The College shall comply with generally accepted accounting principles promulgated by State, Federal, and professional organizations (American Institute of Certified Public Accountants) with the appropriate professional jurisdiction (Governmental Accounting Standards Board).

Changes in accounting practice recommended in the auditor’s management letter shall be given consideration by the President after weighing the additional cost against benefits derived from the implementation of such recommendations.

Adopted: June 17, 1986
Revised: January 10, 2000
August 8, 2005
May 10, 2010
Bids:

The College shall obtain bids from district banking institutions meeting the specifications established by the Treasurer for furnishing routine banking services for the College. Bids shall be obtained every five years, or the Board may extend the then current contract.

Depository of Funds:

The Board shall designate by resolution the name and location of the bank or banks selected as the official College depository. The College’s official depository bank is allowed maximum balances for both routine banking services and investment purposes (Policy 5004). If the balance in the official depository bank exceeds the maximum as a result of large transactions, College personnel will invest the excess within 5 business days in accordance with law and college policy.

College personnel will review the Report of Condition for the official depository bank on a semi-annual basis.

Adopted: June 17, 1986
Revised: July 11, 1990
January 10, 2000
August 8, 2005
May 10, 2010
October 10, 2011
The Board shall select an accounting firm certified to practice in the State of Iowa or utilize the state auditor’s office to conduct an annual audit of the financial affairs of the College and/or render other professional services.

Such annual audit reports shall remain on permanent file in the office of the Board Secretary.
Preparation:

The preparation of the formal annual budget document shall be the responsibility of the President. The President shall present a detailed budget proposal to the Board at its regularly scheduled meeting in January or February. Such budget proposal shall present the financial needs for all funds of the College for the ensuing fiscal year.

Publication & Public Review:

The Board shall receive the budget proposal and shall establish and publish the time and the place for a public hearing on the budget. The public hearing shall be held not later than the 14th day of March with at least ten days, but no more than twenty days, notice of the hearing.

Verified proof of the public hearing notice publication shall be filed with the Polk County Auditor.

Adoption:

The Board shall adopt a final budget at the public hearing.

Following certification by the Board Secretary, the budget shall be submitted to the Polk County Auditor not later than March 15 annually. The College shall take the appropriate action to obtain approval of its budget from the State Board of Education.

NOTE: The public hearing, the notice of hearing, and the filing with the Polk County Auditor shall apply to funds 1, 2, and 7 only.
Section 1 – Scope of Investment Policy

The Investment Policy of Des Moines Area Community College shall apply to all operating funds, bond proceeds, New Jobs Training Program (NJTP) funds and other funds of Des Moines Area Community College. Each investment made pursuant to this Investment Policy must be authorized by applicable law and this written Investment Policy.

The investment of bond funds, sinking funds, or NJTP funds shall comply not only with this investment policy, but also be consistent with any applicable bond resolution or related agreement, and other relevant law.

This Investment Policy is intended to comply with Iowa Code Chapters 12B and 12C.

The College’s official depository bank is subject to the same investment policies as detailed in this policy. However, a separate maximum balance shall be established for the official depository bank.

Upon passage and upon future amendment, if any, copies of this Investment Policy shall be delivered to all of the following:

1. Board of Trustees
2. Treasurer, Senior Vice President of Business Services and appropriate business office staff.
3. All depository institutions or fiduciaries for public funds of Des Moines Area Community College.
4. The auditor engaged to audit any fund of Des Moines Area Community College.
5. Every fiduciary or third party managing, assisting with or facilitating investment of the funds of Des Moines Area Community College, including any custodian.

Section 2 – Delegation of Authority

In accordance with the Code of Iowa Section 12B.10(1), the responsibility for conducting investment transactions resides with the Treasurer of Des Moines Area Community College. Only the Treasurer of Des Moines Area Community College may invest public funds and a copy of any empowering resolution shall be attached to this Investment Policy.

The Board of Directors has the responsibility to manage the investment portfolio of the College in accordance with the applicable State of Iowa statutes. This responsibility requires the regular and frequent oversight of the investment decisions of the Board Treasurer. The Treasurer in conjunction with the Senior Vice President of Business Services shall provide to the Board on a monthly basis an analysis of all investments held at the close of each month.

The Treasurer in conjunction with the Senior Vice President of Business Services shall establish a written system of internal controls and investment practices. The controls shall be designed to prevent losses of public funds, to document those officers and employees of Des Moines Area Community College responsible for elements of the investment process and to address the capability of investment management.

Section 3 – Objective of Investment Policy

The primary objectives, in order of priority, of all investment activities involving the financial assets of Des Moines Area Community College shall be the following:

1. Safety: Safety of principal is the first priority.
2. **Liquidity**: Maintaining the necessary liquidity to match expected liabilities is the second priority. The length of individual investments shall provide the liquidity sufficient to fund anticipated cash requirements.

3. **Return**: Obtaining a reasonable return is the third priority on investment.

**Section 4 - Prudence**

The Treasurer or Board authorized employee or agent of Des Moines Area Community College, when investing or depositing public funds, shall exercise the care, skill, prudence and diligence under the circumstances then prevailing that a person acting in a like capacity and familiar with such matters would use to attain the investment objectives stated in Section 3. This standard requires that when making investment decisions, the Treasurer or Board authorized employee or agent shall consider the role that the investment or deposit plays within the portfolio of assets of Des Moines Area Community College and the investment objectives stated in Section 3.

