

**TEMPLE COLLEGE  
INVESTMENT POLICY  
Approved by the Board of Trustees  
January 26, 2009**

**INTRODUCTION**

This Investment Policy supersedes all other policies and has been formulated to comply with the requirements of the Texas Public Funds Investment Act, as amended and effective September 1, 1995<sup>1</sup>. In addition to providing specific restrictions on certain types of investments, the law requires certain issues to be addressed in the investment policy and the incorporation of specific language. Compliance with the law significantly expands the Investment Policy and provides for a greater lever of detail and understanding.

**ARTICLE I  
PURPOSE, OBJECTIVES, AND STRATEGY**

- 1.1 Purpose of Policy. The purpose of this Investment Policy is to provide the College with specific guidelines so that the return on available cash reserves in each of the funds under its control may be maximized while the risk to invested capital may be minimized.
  
- 1.2 Investment Objectives. Investment of funds shall be governed by the following investment objectives, in order of priority, for each investable fund listed in Article II.
  - a. **Investment Suitability** – in recognition of the College’s primary educational mission, its role as a custodian of the public trust, its unique budgetary and cash flow cycles, and restrictions of state and federal laws.
  - b. **Preservation and Safety of Principal** – to ensure that potential capital losses are avoided whether they be from defaults or erosion of market value.
  - c. **Liquidity** – by structuring maturities to enable the College to meet all cash requirements which might reasonable be anticipated.
  - d. **Marketability** – to provide the College the ability to liquidate the investment prior to its maturity date.
  - e. **Portfolio Diversification** – to avoid incurring unreasonable and avoidable risks regarding specific types of securities or concentrations within individual financial institutions.
  - f. **Yield** – To attain the best rate of return on investments, based on the existing depository service contract and quotes received from primary government securities dealers, as defined by the Federal Reserve, for financial institutions doing business in this state.

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<sup>1</sup> Policy revised September 1, 1997 to reflect amendments to PFIA by H.B. 2799, 75<sup>th</sup> Legislative, R.S.

- 1.3 Written Investment Strategy. Each major fund type has varying cash flow requirements and liquidity needs. Therefore, specific investment strategies shall be implemented and changed from time to time considering the fund's unique requirements. The Investment Officer will review the current investment strategy, make appropriate revisions, and present an updated Investment Strategy Statement as a part of each quarterly Investment Report (Article VIII). The written Investment Strategy Statement will address each of the investment objectives listed in Article I (1.2).

## **ARTICLE II SCOPE**

This Investment Policy applies to all financial assets of the College which are accounted for in its annual financial report and may include:

2.1 The Pooled Operating Funds consisting of:

- a. Current unrestricted funds,
- b. Current restricted funds whose investment is required by state or federal laws or board policy,
- c. Endowment funds, and
- d. Agency funds held in trust for others.

2.2 Bond Proceeds:

- a. The Investment maturity of bond proceeds (excluding reserve and debt service fund) shall generally be limited to the anticipated cash flow requirement of the "temporary period," as defined by Federal tax law.
- b. During the "temporary period," bond proceeds may be invested at an unrestricted yield, subject first to the objectives of preservation of principal and liquidity.
- c. After the expiration of the "temporary period," bond proceeds subject to yield restriction shall be invested considering the anticipated cash flow requirements of the funds and market conditions to achieve compliance with the applicable regulations.

2.3 Debt Service (Interest and Sinking Funds):

- a. Shall be invested to insure adequate funding for each debt service payment. Funds shall be invested in such a manner so that the maturity date of any investment does not exceed an unfunded debt service date.
- b. The College shall not invest any debt service funds in securities or obligations not otherwise authorized by the applicable bond resolution.

2.4 Debt Service Reserve Funds:

- a. Market condition, Bond Resolution covenants and Arbitrage regulation compliance will be considered when formulating Reserve Fund investment strategy.
- b. Maturity limitations shall generally not exceed the call provisions of the Bond Resolution and shall not exceed the final maturity of the bond issue.
- c. The District shall not invest any debt service reserve funds in securities or obligations not otherwise authorized by the applicable bond resolution.

2.5 Any new fund or trust created by the College, unless specifically exempted from this Policy by the Board of Trustees or by State or Federal law.

