in any form will not be tolerated. This policy applies to all employees and Board/RA members and will be enforced without regard to past performance, position held or length of service.

All persons found to have committed fraud relevant to SHAPEWV's ~~is~~ financial affairs shall be subject to punitive action by SHAPEWV ~~in~~ an investigation by law enforcement agencies when warranted.

*Definition and Scope of Fraud*—Fraud generally involves a willful or deliberate act with the intention of obtaining unauthorized benefit, such as money or property, by deception or unethical means.

All fraudulent acts are included under this policy and include such things as:

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- Embezzlement, misappropriation, or other financial irregularities
- Forgery or alteration of documents
- Improprieties in the handling or reporting of money or financial transactions
- Misappropriation of funds, supplies, inventory, or any other asset (including furniture, fixtures, or equipment)
- Unauthorized alteration or manipulation of computer files
- Pursuit of a benefit or advantage in violation of SHAPEWV's conflict of interest of interest policy.
- Authorizing or receiving compensation for goods not received or services not performed.
- Authorizing or receiving compensation for hours not worked.
- Disclosures in documents filed by SHAPEWV with governmental agencies or other public disclosures made by SHAPEWV that may not be complete or accurate.

### *Responsibilities*

SHAPEWV has instituted certain internal controls intended to safeguard its assets against fraudulent acts. All levels of management should be familiar with the risks and exposures inherent in their areas of responsibility and be alert for any indications of improper activities, misappropriation, or dishonest activity.

It is everyone's responsibility to report any possible fraudulent activity (I.e., a whistleblower). We recognize that Board members come forward on a confidential basis. We want to make it clear that they can do so without reprisal.

### **Procedures**

#### **Process for Disclosure**

All relevant information regarding evidenced financial misconduct should be reported to the Executive Director in writing within 60 days of the day on which he/she knew or reasonably should have known of the misconduct.

In consultation with the Executive Board (Past President, President, President- elect, Treasurer and legal counsel) the Executive Director shall consider the disclosure and take whatever action he/she determines to be appropriate under the law and circumstances of disclosure.

In the case of disclosure of misconduct involving the Executive Director, the disclosure shall be directed to the President of SHAPEWV. In consultation with SHAPEWV's Executive Board and legal counsel, the President or designee shall consider the disclosure and take whatever action he/she determines to be appropriated under the law and circumstances of the disclosure.

Reasonable care should be taken in dealing with suspected conduct to avoid:

- Baseless allegations
- Premature notice to persons suspected of misconduct and/or disclosure of suspected misconduct to those involved with the investigation

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- Violations of a person's rights under the law

Accordingly, a manager or supervisor faced with suspected misconduct:

- Should not contact the person suspected to further investigate the matter or demand restitution
- Should not discuss the case with anyone other than the Executive Director, the President of SHAPEWV or legal advisor
- Should direct all inquiries from any attorney retained by the suspected individual to SHAPEWV's legal advisor.

### Whistleblower Protection

SHAPEWV will protect whistleblowers against retaliation. It cannot guarantee confidentiality, however and there is no such thing as an "official" or "off the record" report. SHAPEWV will use its best efforts to keep the "whistleblower's" identity confidential unless:

1. The person agrees to be identified
2. Identification is necessary to allow SHAPEWV or law enforcement officials to investigate or respond effectively to the report
3. Identification is required by law
4. The person accused is entitled to the information as a matter or legal right in disciplinary proceedings

SHAPEWV Board or members may not retaliate against a whistleblower with the intent or effect of adversely the terms or conditions of responsibilities (including but not limited to, threats of physical harm, loss of position, punitive work).

### Complaints of Retaliation as a Result of Disclosure

If a person making a complaint believes that he or she has been retaliated against in the form of an adverse personnel action for disclosing information regarding misconduct under this policy, he/she may file a written complaint to the Executive Director or President within 30 days from the effective date of adverse personnel action requesting an appropriate remedy.

The complaint should include

1. The specific types of adverse personnel action;
2. The specific date(s) on which adverse personnel action(s) were taken;
3. A clear and concise statement of the facts that form the basis for complaint;
4. A clear and concise statement of the complainant's explanation of how her/his previous disclosure of misconduct is related to the adverse personnel action; and
5. A statement of the remedy sought by the complainant.

Within 60 calendar days of receipt of the complainant, the Executive Director and Executive Board in consultation with legal counsel, shall consider the complaint, shall conduct an investigation, which, in his/her judgement, is consistent with the circumstances and disclosure

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and shall provide the complainant with a determination regarding the complaint.  
 A proven complaint of retaliation shall result in proper remedy for all persons harmed and the initiation of disciplinary action, up to and including dismissal, against the retaliating person.  
 This protection from retaliation is not intended to prohibit the board from taking action, in the usual scope of their duties and based on valid performance-related factors.