Annually, or as circumstances require, a list of Financial Depositories and maximum amounts for each depository will be approved by the Board.

**Section 5 – Instruments Eligible for Investment**

The Treasurer is limited to investments in the following instruments:

1. Certificates of deposit or other evidences of deposit at federally insured institutions, which have previous Board approval pursuant to Chapter 12C, and administrative rule 781.13 of the Iowa Code.

2. Obligations of the United States government, its agencies and instrumentalities including mortgage-backed securities that are unleveraged, fixed or floating rate, and are issued directly by an U.S. Government Agency.

3. Iowa Schools Joint Investment Trust, if it meets the requirements for joint investment trusts set out in Iowa Code Section 128.10(5).

4. Prime bankers’ acceptance that mature within 180 days of purchase and that are eligible for purchase by a federal reserve bank.

5. Commercial paper or other short-term corporate debt that matures within 270 days of purchase and that is rated within the highest classification, as established by at least one of the standard ratings services approved by the superintendent of banking. If rated by two services, the investment must be rated the highest classification in both.

6. Repurchase agreements collateralized at no less than 102% and provided that the underlying collateral consists of obligations of the United States government, its agencies or instrumentalities and Des Moines Area Community College takes delivery of the collateral either directly or through an authorized custodian.

7. An open-end management investment company registered with the Securities & Exchange Commission under the federal Investment Company Act of 1940, 15 U.S.C. Section 80(a) and operated in accordance with 17 C.F.R. Sections 270.2a-7, whose portfolio investments are limited to those instruments individually authorized in Section 5 of this Investment Policy.

8. All instruments eligible for investment are further qualified by all other provisions of this Investment Policy, including Section 7 investment maturity limitations and Section 8 diversification requirements, and those limitations and requirements contained in Iowa Code Section 128.10(5) as applicable.
Section 6 – Prohibited Investments and Investment Practices

1. Investment in the following instruments is expressly forbidden:
   
   A. Trusts, except for the Iowa Schools Joint Investment Trust as outlined above.
   B. Reverse repurchase agreements.
   C. Equities.
   D. Futures and Option contracts.
   E. Other investments prohibited by statute.

2. Assets of Des Moines Area Community College shall not be invested pursuant to the following investment practices:
   
   a. The trading of securities for the purpose of speculation and the realization of short term trading profits.
   
   b. Pursuant to a contract providing for the compensation of an agent or fiduciary based upon investment performance.
   
   c. If a fiduciary or other third party with custody of public investment transaction records of Des Moines Area Community College fails to produce requested records when requested within a reasonable time, Des Moines Area Community College shall make no new investment with or through the fiduciary or third party and shall not renew maturing investments with or through the fiduciary or third party.

Section 7 – Investment Maturity Limitations

1. The investment of public funds which are operating funds shall be subject to the following:
   
   a. "Operating funds" means those funds which are reasonably expected to be expended during a current budget year or within fifteen months of receipt.
   
   b. Operating funds must be identified and distinguished from all other funds available for investment.
   
   c. Operating funds may only be invested in investments which mature within three hundred ninety-seven days or less and which are authorized by law for a community college.

2. Funds of Des Moines Area Community College that are not identified as operating funds may be invested in investments with maturities longer than three hundred ninety-seven (397) days, but not longer than 10 years. However, all investments of Des Moines Area Community College shall have maturities that are consistent with the needs and uses of Des Moines Area Community College.

Section 8 – Diversification

1. Investments of Des Moines Area Community College are subject to the following diversification requirements:
   
   a. Prime bankers’ acceptances
      
      1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of Des Moines Area Community College shall be invested in prime bankers’ acceptances, and
      
      2. At the time of purchase, no more than five percent (5%) of the investment portfolio of Des Moines Area Community College shall be invested in the securities of a single issuer.
b. Commercial paper or short-term debt:
1. At the time of purchase, no more than ten percent (10%) of the investment portfolio of Des Moines Area Community College shall be in commercial paper or other short-term corporate debt, and
2. At the time of purchase, no more than five percent (5%) of the investment portfolio of Des Moines Area Community College shall be invested in the securities of a single issuer.

2. Certificates of Deposit and other bank deposit accounts in banks within the Des Moines Area Community College District shall total not less than $10 million.

3. Where possible, it is the policy of Des Moines Area Community College to diversify its investment portfolio. Assets shall be diversified to eliminate the risk resulting from over concentration of assets in a specific maturity, a specific issuer, or a specific class of securities.

Section 9 – Safekeeping and Custody
All invested assets of Des Moines Area Community College involving the use of a public funds custodial agreement, as defined in Section 12B.10C, shall comply with said law and all rules adopted pursuant to Section 12B.10C. All custodial agreements shall be in writing and shall contain a provision that all custodial services be provided in accordance with the laws of the State of Iowa.

