

# Davis Technical College Foundation, Inc.

## Management of Foundation Investments Policy

**Effective Date: 12 May 2005**  
Foundation Board Approval: 12 May 2005

### 1. Purpose

To provide for the implementation of the Utah State Money Management Act and the rules of the State Money Management Council and policy regarding investments of the Davis Technical College Foundation, Inc. (Foundation).

### 2. References

**2.1.** Board of Regents Policy R541, Management and Reporting of Institutional Investments

**2.2.** Utah Code [Title 51, Chapter 7](#) (State Money Management Act)

**2.3.** Utah Administrative Code [Title R628](#) (Rules of the State Money Management Council)

**2.4.** Davis Technical College Management of Institutional Investment Policy

### 3. Definitions

**3.1. College** - College means the Davis Technical College.

**3.2. Foundation Board** - Foundation Board means the Board of Trustees of the Davis Technical College Foundation, Inc., a public foundation established under section 501(c)(3) of the Internal Revenue Code to facilitate and encourage the donation of private funds, materials, and services in support of the College.

**3.3. Investments** - Investments refers to all funds held by the Foundation addressed under provisions of the State Money Management Act, i.e., Utah Code [Title 51, Chapter 7](#).

**3.4. Public Funds** - Public Funds means monies, funds, and accounts, regardless of the source from which they are derived that are owned, held, or administered by the Foundation.

**3.5. Public Monies** - Public monies means public funds.

**3.6. Public Treasurer** - Public Treasurer means the Vice President of Administrative Services of the College, or another individual designated by the Foundation Board who has been delegated the responsibility for the safekeeping and investment of any of the Foundation's public funds.

**3.7. State Funds** - State Funds means public monies raised by operation of law for the support and operation of the College or the Foundation, and all other monies, funds, and accounts, regardless of the source from which they are derived, that are owned, held, or administered by the Foundation.

### 4. Policy

**4.1.** The investment of public funds by the Foundation shall comply with applicable statutory provisions, including the State Money Management Act, and the [rules of the State Money Management Council](#).

**4.2. Authority to Manage Public Funds** - The authority to manage the Foundation's public funds is the responsibility of the Foundation Board. The Foundation's public treasurer is delegated the authority to implement strategies provided by the Foundation Board.

### **4.3. Approval of Investment Decisions**

**4.3.1.** The public treasurer is authorized to purchase and sell repurchase agreements, money market mutual funds, and certificates of deposit.

**4.3.2.** The public treasurer must receive the approval of the Foundation Board or the Foundation Board Executive Committee for investment transactions and investment strategies other than routine banking transactions, repurchase agreements, money market mutual funds, and certificates of deposit.

### **4.4. Investment Objectives for Public Funds**

**4.4.1.** The Foundation shall consider and meet the following objectives when depositing and investing public funds:

**4.4.1.1.** Safety of principal;

**4.4.1.2.** Need for liquidity;

**4.4.1.3.** Yield on investments;

**4.4.1.4.** Maturity of investments.

**4.4.2.** Investments of public funds will be made in accordance with Section 51-7-11 of the State Money Management Act as well as in conformity with any other applicable laws, rules, policies, regulations, or other pertinent legal restrictions.

**4.4.3.** Selection of investments shall be made with the exercise of that degree of judgment and care, under circumstances then prevailing, that persons of prudence, discretion, and intelligence would ordinarily exercise in the management of their own affairs, not for speculation but for investment, considering the safety of their capital, as well as the expected benefits to be derived and the duration for which such investment is to be made.

### **4.5. Funds Acquired by Gift, Devise, or Bequest, or by Private Contract or Grant**

**4.5.1.** Investments of funds acquired by gift, devise, or bequest, or by private contract or grant shall be made in accordance with donor directive and Rule 2 of the Money Management Council as well as in conformity with any other applicable laws, rules, policies, regulations, donor instructions, or other pertinent legal restrictions. If any gift, devise, bequest or grant is made with a written instrument which contains directions as to the investment thereof, those funds shall be invested in accordance with those directions. Common stock received by donation which is lettered stock, or which is restricted from sale because it is not registered with the Securities and Exchange Commission may be retained by the Foundation and shall be considered to be invested according to the terms of the donation.

**4.5.2. Donated Equity Securities and Real Estate** - Ordinarily, equity securities and real estate which are received by gift or bequest shall promptly be sold. Exceptions are granted only by the Foundation Board, or the Foundation Board Executive Committee with ratification by the Foundation Board at the next regularly scheduled Foundation Board meeting. Exceptions may only be approved for investments which are authorized under Rule 2 of the Money Management Council. Approved exceptions should be accompanied by an investment strategy to be followed in monitoring the equity security or real estate. Notwithstanding this, if the terms of a gift or grant require particular investments, the funds shall be invested according to those terms.