### Section 3. Document Retention and Destruction

**Destruction Code:** R = Recycle, S = Shred, S/R = Shred or recycle as appropriate

Description of Record(s)	Location	Retention	Code
<b>Administrative Records-</b>			
Articles of Incorporation	Treas	Permanent	
Amendment, Bylaws, Constitution	Sec	Permanent	
Board Agendas and minutes	Sec	Permanent	
Business Correspondence	Sec	3 years	S/R
Building Blueprints	n/a	Permanent	
Committee Agenda and minutes	ComChair	3 years	S/R
Contracts/Leases	Treas	7 years after expiration of contract	S/R
Copyrights	Treas	Permanent	
Correspondence-Legal and important matters	Sec	Permanent	
Departmental Standard Operating Procedures		Most recent and immediately prior SOP	S/R
Equipment manuals/documentation	Possessor	Permanent for life of equipment	R
Insurance Policies	Treas	Permanent	
Insurance documents/Accident Reports	Treas	Open Claims-Permanent. Settled claims-7 years after settlement	S/R
Licenses	Sec/Treas	Permanent	
Trademark registrations	Sec/Treas	Permanent	
<b>Financial Records-</b>			
Accounts receivable and payable ledgers	Treas	7 years	R
Accounts Receivable Invoices	Treas	7 years	R
Annual Audit Reports of CPA's	Treas	Permanent	
Annual Incorporation Report to State	Treas	Permanent	
Annual Budget	Treas	7 years	R
Bank Statements, cancelled checks	Treas	7 years	S
Cancelled checks for important payments	Treas	Permanent	
Deposit slips	Treas	7 years	R
Fixed Assets ledgers, property records	Treas	Permanent	
Interim Financial Statements	Treas	7 years	R
Investment Statements	Treas	7 years	S/R
Invoices from vendors/staff/volunteers	Treas	7 years	R
IRS Forms 1099 and 1096	Treas	7 years	S
IRS Form W-9 for vendors	Treas	7 years beyond final	S

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		transaction	
IRS Tax Returns-Form 990, 990T, and 5500 and supporting worksheets	Note 1	Permanent	
IRS Tax Return-Form 990/990T Public Copy	Note 1	3 most recent years	S
IRS Determination Letter/Group Letter	Note 1	Permanent	
IRS Tax-exemption application Form 1123	Note 1	Permanent	
Membership/Subscriber applications	Memchair	7 years	S
Payroll records-W-2's, Quarterly Reports	Treas	7 years-or longer if subject to retirement plan	S
Payroll supporting documentation	Treas	7 years	S
Retirement Plan Document & Amendments	n/a	Permanent	
<b>Description of Record(s)</b>	<b>Location</b>	<b>Retention</b>	<b>Code</b>
Retirement Plan Participant Account Stmt.	n/a	Permanent	
Timesheets	n/a	7 years	R
Year-end cumulative General Ledger	Treas	Permanent	
Year-end Trial Balance and Chart of Accounts	Treas	Permanent	
<b>Grant/Award Records:</b>			
Grant/Award applications-unfunded	Treas	3 years	S/R
Grant/Award applications-funded	Treas	7 years beyond final report	S/R
Grant/Award recipient information	Treas	Permanent-on IRS Form 990	
Selection Committee records-including criteria	Chair	3 years	S/R
<b>Continuing Education Records-</b>			
Continuing Education Documentation	Tech	3 years	R
<b>Meetings Records-</b>			
Attendee registration forms	Memchair	7 years	S/R
Speaker agreements	Treas	7 years after expiration of agreement	S/R
Also see Contracts under <b>Administrative Records</b>			
<b>Publications/Other Records:</b>			
Copyright release forms	Tech	Permanent - off-site after 1 year	
Copy of Book/Abstract/CD, etc.	Archiver	Permanent - 1 copy	
Royalty Agreements-See Contracts	Treas	7 years after expiration of agreement	S
Advertising contracts-See Contracts	Treas	7 years after expiration of contract	S/R
<b>Personnel Records: Before employment-</b>			
Unsolicited and solicited	Sec	1 year	S

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applications			
Unsolicited and solicited resumes	Sec	1 year	R
Job advertisements	Sec	1 year	R
Job advertisements		1 year	R
<b>Personnel Records: After employment-</b>		Retention may be longer if subject to a retirement plan	
Applications	Sec	7 years after termination	S
Resumes, position descriptions	Sec	7 years after termination	R
Continuing education/training documents	Tech	1 year after termination	R
Continuing education/training documents	Tech	1 year after termination	R
Employment Contracts	Treas	7 years after termination	S
HIPPA Records	Note 2	7 years after expiration or settlement	S
INS I-9 Forms	Treas	Longer of 3 years from date of hire or 1 year after termination	S
Withholding forms, ACH authorizations	Treas	7 years after termination	S
<b>Network Backup of Records-</b>			
Server Systems/Data files/Email files	Off-site	Monthly rotation	
Server Systems/Data files/Email files	On-site	Nightly	
Server Systems/Data files/Email files	On-Site	Month-end with annual rotation	
<b>Description of Record(s)</b>	<b>Location</b>	<b>Retention</b>	<b>Code</b>
Local Hard Drives	On-Site	See Note below	
Systems Software License Numbers	Off and on-site	Permanent for current version of software	