Section 10 – Ethics and Conflict of Interest
The Board of Trustees, Treasurer, Senior Vice President of Business Services, and all officers and employees of Des Moines Area Community College involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

Section 11 – Reporting
The Treasurer in conjunction with the Senior Vice President of Business Services and the Investment Adviser appointed by the Board of Trustees shall submit quarterly an investment report that summarizes recent market conditions and investment strategies employed since the last investment report. The report shall describe the current portfolio in terms of maturity, rates of return, and other portfolio characteristics. The report shall also summarize all investment transactions that have occurred during the reporting period and compare the investment results with the budgetary expectations.

Section 12 – Investment Policy Review and Amendment
This Investment Policy shall be reviewed annually or more frequently as appropriate. Notice of amendments to the Investment Policy shall be promptly given to all parties noted in Section 1.

Adopted: June 17, 1986
Revised: May 9, 1990
March 4, 1992
September 9, 1992
June 13, 1994
April 12, 1999
January 10, 2000
January 10, 2005
May 10, 2010
October 10, 2011
The Board may direct the issuance of debt instruments to meet the College's financial obligations. The terms and conditions and procedures for sale of any such debt shall be as directed by the Board and in accordance with the requirements of the Iowa Code.

Adopted:       June 17, 1986
Revised:       January 10, 2000
All requests for payment shall be fully supported by appropriate documents which include, but are not limited to, invoices and receiving documents. Payments may be made when properly approved by College employees directly responsible for the cost center charged and additionally approved as follows:

1. The Board shall have payments issued for all just claims against the College upon audit and allowance by the Board. The Board Secretary, when the Board is not in session, shall issue payments for salaries pursuant to the terms of written contracts and payments, upon receipt of verification filed with the Board Secretary, for other general fund and plant fund expenses, expenses involving auxiliary, agency and scholarship and loan accounts, and refunds to students for tuition and fees, in such amounts as are:
   a. authorized by any contract approved by the Board or by DMACC’s President pursuant to authority generally or specifically delegated to the Board Chair, or
   b. within budget and thus authorized by Board Policy, or
   c. authorized by DMACC rules and regulations governing refunds for tuition and fees to students.

   Such payments issued by the Board Secretary prior to audit and allowance by the Board shall be allowed by the Board at the first meeting held after the issuance and shall be entered in the minutes of the meeting. Not later than 8:00 a.m. on Wednesday preceding every Board meeting, a complete schedule of payables shall be available for inspection by any Board member, and any Board member requiring further detail about any expenditure may, not later than 11:00 a.m. of the day of the Board meeting, request such detail of the Senior Vice President of Business Services so the Senior Vice President of Business Services may supply such detail to such Board member at or prior to the beginning of the Board meeting.

2. All other payments shall be authorized by the Board at a regular or special meeting.

Adopted: June 17, 1986
Revised: January 10, 1994
January 10, 2000
August 8, 2005
October 10, 2011
The College shall reimburse employees who incur business-related expenses for activities which are directly related to the business of the College and for which a public purpose can be demonstrated.

The public purposes for these expenditures include, but are not limited to:

1. To inform businesses and industries of the College services and programs relating to business and industry.

2. To convince businesses and industries to utilize the College’s programs and services relating to business and industry.

3. To acquire and maintain contacts with business and industry representatives to assure the continued usefulness of the College’s existing programs and determine the need for new programs.

4. To investigate and determine labor needs and resources in the community relating to the College’s current or anticipated programs.

5. To recruit and consult with community advisory members regarding current or anticipated College programs.

6. To secure contracts between the College and businesses and industries for services to be rendered and programs to be conducted by the College.

7. To represent the College at activities which further the interest of the College and the various interests it serves.

Types of expenditures may include but are not limited to:

1. Meals (no reimbursement of alcohol)

2. Lodging

3. Transportation

Expense reimbursement shall be made using the current Business Services Procedure.

Adopted: June 17, 1986
Revised: January 10, 2000
Board adoption of the certified budget conveys authority to the President to approve all expenditures within the budget during the fiscal year. Such expenditures shall be made within the law, Board policy, and sound business practices. Overall expenditures during the fiscal year that exceed the final certified or properly amended budget for Funds 1, 2, and 7 shall be made in accordance with procedures specified in the Code of Iowa.

The Board, prior to giving final approval of an amended budget, shall file and publish the same and give notice of a public hearing as required by the Iowa Code.

Adopted: June 17, 1986
Revised: January 10, 2000
Under special circumstances, where in the judgment of the President a public purpose is served, the expenses of spouses of Board members or employees may be reimbursed providing prior written approval is given by the President.

Adopted: June 17, 1986
Revised: January 10, 2000
Site & Building Specifications:

The Board shall accept as minimum standards such site and building specifications as issued by the Iowa Department of Education and all governing bodies having jurisdiction. New construction will meet or exceed LEED Silver certification. The Board may adopt additional standards over and above the specifications issued by the Department of Education as it deems necessary and beneficial to the College.

Acquisition of Sites and Buildings:

The President shall present for Board approval the acquisition of all sites and buildings prior to any action concerning the same.

Selection of Architect:

Architects shall be selected by the Board with the counsel and recommendation of the President and other administrative staff members for each specific project.

Upon engagement by the Board, the architects shall be under the supervision of the President or designee.

Construction of Buildings and Sites:

All buildings and construction work constructed under the control of the College and paid for in whole or in part with college funds and costing in excess of the current competitive quotation or bid threshold as established by law must be approved by the Board in compliance with the competitive quotation or bidding procedures, as appropriate, set out in the Iowa Code. All other buildings and construction work shall be in accordance with procedures approved by the President or designee.