**ARTICLE III  
INVESTMENT PERSONNEL**

3.1 Designated Investment Officer. The Vice President for Administrative Services shall be designated by resolution as the College's Investment Officer. The Investment Officer will be authorized to conduct all investment activity as provided for in this Policy. In the absence of the Vice President of Administrative Services, the Associate Vice President of Finance/Information and Technology Services and CIO, with approval of the President of the College, shall act as the College's Investment Officer.

3.2 Term. Investment authority granted to the Investment Office to deposit, withdraw, invest, divest, transfer, or manage the College's funds is effective until transcended by a resolution of the Board of Trustees.

3.3 Statement of Interest and Affiliation. The Investment Officer shall file a statement disclosing any and all personal business relationships with any entity seeking to sell an investment to the College. In addition, the Investment Officer shall file a disclosure statement if the officer is related within the second degree by affinity or consanguinity, as determined under Chapter 573, Government Code, to an individual seeking to sell an investment to the College. Such statements must be filed with the Texas Ethics Commission and with the Board of Trustees of Temple College.

3.4 Standard of Care. Investment decisions shall be made with judgment and care, under prevailing circumstances, that a person of prudence, discretion, and intelligence would exercise in the person's own affairs, not for speculation, but for investment. The decisions shall be governed by, in order of priority, safety of principal; liquidity; and yield. The prudence of these decisions shall be determined by taking into consideration the investment of all funds in the College's portfolio and whether the decision is consistent with the College's written Investment Policy.

- 3.5 Personal Responsibility. The designated Investment Officer shall perform the duties in accordance with the adopted Investment Policy. The designated Investment Officer, acting in accordance with written procedures and this Investment Policy and exercising due diligence, shall be relieved of personal liability.
- 3.6 Investment Committee.
- a. The Investment Committee will advise the College's Board of Trustees with regard to:
    - (1) any amendments or revisions of the College's Investment Policy, and
    - (2) the investment strategy or planned disposition of the College's investments which were purchased prior to September 1, 1995.
  - b. The Investment Committee is composed of three members of the Board of Trustees: the President; Vice President; and the Secretary.

#### **ARTICLE IV TRAINING REQUIREMENTS**

- 4.1 Investment Officer. The Investment Officer of the College shall attend at least one training session relating to the Officer's investment responsibilities within 12 months after taking office or assuming investment duties. The investment officer(s) must attend a training session once every two years and receive 10 hours of training. The training must be provided by an independent source approved by the governing board of the College.
- 4.2 Topics. Such training shall include education in investment control, security risks, strategy risks, market risks, and compliance with the Texas Public Funds Investment Act, as amended.

#### **ARTICLE V AUTHORIZED INVESTMENTS**

This Investment Policy is more restrictive than the Texas Public Funds Investment Act, as amended. College funds shall be invested only in the following authorized investments:

- 5.1 Obligations of, or Guaranteed by, Governmental Entities.
- a. Obligations of the United States or its agencies and instrumentalities, including U.S. Treasury Bonds, U.S. Treasury Notes, and U.S. Treasury Bills;
  - b. Direct obligations of the State of Texas or its agencies and instrumentalities;
  - c. Collateralized mortgage obligations directly issued by a federal agency or instrumentality of the United States, the underlying security for which is guaranteed by an agency or instrumentality of the United States.
  - d. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of

- Texas or the United States or their respective agencies and instrumentalities;  
and
- e. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality of not less than A by a nationally recognized investment rating firm.

## 5.2 Certificates of Deposit.

- a. The Certificates shall be issued by a state bank, a national bank, or a savings and loan association domiciled in the State of Texas.
- b. Certificates must be insured by the FDIC or its successors, or
- c. The Certificates must be collateralized by pledged securities in accordance with the Texas State Public Funds Investment Act, as amended.

## 5.3 Repurchase Agreements.

- a. A “repurchase agreement” means a simultaneous agreement to buy, hold for specified time, and sell back at a future date obligations described in Article 5.1 above. The agreement must have a defined termination date.
- b. The agreement must be secured in accordance with the Texas State Public Funds Investment Act, as amended.
- c. The securities must be pledged to the College, held in the College’s name, and deposited at the time the investment is made with College or with a third party selected and approved by the College.
- d. The agreement must be placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas.