\* If litigation is pending, threatened, or possible, **DO NOT** destroy any record or file until permission is granted by Legal Counsel. Records subject to Federal Government Contract/Grant audits must be retained for the longer of: 7 years after filing of final indirect cost audits/close outs, or until all audit findings are fully resolved and negotiated.

The Department Director is responsible for monitoring compliance with the Record Retention and Destruction Policy to ensure that records are consistently and periodically purged and that the records retained are appropriate under this policy.

Records kept in electronic format should be archived in accordance with this policy. Note that electronic records are not destroyed **until the hard drive is destroyed**. Print a hard copy of documents listed under this policy.

The Department Director is responsible for authorizing the disposal of records. When authorized, shred records containing sensitive and/or confidential information and dispose of shredded material properly.

The Department Director should sign and maintain, in their departmental files, a list of the records destroyed.

**Notes:**

1 Tax Filing Records for organizations that are included under the Group Exemption are maintained at AAHPERD Headquarters.

2 Access to HIPAA records restricted to designated HIPAA authorized privacy officers only.

(Revised January 8, 2016)  
(Revised May 4, 2019) (Accepted by Vote June 2019)  
(Revised June 2020) (Accepted by Vote June 2020)

**SHAPEWV - Board of Directors**

The Board of Directors shall consist of the President, the President-Elect, the Immediate Past President, the Executive Director, the Vice President for each Division, the Secretary, the Treasurer, the Past Presidents' Council Representative, State Education Department Representative(s) (non-voting), Membership Director, Marketing Director, Resource Co-Directors, Parliamentarian (non-voting), Technology Co-Directors, and the Student Representative.

(Revised January 8, 2016)  
 (Revised May 4, 2019) (Accepted by Vote June 2019)  
 (Revised June 2020) (Accepted by Vote June 2020)

**SHAPEWV Governance Structure**  
**Board of Directors (Shaded Grey) / Executive board (Yellow)**  
**Representative Assembly (ALL)**  
 OC = Operating Code

<b>Past President - OC 3/17/20/26</b>	<b>President</b> <b>OC 1/17/20/24/25/26</b>	<b>President Elect – OC 2/17/20/21</b> (Student Advisor)
	<b>Executive Director – OC</b> <b>4/17/20/26</b>	
	<b>Treasurer – OC 6/17/20/26</b> (Even Years)	
	<b>Secretary – OC 5/17/20</b> (Odd Years)	
	<b>Parliamentarian/ OC 17/20</b> (Non-Voting)	
	<b>Past President’s Rep</b> (Even Years) (OC 7/17/20/22/24/26)	
<b>Past VP Elementary</b> <b>OC 10/18/20/26</b>	<b>VP Elementary</b> <b>OC 8/17/18/20/24</b>	<b>VP Elementary Elect</b> <b>OC 9/18/20/21</b>
<b>Past VP Secondary</b> <b>OC 10/18/20/26</b>	<b>VP Secondary –</b> <b>OC 8/17/18/20/24</b>	<b>VP Secondary Elect</b> <b>OC 9/18/20/21</b>
<b>Past VP Higher Ed</b> <b>OC 10/18/20/26</b>	<b>VP Higher Ed –</b> <b>OC 8/17/18/20/24</b>	<b>VP Higher Ed Elect</b> <b>OC 9/18/20/21</b>
	<b>Membership Director</b> <b>OC 13/17/20/26</b>	
	<b>Technology Co-Directors</b> <b>OC 11/17/20/26</b>	
	<b>Student Representative-</b> <b>OC 16/17/20/26</b>	
	<b>Resource Co-Directors</b> <b>OC 15/17/20</b>	
	<b>Marketing Director</b> <b>OC 12/17/20/26</b>	
	<b>State Representative(s)</b> <b>OC 17/20</b> (Non-Voting)	
	<b>Section Chairs:</b> <b>OC 18/19/20/26</b> (Elected annually – serve on current RA)	
	<b>Health – OC 18/19/20/26</b>	
	<b>Physical Activities</b> <b>OC 18/19/20/26</b>	
	<b>Dance-OC-18/19/20/26</b>	
	<b>Historian/Archivist-OC 14</b>	



(Revised January 8, 2016)  
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