Requests for Bids shall include at least the following:

1. **Specifications for Construction Services at Des Moines Area Community College:**

   The Owner, Contractor, and Subcontractors understand the need to employ workers who are trained to work safely and competently and to meet recognized standards of care on the job site.

   To that end, it is the policy of Des Moines Area Community College (DMACC) that general contractors and subcontractors selected for DMACC construction projects provide for training of their employees in the work which they have contracted to perform for the Owner, either directly or as a subcontractor, according to the following guidelines and procedures.

   A. Each bidder shall be required to include in their bid package for construction of the project the following representations:

      1) As to all labor to be performed for DMACC, the general contractor or a subcontractor agrees that it will provide for applicable training for the activities to be performed;

      2) Only employees who have completed training or are enrolled in training shall be employed on the construction project;

      3) All individuals to perform labor for the general contractor or subcontractors, as specified above, will have current proof of completion of OSHA safety training prior to commencing work on the project.

   B. Bidders shall verify, as a part of their bid, the training and preparation that workers on the project have received that is applicable to the work to be performed for DMACC.
C. It is the specific intent of this Policy to not preclude either a union or non-union employer from being able to submit a qualified bid for DMACC projects.

D. As to any decision or interpretation to be made under this policy, RFP, bid or contract, the decision of the DMACC Board on this matter shall be final.

2. Requirement regarding all Labor Employed on the Project

A. The individuals performing labor for the general contractor or any subcontractors must be the legal and financial responsibility of the contractor or subcontractor. No liability or responsibility shall pass to DMACC.

B. No liability for the acts of any person performing activities under the contract or while they are on campus shall pass to DMACC. The entity retaining the employee or worker shall assume all liability, of any kind.

3. Requirement of Disclosure of Subcontractors Used

Contractors will identify all subcontractors performing 5% or more of the total contract value to DMACC within 3 days of being notified that the contractor appears to have the lowest responsive, responsible bid. Once DMACC receives this information, the bid can go to the College Board for final action. Any changes to be made by the prevailing bidder after their bid is accepted must be approved by the President or designee and meet the same requirements as set forth in this Board Policy.

DMACC, at its discretion, may waive irregularities or reject any or all bids, and may refuse to award a contract upon the filing of false information or the failure to submit information required to assure compliance with this policy directive.

DMACC shall enter into such contract(s) as deemed to be in the best interest of the College.

Adopted: June 17, 1986
Revised: January 10, 2000
April 10, 2006
November 13, 2006
May 10, 2010
October 10, 2011
Insurance Program

The College shall maintain a comprehensive insurance program to provide adequate coverage for public and personnel liability, adequate coverage in the event of loss and/or damage to College buildings, contents, and other equipment, and other insurance, as deemed necessary.

An independent appraisal and/or insurance consultant may be retained by the Board upon the recommendation of the President to enable the Board to maintain a comprehensive insurance program.

The insurance program of the College shall be reviewed periodically to insure adequate coverage of the program. Such review may be made annually, but must be made at least each five (5) years and reported to the Board by the President.

Accidents and College Liability

College employees shall make no public statements concerning the liability of the College in the event of an accident or injury. Liability and payment of compensation for injury shall be determined by College's insurance carrier in consultation with the College. Nothing herein shall be interpreted as preventing the College from contesting any claim.

Employee Bonds

Employees of the Board shall each be bonded in such amount as the Board may require, but in no case less than five hundred thousand dollars ($500,000) and with sureties to be approved by the Board.

Adopted: June 17, 1986
Revised: January 10, 2000
Physical plant facilities are established, maintained and operated with public funds. The College shall make its plant facilities available to responsible organizations, associations, and individuals of the community for civic, cultural, welfare or recreational activities which do not infringe upon nor interfere with the operation and interests of the College.

Activities for which facilities shall not be used may include, but are not limited to:

1. Those in conflict with College activities.

2. Fund-raising campaigns except as permitted by Board policy or special action of the Board.

3. Those which are illegally discriminatory.

4. Organizations or individuals promulgating any theory or doctrine subversive to the laws of the United States or any political subdivision thereof advocating governmental change by violence.

5. Any activity that may damage buildings, grounds, or equipment.

6. Those of a partisan political nature for which no cost is incurred by the user.

Approval and Fees:

The President shall approve administrative procedures for rental and scheduling the use of facilities and equipment. The procedures shall provide for appropriate indemnification of the College, as well as damage deposits or certificates of insurance.

Adopted:       June 17, 1986
Revised:       January 10, 2000
               October 10, 2011
The Code of Iowa authorizes the establishment of parking and traffic regulations on lots and roadways owned and maintained by the College.

The President or designee shall establish such parking/traffic regulations as deemed necessary to ensure the best possible arrangement for students, employees, and visitors. Such regulations shall include, but are not limited to the use of institutional roads, driveways, and grounds; registration of vehicles and bicycles; the designation of parking areas; the erection and maintenance of signs designating prohibitions or restrictions; and the installation and maintenance of parking control devices (except parking meters). Such regulations shall be published by the College and made generally available to students and employees. The President shall recommend to the Board for approval fines and penalties deemed necessary to enforce such regulations.

