



## BOARD POLICY

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**TITLE: DEBT ISSUANCE AND MANAGEMENT**

**BOARD POLICY # 6316** *(was 614)*

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- I. The College President or designee shall be responsible for the issuance and management of debt. These responsibilities include:
  - A. Ensuring full compliance with the terms and conditions outlined in bond resolutions approved by the College Board of Education.
  - B. Ensuring compliance with the Oregon Revised Statutes (ORS) governing public borrowing and issuance of bonds and all applicable legislative and administrative rule updates since the adoption of this policy.
  - C. Ensuring full compliance with the federal tax and securities law that apply to any debt. The College shall adopt compliance procedures so the proceeds of all bonds, certificates of participation, bond anticipation notes, bank loans, tax, and revenue anticipated notes are used in accordance with applicable federal tax and securities law requirements.
  
- II. To meet the objectives of this policy, the College President or designee shall ensure that the college carries out the following functions when incurring and servicing all debt:
  - A. Upon the approval by the College Board of Education, issue bonds and other obligations in accordance with the laws, rules, and limitations set forth in the ORS, the Oregon Administrative Rules (OAR), and any applicable legislative and rule updates since the adoption of this policy.
  - B. Ensure that sufficient funds are available to meet current and future debt service requirements on all indebtedness while adequately providing for recurring operating requirements.
  - C. Maintain and enhance the college's ability to obtain access to credit markets at favorable interest rates.

- D. Act in the best interest of the College and taxpayers when issuing debt, and market the College's debt with advice from independent financial advisors and legal counsel to get unbiased professional opinions on methodology and structure.
- E. Account for the debt issues and related transactions in accordance with local budget law and Generally Accepted Accounting Principles (GAAP).
- F. Monitor post issuance federal tax and securities law compliance in accordance with established procedures.

**References:**

ORS 287A.001  
ORS 294.305  
Internal Revenue Code 15(c)2-12;  
17 CFR Part 240

The Chief Financial Officer is responsible for implementing and updating this policy. Specific guidance for policy implementation may be found in the associated Administrative Procedure(s).

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**NEXT REVIEW DATE:**  
**DATE OF ADOPTION: 3/11/2020**  
**DATE(S) OF REVISION:**  
**DATE(S) OF PRIOR REVIEW:**