

DIOCESE OF DES MOINES
Catholic Schools Policies/Regulations

BUSINESS PROCEDURES

Exempt and Non-Exempt Employees

It shall be the policy of the Diocese of Des Moines Catholic Schools Office, under the aegis of the Bishop, that all school employers abide by the following requirements of the Fair Labor Standards Act (FLSA, 1983).

All employees must be classified as exempt or non-exempt.

Exempt employees are generally executive, administrative and/or professional employees. They are exempt from minimum wage and overtime requirements of FLSA.

Non-exempt employees of a school would be those whose jobs support the efforts of the professional educators, such as, administrative assistant, custodial, teacher associate, and cafeteria staff members. All non-exempt staff members must keep accurate daily and weekly records of hours worked.

Non-exempt employees must be paid time and half for hours worked beyond 40 hours per week. Any scheme, including comp time, which does not pay for overtime is illegal. Non-exempt employees may not volunteer their time in the same job they perform for the same employer nor may they waive their rights under FLSA.

All schools are to offer benefits consistent with diocesan policy.

- Medical/Dental
- Pretax Deductions
- Life Insurance
- Disability Insurance
- Retirement Plan.

Questions should be discussed with Human Resources, Diocese of Des Moines.

Policy Adopted: June 21, 2005
Policy Revised: March 25, 2013
July 31, 2021
August 2026

DIOCESE OF DES MOINES

Catholic Schools Policies/Regulations

BUSINESS PROCEDURES

Procurement Code of Conduct

It shall be the policy of the Diocese of Des Moines Catholic Schools Office, under the aegis of the Bishop, that all schools of the Diocese adhere to the Procurement Code of Conduct which states that:

1. No employee, officer, director, contractor, volunteer or agent of a school shall participate in the selection, award or administration of a bid or contract supported by USDA funds if a conflict of interest is real or apparent to a reasonable person. Conflicts of interest may arise when any employee, officer, director, volunteer or agent of a school has a financial, family related, or any other beneficial interest in the vendor firm selected or considered for a bid award or contract.
2. No employee, officer, director, volunteer or agent of a school shall do business with, award contracts to, or show favoritism toward a member of his or her immediate family or spouse's family or to any company, vendor or concern who either employs or has relationship to a family member. Award of a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition with qualified vendors shall be considered null and void.
3. The school's employees, officers, directors, volunteers or agents, and their spouses and dependent children, shall comply with the Iowa Officials Act, Chapter 68B of Iowa Code.
4. The school shall pursue appropriate legal, administrative or disciplinary action against an employee, officer, director, volunteer, contractor, vendor or vendor's agent who is alleged to have committed, or has been convicted of or plead no contest to a procurement Child Nutrition related infraction. If said person has been convicted, disciplined or plead no contest to a procurement violation, this person shall be removed from any further responsibility or involvement with grants management, procurements or bids, consistent with local, state or federal policy.
5. The schools are encouraged to purchase from American companies which offer goods or services if the cost and other considerations are relatively equal and they meet the required specifications.

Policy Adopted:	May 16, 2011
Policy Reviewed:	March 23, 2013
Policy Revised:	August 31, 2021
Policy Reviewed:	August 2026

DIOCESE OF DES MOINES

Catholic Schools Policies/Regulations

BUSINESS PROCEDURES

Procurement Code of Conduct – for use with Federal applications

It shall be the policy of the Diocese of Des Moines Catholic Schools Office, under the aegis of the Bishop, that all schools of the diocese will adhere to the Procurement Code of Conduct outlined in this policy when completing federal applications.

1. No employee, officer, director, contractor, volunteer or agent of a school shall participate in the selection, award or administration of a bid or contract supported by federal funds if a conflict of interest is real or apparent to a reasonable person. Conflicts of interest may arise when any employee, officer, director, volunteer or agent of a school has a financial, family related, or any other beneficial interest in the vendor firm selected or considered for a bid award or contract.