Adopted: June 17, 1986
Revised: January 10, 2000
October 10, 2011
The President or designee shall have the authority to temporarily suspend all or a portion of College operations due to weather or other emergency conditions.

College closings shall be publicly announced using appropriate media.
The College shall purchase products and services using competitive procedures through a centralized purchasing agent. The purchasing agent shall have sole authority, within established policy and administrative procedures, to order supplies and materials, and to obligate the College for contractual services. College employees may not order products or services in any manner except as provided in the Purchasing Procedures or upon permission of the Purchasing Agent. The College shall assume only those obligations authorized by the Purchasing Agent in accordance with the Purchasing Procedure.

The Board authorizes the Vice President of Business Services, or his/her designee, to negotiate a line of credit with vendors, or trade accounts, of up to $500,000 to purchase supplies and services required by the College.

Contracts and purchase orders shall be awarded as prescribed by the Purchasing Procedures. Contracts shall be awarded to the lowest responsible bidder complying with specifications and other stipulated bidding conditions. The College has the right to reject any or all bids, and shall enter into such contract(s) as deemed in the best interest of the College.

The requirements of Iowa Code Section 73.1 et seq. and other applicable sections of the Iowa Code that may apply that give preference to State of Iowa products and labor shall be considered in the award of any bid or contract.

The College’s competitive procedures for the purchase of products and services shall give a preference to qualified businesses with an office or offices or other facilities located within Area 11 to the same extent as Iowa businesses are given a preference in 73.1 et seq.

Adopted: June 17, 1986
Revised: November 13, 1991
January 10, 2000
April 10, 2006
June 9, 2008
October 10, 2011
The President or designee shall establish procedures, including public notice of sale, for disposal of surplus equipment.
The President shall designate an internal auditor who shall report to the President or designee, and shall provide an independent appraisal of specifically identified College functions. This activity shall serve as a managerial control which measures and evaluates the effectiveness of established standards and procedures.

The objective of internal auditing shall be to assist all members of management in the effective discharge of their responsibilities by furnishing them with analyses, appraisals, and recommendations concerning the activities reviewed. The internal auditor shall be concerned with all phases of business activity where he/she may be of service to management. This involves going beyond the accounting and financial records to obtain records to obtain a full understanding of the operations under review. The attainment of this overall objective includes, but is not limited to:

1. Reviewing and appraising the soundness, adequacy, and application of accounting, financial, and other operating controls, and promoting effective control at reasonable cost.

2. Ascertaining the extent of compliance with established policies, plans, and procedures.

3. Ascertaining the extent to which College assets are accounted for and safeguarded from losses.

4. Ascertaining the reliability of management data developed within the organization.

5. Appraising the quality of unit or program’s performance in carrying out assigned responsibilities.

6. Recommending operating improvements.

The internal auditor shall have no direct responsibilities for, nor authority over any of the activities which he/she reviews.

Adopted: June 17, 1986
Revised: January 10, 2000
GUIDELINES FOR APPROPRIATE COLLEGE EXPENDITURES

The expenditure of public funds shall meet the “public purpose” test, be incurred in connection with established board policy, and meet the “reasonableness” standard.

In practice each of these requirements is subject to interpretation by a diverse array of individuals. The following paragraphs are intended to provide additional guidance as the budget manager attempts to interpret the “public purpose” standard.

Examples of public purpose standards include:

a. Business activities relating directly to the operation of the College.

b. Fund raising for the benefit of the College or College Foundation.

c. Advocating economic development in the district and state for the purpose of recruiting new business, retaining existing business, and promoting entrepreneurship.

d. Meeting with government officials to inform them of College programs and services. Engaging in political activities shall be excluded.

Any activity resulting in personal gain, other than those incorporated into compensation agreements, do not meet the public purpose test.

Adopted: November 18, 1986
Revised: January 10, 2000
The primary mission of Des Moines Area Community College is to provide education and training. To complete this mission, it is frequently desirable for the students to engage in business-like activities. The College may charge fees to recover the costs incurred for these activities. Educational business activities are to be established and carried on in accordance with this policy as approved by the President.

Prohibited Activities - Except as permitted by this policy, the College shall not, unless specifically authorized by statute, rule, ordinance or regulation:

1. Engage in the manufacturing, processing, sale, offering for sale, rental, leasing, delivery, dispensing, distributing or advertising of goods or services to the public which are also offered by private enterprise unless such goods or services are for use or consumption exclusively by the College; or

2. Offer or provide goods or services to the public for or through another state agency or political subdivision, by intergovernmental agreement or otherwise, in violation of applicable law.

The following on-campus activities of the College shall not be considered business activities and therefore are not subject to this policy:

1. Student transportation, except as set forth below.

2. The provisions of overnight accommodations for participants in programs of the College, visitors to the College, parents and alumni.

3. Sponsoring or providing facilities for cultural, athletic, educational, or training programs or events.

4. The sale of items displaying the emblem, mascot or logo of the College, or that otherwise promotes the identity of the College and its programs.

5. The sale of souvenirs and programs relating to events sponsored by or at the College.

6. The operation of a radio or television station.

7. The sale or offering of goods, products, or professional services which are produced, created or sold incidental to the College’s teaching, research, and extension missions.