## 5.4 Reverse Repurchase Agreement.

- a. The term must not exceed 90 days after the date the reverse repurchase agreement is delivered.
- b. Money received under the terms of a reverse repurchase agreement shall be used to acquire additional authorized investments, but the term of the authorized investments acquired must mature no later than the expiration date stated in the reverse security repurchase agreement.

## 5.5 No-Load Regulated Money Market Mutual Fund.

- a. Such fund must be regulated by the Securities and Exchange Commission (SEC).
- b. Such fund must have a dollar-weighted average stated maturity or not more than 90 days.
- c. Such fund must include in its investment objectives the maintenance of a stable net asset value of \$1 for each share.
- d. The College may not invest, in the aggregate, more than 80% of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in such fund.

- e. The College's portion may not exceed 10% of the total assets of such fund, including bond proceeds and reserves and other funds held for debt service.

#### 5.6 No-Load Registered Mutual Fund.

- a. The fund must be registered with the Securities and Exchange Commission (SEC).
- b. The fund must have an average weighted maturity of less than two years.
- c. The fund must be invested exclusively in obligations approved by the Texas Public Funds Investment Act, as amended.
- d. The fund's investment quality must be continuously rated not less than AAA or its equivalent by at least one nationally recognized rating firm.
- e. The College may not invest in the aggregate more than 15% of its monthly average fund balance, excluding bond proceeds and reserves and other funds held for debt service, in such fund.
- f. The College may not invest any portion of bond proceeds and reserves and funds held for debt service in mutual funds described by Article 5.6.
- g. The College's portion may not exceed 10% of the total assets of the Fund, including bond proceeds and reserves and other funds held for debt service.

#### 5.7 Public Funds Investment Pools.

- a. The College must authorize investments to be made through a particular pool by resolution.
- b. The investment pool must furnish to the Investment Officer an offering circular or other similar disclosure instrument that contains the minimum information required by Sections 2256.016 (b) and (c) of the Texas Public Funds Investment Act, as amended, as follows:
  - (1) the types of investments in which money is allowed to be invested;
  - (2) the maximum average dollar-weighted maturity allowed, based on the stated maturity date, of the pool
  - (3) the maximum stated maturity date any investment security within the portfolio has;
  - (4) the objectives of the pool;
  - (5) the size of the pool;
  - (6) the names of the members of the advisory board of the pool and the dates their terms expire;
  - (7) the custodian bank that will safekeep the pool's assets;
  - (8) whether the intent of the pool is to maintain a net asset value or one dollar and the risk of market fluctuation;
  - (9) whether the only source of payment is the assets of the pool at market value or whether there is a secondary source of payment, such as insurance or guarantees, and a description of the secondary source of payment;
  - (10) the name and address of the independent auditor of the pool;
  - (11) the requirements to be satisfied for an entity to deposit funds in and withdraw funds from the pool and any deadlines or other operating

policies required for the entity to invest funds in and withdraw funds from the pool; and  
(12) the performance history of the pool, including yield, average dollar-weighted maturities, and expense ratios.

- c. An investment pool created to function as a money market mutual fund must mark its portfolio to market daily and, to the extent reasonably possible, stabilize at a \$1 net asset value.
- d. A public funds investment pool which is managed by a state agency shall establish an advisory board in accordance with the Texas Public Funds Investment Act, as amended.
- e. A public funds investment pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service.

## **ARTICLE VI UNAUTHORIZED INVESTMENTS**

### 6.1 The College shall not invest in:

- a. Obligations whose payment represents the coupon payments on the outstanding principal balance of underlying mortgage-backed security collateral and pays no principal (interest-only strips);
- b. Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest (principal-only strips);
- c. Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index (inverse floaters); or
- d. Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.

### 6.2 The College shall not invest any bond proceeds, interest and sinking funds, or reserve funds in any securities or obligations not otherwise authorized by the applicable bond resolution.

## **ARTICLE VII INVESTMENT PROCEDURES**

### 7.1 General.

- a. All vouchers, checks, drafts, and certificates of deposit, any other instruments necessary in the transaction of the College's financial affairs shall bear the signature of any two (2) College officers except orders for the release or exchange of securities held as collateral for the College's funds on deposit with its depository bank, which shall require a signature as set forth on the Pledgee Signature Authorization Form on file with the bank.