Procurement for contracts paid with federal funds may be conducted by noncompetitive proposals when one or more of the following circumstances apply: (1) the item is only available from a single source; (2) public exigency or emergency will not permit the delay resulting from competitive bids; (3) the Federal awarding agency expressly authorizes noncompetitive proposals; or (4) competition is inadequate after solicitation of a number of sources.

We must take all necessary affirmative steps to assure that minority businesses, women's business enterprises, and labor surplus area firms are used when possible.

Affirmative steps must include:

2. Placing qualified small and minority businesses and women's business enterprises on solicitation lists;
 - a. Placing qualified small and minority businesses and women's business enterprises on solicitation lists.
 - b. Assuring that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;
 - c. Dividing total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;
 - d. Establishing delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;
 - e. Using the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and
 - f. Requiring the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

3. The non-Federal entity must use one of the following methods of procurement.
 - (a) Procurement by micro-purchases. Procurement by micro-purchase is the acquisition of supplies or services, the aggregate dollar amount of which does not exceed the micro-purchase threshold (set by the FAR at 48 CFR part 2, subpart 2.1). To the extent practicable, the non-Federal entity must distribute micro-purchases equitably among qualified suppliers. Micro-purchases may be awarded without soliciting competitive quotations if the non-Federal entity considers the price to be reasonable.
 - (b) Procurement by small purchase procedures. Small purchase procedures are those relatively simple and informal procurement methods for securing services, supplies, or other property that do not cost more than the Simplified Acquisition Threshold. If small purchase procedures are used, price or rate quotations must be obtained from an adequate number of qualified sources.
 - (c) Procurement by sealed bids (formal advertising). Bids are publicly solicited and a firm fixed price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming with all the material terms and conditions of the invitation for bids, is the lowest in price. The sealed bid method is the preferred method for procuring construction, if the conditions in paragraph (c)(1) of this section apply.
 - (1) In order for sealed bidding to be feasible, the following conditions should be present:
 - (i) A complete, adequate, and realistic specification or purchase description is available;
 - (ii) Two or more responsible bidders are willing and able to compete effectively for the business; and
 - (iii) The procurement lends itself to a firm fixed price contract and the selection of the successful bidder can be made principally on the basis of price.
 - (2) If sealed bids are used, the following requirements apply:
 - (i) Bids must be solicited from an adequate number of known suppliers, providing them sufficient response time prior to the date set for opening the bids, for state, local, and tribal governments, the invitation for bids must be publicly advertised;
 - (ii) The invitation for bids, which will include any specifications and pertinent attachments, must define the items or services in order for the bidder to properly respond;
 - (iii) All bids will be opened at the time and place prescribed in the invitation for bids, and for local and tribal governments, the bids must be opened publicly;
 - (iv) A firm fixed price contract award will be made in writing to the lowest responsive and responsible bidder. Where specified in bidding documents, factors such as discounts, transportation cost, and life cycle costs must be considered in determining which bid is lowest. Payment discounts will only be used to determine the low bid when prior experience indicates that such discounts are usually taken advantage of; and
 - (v) Any or all bids may be rejected if there is a sound documented reason.
 - (d) Procurement by competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed price or cost-reimbursement type contract is awarded. It is generally used when conditions are not appropriate for the use of sealed bids.

If this method is used, the following requirements apply:

 - (1) Requests for proposals must be publicized and identify all evaluation factors and their relative importance. Any response to publicized requests for proposals must be considered to the maximum extent practical;