The following activities shall be permitted under this policy:

1. The sale of goods or services that are directly and reasonably related to the educational mission of the College.

2. The sale or offering of goods or services offered only to students, employees or guests of the College and which cannot be provided by private enterprise at the same or lower cost.

3. The use of vehicles owned by the College for charter trips offered to the public, or to full or part-time, or temporary students.

4. The sale of durable medical equipment or devices sold or leased for use off the premises of the College.

5. The sale or offering of goods or services which are not otherwise available in the quantity or quality required by the College.

6. Telecommunication services other than radio or television.
7. Research projects and projects involving experimental technology.

8. Sponsoring or providing facilities for fitness or recreation.

9. Food service and sales.

10. The sale of books, records, tapes, software, educational equipment, and supplies.

11. Development and sale of media materials for educational or training programs.

Adopted: February 14, 1989
Revised: January 10, 2000
August 8, 2005
October 10, 2011
Training provided under Iowa’s Industrial New Jobs Training law is funded by the issuance of debt by Des Moines Area Community College. The debt is retired through subsequent collection of new jobs credit from withholding and/or incremental property tax from new construction and machinery and equipment. Should a business receiving training under this law fail to provide sufficient incremental property tax and withholding revenue and cannot otherwise provide for payment of the Industrial New Jobs Training certificates issued to fund the training program, the law provides for the levy of a stand-by tax against all the taxable property in the Area.

Since the default by a business may result in the levy of such a stand-by tax upon the taxpayers of the Area, it is essential that the financial condition of the applicant business be reviewed prior to Board consideration of each Iowa Industrial New Jobs Training Agreement. Proprietary and financial disclosure by applicant companies shall be kept confidential to the extent permitted by law.

The Administration shall prepare operating procedures which outline specific financial guidelines to be included in the performance of their due diligence responsibilities.

For purposes of qualifying for jobs training under Iowa’s Industrial New Jobs Training law, “industry” is defined as “…a business engaged in interstate or intrastate commerce for the purpose of manufacturing, processing, or assembling products, conducting research and development, or providing services in interstate commerce, but excludes retail, health, or professional services…”

Confinement feeding operations do not constitute businesses which manufacture, process, or assemble products, or conduct research and development, or provide services in interstate commerce. Accordingly, confinement feeding operations do not qualify for jobs training under Iowa’s Industrial New Jobs Training law.

Adopted: December 12, 1994
Revised: June 12, 1995
January 10, 2000
October 10, 2011
Income received for any College activity shall be processed by the Business Office, classified consistent with the Uniform Financial Accounting System for Area Schools, and deposited into an official College depository.

Adopted: June 17, 1986
Revised: January 10, 2000
The President shall ensure that a centralized up-to-date equipment inventory system and record is maintained for the purposes of internal accountability and audit compliance, insurance recovery, and equipment replacement.

Adopted: June 17, 1986
Revised: January 10, 2000
All employees of DMACC are encouraged to play an active role in ensuring that DMACC resources are protected, preserved, and enhanced. This Code sets forth the fundamental expectations relating to all business and fiduciary conduct. The Code is not intended to modify or restate policy. Instead, this is DMACC’s statement of the underlying principles by which it expects those with business and fiduciary responsibilities to carry out their duties.

1. Fairness, integrity, respect

DMACC values fairness, integrity, and respect, and strives to integrate these values into its business practices. All faculty, staff, students, and administrators are expected to act at all times with fairness, integrity, and respect for others.

DMACC values self-expression. Faculty and staff members are responsible for promoting a spirit of respect that reflects a commitment to tolerance and diverse points of view.

2. Accountability

Employment by DMACC also requires a commitment to work diligently, to perform assigned duties and to strive to meet the objectives, goals, and missions of DMACC. Employment responsibilities are to be carried out in a manner that promotes and protects the institution’s best interests. Employees should not use their positions to advance their own personal interests. Objectivity in decision making is a key component in complying with the standard of accountability.

3. Compliance with law

Persons acting on behalf of DMACC are individually accountable for their own actions and, as members of the DMACC community, are collectively accountable for upholding these standards of behavior and for compliance with all applicable laws and policies.

Employees should take no action for the purpose of rendering the institution’s financial statements misleading. In particular, no one should take action to influence, coerce, manipulate or mislead DMACC in its accounting functions or an auditor employed by DMACC or engaged in the performance of an audit for the purpose of rendering the institution’s financial statements materially misleading.

Senior Management

By virtue of their leadership status, members of senior management have the responsibility for not only complying with this Code of Business and Fiduciary Conduct but also bear responsibility for “setting the tone” for DMACC. This added ethical responsibility requires senior management to:

- Provide leadership and vision and serve as role models as stewards of the institution’s finances, assets, resources and business processes
- Avoid actual or apparent conflicts of interest involving personal and professional relationships
- Work to promote, by personal example, ethical behavior among employees
- Communicate to employees the content of the Code of Business and Fiduciary Conduct and strive to ensure that the standards of professional conduct it describes are met
- Create realistic expectations and clearly indicate that integrity is not to be compromised in order to achieve any results
Create an environment encouraging employees and others to report policy and law violations promptly, and which protects such persons from retaliation.
The President shall ensure that a detailed listing of capital assets and their related depreciation be maintained for the purposes of internal accountability, audit compliance, insurance recovery, and equipment replacement. Capital assets will be classified as land, buildings, construction in progress, improvements other than buildings, equipment, and vehicles.

