

# **BAY de NOC COMMUNITY COLLEGE BOARD OF TRUSTEES POLICIES**

## **2000 BUSINESS AFFAIRS**

### **2025 CONTINUING DISCLOSURE COMPLIANCE POLICY**

It shall be the policy of the Bay de Noc Community College Board of Trustees, to follow the Continuing Disclosure Compliance Policy (the "Policy") in connection with the issuance of securities subject to the requirements of Securities and Exchange Commission Rule 15c2-12 (the "Bonds") by Bay de Noc Community College (the Issuer). The Issuer has entered into certain Agreements, as defined herein, regarding the Issuer's continuing obligation to disclose certain information after issuance of the Bonds under federal securities laws and regulations. The continuing disclosure responsibilities are described in the Agreements, which appear in the transcript of proceedings prepared in connection with each series of Bonds.

The purpose of this Policy is to summarize the continuing disclosure responsibilities of the Issuer in connection with the Bonds. The Vice President of Finance and Operations ("Compliance Officer") shall be the Issuer's representative responsible for establishing and coordinating compliance with this Policy.

This Policy supplements, but does not replace, any other policy of the Issuer. The Policy may be supplemented or amended at any time and from time to time by the Issuer, with the advice of nationally recognized bond counsel, but without any notice to or consent from any trustee, any bondholder or any other person. Noncompliance with the Policy is permitted, with the advice of nationally recognized bond counsel, but without any notice to or consent from any trustee, any bondholder or any other person, if compliance would impose unreasonable burdens on the Issuer.

#### **PROCEDURE:**

##### **2025.1 General**

The Compliance Officer shall be primarily responsible for monitoring and verifying compliance with the Agreements.

The Compliance Officer shall be provided with training and educational resources necessary to ensure compliance with the Agreements.

##### **2025.2 Issuance**

In preparation for the issuance of any Bonds, the Compliance Officer shall review any offering materials, including a Preliminary Official Statement, Final Official Statement, or other applicable offering document, prepared by the Issuer, its financial advisor or an underwriter, to ensure that such materials do not (A) contain any untrue statement of a material fact or (B) omit any

material fact that would need to be included in order to make the statements contained therein not misleading.

### 2025.3 Post-Issuance

For any Bonds for which a Continuing Disclosure Agreement (each, an "Agreement") has been executed by the Issuer, the Compliance Officer shall review such Agreement and be primarily responsible for ongoing compliance with its continuing disclosure responsibilities and any Agreement. The Compliance Officer agrees to obtain any needed training or professional assistance for himself/herself or staff, in order to fulfill the Issuer's responsibilities under the Agreements. (See each Agreement for exact requirements and timing.)

The Compliance Officer should annually calendar a time to review a checklist to assist with compliance with obligations under any Agreements. Responsibility for ensuring such ongoing compliance shall include, but is not limited to, reporting to proper repositories (as of the date of adoption of this Policy, the repository is the [Electronic Municipal Market Access website of the Municipal Securities Rulemaking Board \(http://www.emma.msrb.org\)](http://www.emma.msrb.org) the following information, where applicable:

- 1) by December 27 of each year (unless the deadline differs in an applicable Agreement):
  - a) audited financial statements for the most recently ended fiscal year prepared pursuant to State laws, administrative rules and guidelines and pursuant to accounting and reporting policies conforming in all material respects to generally accepted accounting principles as applicable to governmental units as such principles are prescribed, in part, by the Financial Accounting Standards Board and modified by the Government Accounting Standards Board and in effect from time to time;
  - b) additional annual financial information and operating data as set forth in the relevant Official Statement under the heading "CONTINUING DISCLOSURE."

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Policy Revision Date:

Procedure Origin Date: 02/17/2016  
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- 2) notice of certain reportable events, subject in some cases to a determination of materiality by the Issuer, within 10 business days of the occurrence. See the Agreements for an exact list of events, but typically includes the following:
- (a) non-payment related defaults, if material;
  - (b) modifications to rights of bondholders, if material;
  - (c) bond calls, if material;
  - (d) release, substitution or sale of property securing repayment of the Bonds, if material;
  - (e) the consummation of a merger, consolidation, or acquisition, or certain asset sales, involving the obligated person, or entry into or termination of a definitive agreement relating to the foregoing, if material;
  - (f) appointment of a successor or additional trustee or the change of name of a trustee, if material;
  - (g) principal and interest payment delinquencies;
  - (h) unscheduled draws on debt service reserves reflecting financial difficulties;
  - (i) unscheduled draws on credit enhancements reflecting financial difficulties;
  - (j) substitution of credit or liquidity providers, or their failure to perform;
  - (k) defeasances;
  - (l) rating changes of the Issuer, the Issuer's underlying credit rating or an enhanced rating on any Bonds due to credit enhancement;

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- (m) adverse tax opinions or events affecting the status of the Bonds, the issuance by the IRS of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material events, notices or determinations with respect to the tax status of the Bonds;
  - (n) tender offers; and
  - (o) bankruptcy, insolvency, receivership or similar event of the obligated person.
- 3) If the Issuer enters into a contract with another person or entity to assist the Issuer in fulfilling its continuing disclosure responsibilities under any Agreement, the Compliance Officer should annually review such contract and verify that all of the Issuer's responsibilities thereunder have been fulfilled.

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