- b. Requests for fund transfers to purchase securities must be approved in writing by the Investment Officer. This authorization letter bearing the signature of the Investment Officer shall be delivered to the depository bank via fax on Temple College letterhead.
- c. Pursuant to the Texas Public Funds Investment Act, as amended, funds may be transferred by electronic means.

## 7.2 Delivery vs. Payment.

All trades, where applicable, will be executed by Delivery vs. Payment (DVP). This ensures that securities are deposited in the College designated financial institution prior to the release of funds. The securities will be held in safekeeping by a third party custodian as evidenced by safekeeping receipts.

## 7.3 Sellers of Authorized Investments.

- a. The Investment Officer of the College must present a copy of the College's Investment Policy to each person or organization seeking to sell it investments.
- b. With the exception of state operated Public Funds Investment Pools, the College is prohibited from purchasing investments unless the "registered principal" of the business organization has signed a written instrument (in substantially the form as provided in Exhibit A) stating that the registered principal has:
  - (1) received and thoroughly reviewed this Investment Policy, and
  - (2) acknowledged that the organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment activities arising out of investment transactions conducted between the College and the organization.

## **ARTICLE VIII REPORTING REQUIREMENTS**

### 8.1 Internal Management Reports.

- a. The Investment Officer shall prepare a written quarterly report of investment transactions.
- b. The report shall be signed by the Investment Officer and presented to the Board of Trustees and the President of the College within a reasonable time after the end of the quarter.
- c. The report must present detailed investment information as prescribed in Section 2256.023(b) of the Texas Public Funds Investment Act, as amended, as follows:
  - (1) describe in detail the investment position of the College on the date of the report;
  - (2) contain a summary statement of each pooled fund group that states the:

- (a) beginning market value for the reporting period;
  - (b) additions and changes to the market value during the period; and
  - (c) ending market value for the period.
- (3) state the book value and market value of each separately invested asset at the beginning and end of the reporting period by the type of asset and fund type invested;
  - (4) state the maturity date of each separately invested asset that has a maturity date;
  - (5) state the account or fund or pooled group fund for which each individual investment was acquired.
- d. The market price of investments will be determined from public funds investment pools official statements, brokerage firms official statements for investments held in College accounts, or an average of at least two independent pricing quotes for investments held in safekeeping depositories.
  - e. The report shall state the compliance of the investment portfolio as it relates to the College's Investment Strategy and the Texas Public Funds Investment Act, as amended.
  - f. The report shall state the investment strategy to be followed for each fund during the next quarterly reporting period.

## 8.2 Audit Reports.

A compliance audit of management controls on investments and adherence to this Investment Policy shall be performed in conjunction with the College's annual financial audit.

## **ARTICLE IX ANNUAL REVIEW**

The Board of Trustees shall review the Investment Policy and Investment Strategy not less than annually.

The Temple College investment policy, current investment reports and commentary required by the State Auditor's Office shall be published on the Temple College website and updated at quarterly intervals. Reports shall be published on an indexed page titled "Investment Disclosure" and shall be published fewer than 90 days after the end of the quarter or 7 days after the investment report is presented to the Board of Trustees, whichever occurs first. The reports are to be maintained on the website for at least two years.

**BROKER/DEALER CERTIFICATION FORM**  
as required by Texas Government Code 2256.005(k) and  
amended by H.B. 2799, 75<sup>th</sup> Legislature, R.S. 1997  
for  
**TEMPLE COLLEGE**

The College acknowledges that the only means the firm has to preclude imprudent investment activities arising out of transactions between the firm and the College is to confirm that all provisions of the College's Investment Policy are followed in investment transactions conducted between the firm and the College, and the paragraphs below should be read accordingly.

I, as a qualified representative for the firm, do hereby certify that I have received and reviewed the Investment Policy of the College, to the extent required by the above referenced legislation.

I acknowledge that this firm has implemented reasonable internal procedures and controls in an effort to preclude imprudent investments between this firm and the College arising from transactions between the College and the firm.

\_\_\_\_\_  
Name of Firm

\_\_\_\_\_  
Address of Firm

\_\_\_\_\_  
City, State, Zip Code of Firm

\_\_\_\_\_  
Telephone Number

**QUALIFIED REPRESENTATIVE**

\_\_\_\_\_  
Signature

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