Capital assets shall be recorded at cost if purchased or constructed. Donated capital assets shall be recorded at the estimated fair market value at the date of donation.

Capital assets are those with initial, individual costs in excess of $5,000 and estimated useful lives in excess of two years. Improvements other than buildings will not be capitalized unless the cost of such improvement exceeds $100,000, unless the expenditure adds value to the asset or materially extends the asset’s useful life.

Depreciation shall be calculated on the straight-line method over the following estimated useful lives:

- Buildings: 15-40 years
- Improvements other than buildings: 10-40 years
- Equipment and vehicles: 4-10 years

Adopted: July 14, 2008
Reviewed: 2011
Revised:
The President shall ensure that a detailed listing of intangible assets and their related amortization be maintained for purposes of internal accountability and audit compliance. Intangible assets are assets that are acquired through purchase, license, and donation, or are internally generated and possess all of the following characteristics:

- Lack of physical substance
- Nonfinancial in nature
- Initial useful life exceeding one year

Common types of intangible assets include: internally generated software, easements, land use rights, trademarks, copyrights, and patents.

Intangible assets shall be recorded at cost if purchased or constructed. Donated intangible assets shall be recorded at the estimated fair market value at the date of donation. The capitalization threshold for intangible assets will be $5,000. Disposal of intangible assets requires the approval of the Director, Purchasing/Campus Services.

Amortization shall be calculated on the straight line method over a 20 year useful life.

Adopted: October 10, 2011
The purpose of this policy is to establish adequate safeguards for post-issuance compliance with respect to tax-exempt qualified obligations issued by Des Moines Area Community College ("DMACC") and to promote efficient, effective procedures to this end.

This policy documents existing practices and describes various procedures and systems designed to identify on a timely basis facts relevant to demonstrating compliance with the requirements that must be satisfied subsequent to the issuance of tax-exempt qualified obligations in order that the interest on such obligations be, or continue to be, or would be but for certain provisions of the Internal Revenue Code of 1986, as amended (the "Code"), excludable from gross income for federal income tax purposes.

Section 148 of the Code along with the regulations thereunder, provide a set of rules regarding the amount of arbitrage that can be earned from the proceeds of tax-exempt obligations and the amounts of such arbitrage which are required to be rebated to the United States. In order to ensure compliance with this Section, DMACC will adhere to the following procedures:

DMACC shall certify in a document signed by the DMACC on or before the date of issuance of tax-exempt qualified obligations ("obligations"), the following:

(a) that DMACC will comply with the arbitrage and rebate requirements under the Code to maintain the tax-exempt status on obligations;

(b) that DMACC monitor the use of the proceeds of obligations and facilities financed with the proceeds in order to determine within a reasonable amount of time of the obligations losing their tax-exempt status; and

(c) that DMACC shall calculate the amount of rebate, if any, required to be paid to the United States, at least once every 5 years (with the last calculation to be made no later than 60 days after the day on which the last obligation is redeemed) along with the amount, if any, of rebate paid to the United States.

Under the Code and its regulations, an issue of governmental or private activity tax-exempt obligations fails to be an issue of tax-exempt bonds if the issuer takes a deliberate action, subsequent to the issue date, that causes the issue to fail to comply with the requirements of sections 141 and 145. In order to ensure compliance with the Code after the issuance of obligations and that any necessary remedial action is taken, DMACC will adhere to the following procedures:

(1) DMACC shall certify in a document signed by the DMACC on or before the date of issuance of tax-exempt qualified obligations ("obligations"), the following:

(a) that DMACC reasonably expects on the issue date that the issue would meet neither the private business tests nor the private loan financing test for the entire term of the bonds;

(b) the weighted average maturity of the bonds of the issue is not greater than 120% of the average reasonably expected economic life of the property financed with the proceeds of the issue as of the issue date;

(c) the terms of any arrangement that results in satisfaction of either the private business tests or the private loan financing test are bona fide and arm's length, and the new user pays fair market value for the use of the financed property;

(d) DMACC will treat any disposition proceeds as gross proceeds for purposes of section 148 of the Code;

(e) the proceeds of the issue that are affected by the deliberate action must have been expended on a governmental purpose before the date of the deliberate action (except in
cases where the remedial action involves a redemption or defeasance of nonqualified bonds);

(f) if a deliberate action is taken by DMACC which causes an issue to meet the private business tests or the private loan financing test, as defined in the code, then the DMACC will take a remedial action under Reg. 1.141-12 to ensure that the bonds remain governamental bonds.

(2) After the issuance by DMACC of any obligations, if a deliberate action is taken by the DMACC which causes an issue to meet the private business tests or the private loan financing test, as defined in the Code, DMACC will notify bond counsel of such deliberate action.

Prior to the issuance of Advance Refunding Bonds, DMACC will adhere to the following policies:

(1) DMACC, together with bond counsel, will rely on the advice of outside financial advisors to determine which bonds, if any, should be advanced refunded. It is DMACC’s practice to not use capital appreciation bonds or zero coupon bonds in structuring advance refunding issues unless an outside financial advisor specifically recommends it and DMACC agrees to such a structure.