- (2) Proposals must be solicited from an adequate number of qualified sources;
 - (3) The non-Federal entity must have a written method for conducting technical evaluations of the proposals received and for selecting recipients;
 - (4) Contracts must be awarded to the responsible firm whose proposal is most advantageous to the program, with price and other factors considered; and
 - (5) The non-Federal entity may use competitive proposal procedures for qualifications-based procurement of architectural/engineering (A/E) professional services whereby competitors' qualifications are evaluated and the most qualified competitor is selected, subject to negotiation of fair and reasonable compensation. The method, where price is not used as a selection factor, can only be used in procurement of A/E professional services. It cannot be used to purchase other types of services though A/E firms are a potential source to perform the proposed effort.
- (e) [Reserved]
- (f) Procurement by noncompetitive proposals. Procurement by noncompetitive proposals is procurement through solicitation of a proposal from only one source and may be used only when one or more of the following circumstances apply:
- (1) The item is available only from a single source;
 - (2) The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
 - (3) The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from the non-Federal entity; or
 - (4) After solicitation of a number of sources, competition is determined inadequate.
4. No employee, officer, director, volunteer or agent of a school shall do business with, award contracts to, or show favoritism toward a member of his or her immediate family or spouse's family or to any company, vendor or concern who either employs or has relationship to a family member. Award of a contract or bid which violates the spirit or intent of federal, state and local procurement laws and policies established to maximize free and open competition with qualified vendors shall be considered null and void.
 5. The entities employees, officers, directors, volunteers or agents, and their spouses and dependent children, shall comply with the Iowa Officials Act, Chapter 68B of Iowa Code.
 6. The school shall pursue appropriate legal, administrative or disciplinary action against an employee, officer, director, volunteer, contractor, vendor or vendor's agent who is alleged to have committed, or has been convicted of or plead no contest to a procurement Child Nutrition related infraction. If said person has been convicted, disciplined or plead no contest to a procurement violation, this person shall be removed from any further responsibility or involvement with grants management, procurements or bids, consistent with local, state or federal policy.
 7. The schools are encouraged to purchase from American companies, which offer goods or services if the cost and other considerations are relatively equal and they meet the required specifications.
 8. Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names

of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.

9. Mandatory Disclosure -- A non-Federal entity must disclose, in a timely manner, in writing to the pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that have received a Federal award including the term and condition outlined in Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in §200.338 Remedies for noncompliance, including suspension or debarment. (See also 2 CFR part 180, 31 U.S.C. 3321, and 41 U.S.C. 2313.) It is the responsibility of the authorized official to timely report to the relevant federal or pass through agency any violations of federal criminal law involving fraud, bribery or gratuity potentially impacting a federal grant.
10. Prohibition on certain telecommunications and video surveillance services or equipment --
 - (a) The school is prohibited from obligating or expending loan or grant funds to:
 1. Procure or obtain;
 2. Extend or renew a contract to procure or obtain; or
 3. Enter into a contract (or extend or renew a contract) to procure or obtain equipment, services, or systems that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system. As described in Public law 115-232, section 889, covered telecommunications equipment is telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).
 - i. For purpose of public safety, security of government facilities, physical security surveillance of critical infrastructure, and other national security purposes, video surveillance and telecommunication equipment produced by Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, or Dahua Technology Company (or any subsidiary or affiliate of such entities).
 - ii. Telecommunications or video surveillance services provided by such entities or using such equipment.
 - iii. Telecommunications or video surveillance equipment or services produced or provided by an entity that the Secretary of Defense, in consultation with the Director of the National Intelligence of the Director of the Federal Bureau of Investigation, reasonably believes to be an entity owned by or controlled by, or otherwise connected to, the government of a foreign country.
 - (b) In implementing the prohibition under Public Law 115-232, section 889, subsection (f), paragraph (l), heads of executive agencies administering loan, grant, or subsidy programs shall prioritize available funding and technical support to assist affected businesses, institutions and organizations as is reasonably necessary for those affected entities to transition from covered communications equipment and services, to procure replacement equipment and services, and to ensure that communications service to users and customers is sustained.
 - (c) See Public Law 115-232, section 889 for additional information.
 - (d) See also §200.471.

§200.324 Contract cost and price

- (a) The non-Federal entity must perform a cost or price analysis in connection with every procurement action in excess of the Simplified Acquisition Threshold including contract modifications. The method and degree of analysis is dependent on the facts surrounding the particular procurement situation, but as a starting point, the non-Federal entity must make independent estimates before receiving bids or proposals.
- (b) The non-Federal entity must negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where cost analysis is performed. To establish a fair and reasonable profit, consideration must be given to the complexity of the work to be performed, the risk borne by the contractor, the contractor's investment, the amount of subcontracting, the quality of its record of past performance, and industry profit rates in the surrounding geographical area for similar work.
- (c) Costs or prices based on estimated costs for contracts under the Federal award are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for the non-Federal entity under [subpart E of this part](#). The non-Federal entity may reference its own cost principles that comply with the Federal cost principles.
- (d) The cost plus a percentage of cost and percentage of construction cost methods of contracting must not be used.