(2) DMACC, together with bond counsel and DMACC’s financial advisor, will review all documents necessary to determine if there will be any federal tax compliance issues prior to structuring any advance refunding bonds.

(3) DMACC, together with bond counsel and DMACC’s financial advisor, will review the structure of any advance refunding bonds prior to issuance to make sure that such advance refunding is permitted, complies with applicable federal tax requirements with respect to redemption and arbitrage, and will not enable DMACC to exploit the difference between tax-exempt and taxable interest rates to obtain a financial advantage nor will it overburden the tax-exempt bond market in a way that it might be considered an abusive transaction for federal tax purposes.

(4) DMACC will only purchase State and Local Government Series (“SLGS”) securities bearing zero interest for refunding escrows upon the advice of an investment banker with experience in investing in SLGS.

(5) DMACC will not invest in guaranteed investment contracts for any reserve fund investments in connection with an advance refunding bond transaction unless it uses a bidding agent or broker to acquire the guaranteed investment contract and it is with a guaranteed investment contract provider that satisfies the requirements of Reg. § 1.148-5.

(6) DMACC shall, prior to the issuance of advanced refunding bonds, certify in a document signed by the DMACC on or before the date of issuance, the following:

(a) that DMACC will comply with the advanced refunding provisions under the Code to maintain the tax-exempt status on such obligations;

(b) that DMACC shall notify bond counsel within a reasonable amount of time of any violation of federal tax requirements for either an advanced refunded issue or a currently refunded issue; and

(c) that DMACC shall within a reasonable period of time, correct any violations of federal tax requirements.

DMACC will maintain all of the records in its possession to ensure that an issue remains in compliance with applicable federal tax requirements for the life of such issue plus ten years. Prior to its issuance of tax-exempt obligations, DMACC will certify that it will maintain proper records in order to comply with federal tax requirements for the life of such issue plus ten years, including but not limited to the following:
Basic records relating to the bond transaction (including any trust indenture, bond resolution, bond counsel opinion, investment contracts, credit enhancement transactions, financial derivatives, bidding of financial products for investment securities, federal tax or information returns, audited financial statements, official statements/offering documents/private placement documents, minutes/resolutions/orders authorizing the financings, certificates of the issue price of the financing, trustee statements, records of refunded bonds to the extent necessary to support compliance with federal tax requirements, correspondence for bond financings (including letters, e-mails and faxes), and reports of any prior IRS examination of DMACC or financings);

Documentation evidencing expenditure of bond proceeds;

Documentation evidencing use of bond-financed property by public and private sources (i.e., copies of management contracts and research agreements);

Documentation evidencing all sources of payment or security for the bonds; and

Documentation pertaining to any investment of bond proceeds (including the purchase and sale of securities, SLGs subscriptions, yield calculations for each class of investments, actual investment income received by the investment of proceeds, guaranteed investment contracts, and rebate calculations).


Such records are to be maintained in hard copy but may be kept in electronic format if the requirements of Rev. Proc. 97-22 are met.

This policy is to be carried out by DMACC’s Senior Accountant. The responsibility for monitoring post-issuance compliance in accordance with this policy and for resolving post-issuance compliance issues resides with DMACC’s Senior Accountant. DMACC’s Senior Accountant is authorized to execute all agreements and documents related to post-issuance compliance issues. The Senior Accountant shall receive all training and educational resources as are necessary to monitor post-issuance compliance matters.

Adopted: March 12, 2012
The Board embraces energy conservation and believes it to be our responsibility to ensure that every reasonable effort is made to conserve energy and natural resources while exercising sound financial management.

We recognize the importance of adopting an energy conservation policy to govern this program. We also affirm the implementation of this policy will be the joint responsibility of the board, administration, faculty, staff, students, support personnel, and Energy Education. Success is based on cooperation amid all groups.

To ensure the overall success of our behavior-based energy conservation program, the following areas will be emphasized:

1) A designated campus Administrator will be accountable for energy conservation on his/her campus with Energy Education Specialist teams conducting energy audits and providing timely feedback.

2) All personnel at each campus are expected to make a positive contribution to maximize energy conservation and produce real energy savings.

3) Energy Education will implement its energy conservation program primarily through an energy management team led by the Energy Education Specialist(s) in accordance with “Energy Guidelines” that will be adopted by administration and will define the “rules of engagement” for our energy program.

4) Accurate records of energy consumption and cost will be maintained by the Energy Education Specialist for each campus to provide verifiable performance results on the goals and progress of the energy conservation program.

Further, to promote a safe, healthy learning environment and to complement the energy conservation program, each campus shall review and adhere to the preventive maintenance and monitoring plan administered by the campus physical plant for its facilities and systems, including HVAC, building envelope, and moisture management.

Whereas the Board is responsible for overseeing the operations and fiscal accountability of each institution under its governance,

Whereas the Board embraces energy conservation and desire for DMACC to become a nationwide institutional leader in energy conservation as part of our social responsibility to respect our natural resources,

Whereas the Board has engaged Energy Education to use its expertise to develop and implement a comprehensive, behavior-based energy conservation program across DMACC.

Therefore, the Board directs the College President and his/her agents to develop and implement short and long range strategies to maximize energy conservation.

Adopted: May 7, 2012