§200.326 Bonding Requirements

For construction or facility improvement contracts or subcontracts exceeding the Simplified Acquisition Threshold, the minimum requirements must be as follows:

- (a) A bid guarantee from each bidder equivalent to five percent of the bid price. The “bid guarantee” must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.
- (b) A performance bond on the part of the contractor for 100 percent of the contract price. A “performance bond” is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.
- (c) A payment bond on the part of the contractor for 100 percent of the contract price. A “payment bond” is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the execution of the work provided for in the contract.

§200.327 Contract provisions

The non-Federal entity's contracts must contain the applicable provisions described in Appendix II to Part 200—Contract Provisions for non-Federal Entity Contracts Under Federal Awards.

The legal reference for administration of federally funded grants is:

Appendix II to Part 200—Contract Provisions for Non-Federal Entity Contracts Under Federal Awards:

<https://www.ecfr.gov/current/title-2/subtitle-A/chapter-II/part-200>

Subpart D has the Procurement Requirements:

Procurement Standards §200.318 to §200.327

Federal cost principles are found at 2 CFR Part 200 Subpart E-Cost Principles, accessible online at [2 CFR PART 200 SUBPART E](#).

Policy Adopted:	August 30, 2023
Policy Reviewed:	August 2026

DIOCESE OF DES MOINES
Catholic Schools Policies/Regulations

BUSINESS PROCEDURES

Identity Protection/Data Privacy

It shall be the policy of the Diocese of Des Moines Catholic Schools Office, under the aegis of the Bishop, that all schools shall take measures to protect the identities of students, their parents/guardians and financial information.

Policy Adopted: May 16, 2011
Policy Reviewed: March 25, 2013
Policy Revised: July 30, 2021
September 2026

Identity Protection/Data Privacy Regulation
Regulation 810.1

- I. Student/parent/guardian identity protection:
 - A. The school shall ensure that student information stored electronically is protected.
 - a. The school shall ensure that office computers with access to student information are password protected.
 - b. The school shall avoid using social security numbers.
 - c. The school shall ensure that computer files containing student information are maintained and destroyed consistent with applicable record retention policy.
 - B. The school shall ensure that paper records including student/parent/guardian information are secure.
 - 1. The school shall ensure that files/records with student information shall be secured and available only to those authorized to access them.
 - 2. The school shall ensure complete and secure destruction of paper documents when it is no longer necessary to retain the information.

II. Financial identity protection:

A. The school or business office shall ensure that all electronic financial transactions are secure.

1. When using ACH, the school or business office shall ensure that the vendor provides a secure web site/transaction communication.
2. The school/business office shall ensure that office computers with access to account and transaction information are password protected.
3. The school/business office shall ensure that computer virus protection is up-to-date.
4. The school shall ensure that computer files containing student information are maintained and destroyed consistent with applicable record retention policy.

B. The school or business office shall ensure that paper financial transaction are secure.

1. The school/business office shall ensure that files/records with financial information shall be secured and available only to those authorized to access them.
2. The school shall ensure that computer files containing student information are maintained and destroyed consistent with applicable record retention policy.

Regulation Adopted: May 16, 2011
Regulation Reviewed: March 25, 2013
Regulation Revised: July 30, 2021
September 2026

<p>DIOCESE OF DES MOINES</p> <p>Catholic Schools Policies/Regulations</p>

BUSINESS PROCEDURES

Copyright Laws

It shall be the policy of the Diocesan Catholic Schools Office, under the aegis of the Bishop, that all employees, volunteers and students comply with the rules and regulations of the pertinent Copyright Laws.

Employees, volunteers and/or students who violate copyright laws are liable for their own actions.

Policy Adopted:	March 26, 1990
Policy Revised:	March 25, 2013
Policy Reviewed:	July 30, 2021
	August 2026