



Dave Yost • Auditor of State

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

TABLE OF CONTENTS

TITLE	PAGE
Independent Accountants' Report.....	1
Management's Discussion and Analysis.....	3
Statement of Net Assets – June 30, 2011	7
Statement of Revenues, Expenses, and Changes in Net Assets For the Fiscal Year Ended June 30, 2011	8
Statement of Cash Flows For the Fiscal Year Ended June 30, 2011	9
Notes to the Basic Financial Statements	11
Federal Awards Receipts and Expenditures Schedule.....	23
Notes to Federal Awards Receipts and Expenditures Schedule	24
Independent Accountants' Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Required by <i>Government Auditing Standards</i>	25
Independent Accountants' Report on Compliance with Requirements Applicable to Each Major Federal Program and On Internal Control Over Compliance Required by OMB Circular A-133.....	27
Schedule of Findings.....	31
Schedule of Prior Audit Findings.....	47
Independent Accountants' Report on Applying Agreed-Upon Procedures.....	49

This page intentionally left blank.



Dave Yost • Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT

Richard Allen Academy II Community School
Montgomery County
368 South Patterson Boulevard
Dayton, Ohio 45402

To the Governing Board:

We have audited the accompanying basic financial statements of the Richard Allen Academy II Community School, Montgomery County (the School) as of and for the year ended June 30, 2011, which collectively comprise the School's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the School's management. Our responsibility is to express an opinion on these financial statements based on our audit.

Except as discussed in the following paragraph, we conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audit provides a reasonable basis for our opinion.

We were unable to obtain sufficient audit evidence supporting the School's accounts payable – IMR stated at \$87,146.

The School has excluded, from receivables in the accompanying statement of net assets, certain accounts receivable due from the School's management company Institute of Management and Resources, Inc., which were reported at June 30, 2010, but were never collected during fiscal year 2011. If these receivables were booked properly, accounts receivables will be increased by \$18,743. Additionally net income would be increased by \$18,743. However, the exact statement of revenues, expenses and changes in net assets line item misstatement due to reduction of accounts receivable could not be determined.

As discussed in Note 16 to the financial statements, the School has suffered recurring losses from operations and has a net asset deficiency. Note 16 describes management's plan regarding these matters. The financial statements do not include any adjustments that might result from the outcome of this uncertainty

In our opinion, except for the effects of such adjustments, if any, as might have been determined to be necessary had we been able to examine evidence regarding the accounts payable as described in the third paragraph and for the effects of not presenting accounts receivable as discussed in the fourth paragraph, the financial statements referred to above present fairly, in all material respects, the financial position of Richard Allen Academy II Community School, as of June 30, 2011, and the changes in its financial position and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 26, 2012, on our consideration of the School's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.

Accounting principles generally accepted in the United States of America require this presentation to include *Management's discussion and analysis*, as listed in the table of contents, to supplement the basic financial statements. Although this information is not part of the basic financial statements, the Governmental Accounting Standards Board considers it essential for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any other assurance.

We conducted our audit to opine on the financial statements that collectively comprise the School's basic financial statements taken as a whole. The federal awards receipts and expenditures schedule provides additional information required by the U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*, and is not a required part of the basic financial statements. The federal awards receipts and expenditures schedule is management's responsibility, and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. This schedule was subject to the auditing procedures we applied to the basic financial statements. We also applied certain additional procedures, including comparing and reconciling this information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, in accordance with auditing standards generally accepted in the United States of America. In our opinion, this information is fairly stated in all material respects in relation to the basic financial statements taken as a whole.



Dave Yost
Auditor of State

October 26, 2012

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Management's Discussion and Analysis
FOR THE FISCAL YEAR ENDED JUNE 30, 2011
(Unaudited)

The discussion and analysis of Richard Allen Academy II Community School's (the School) financial performance provides an overall review of the financial activities for the fiscal year ended June 30, 2011. The intent of this discussion and analysis is to look at the School's financial performance as a whole; readers should also review the basic financial statements and the notes to the basic financial statements to enhance their understanding of the School's financial performance.

The Management's Discussion and Analysis (MD&A) is an element of the reporting model adopted by the Governmental Accounting Standards Board (GASB) in their Statement No. 34, *Basic Financial Statements – and Management's Discussion and Analysis – for State and Local Governments*, issued in June 1999. Certain comparative information between the current year and the prior year is required to be presented, and is presented in the MD&A.

Financial Highlights

Key financial highlights for fiscal year 2011 are as follows:

- Total net assets increased by \$33,851 in fiscal year 2011, which represents 11.67 percent increase over fiscal year 2010.
- Total assets decreased by \$36,140 which represents a 36.8 percent decrease over prior year, primarily due to a decrease in accounts receivable and cash. Total liabilities decreased by \$69,991 or 18 percent.

Using this Financial Report

This financial report contains the basic financial statements of the School, as well as the Management's Discussion and Analysis and notes to the basic financial statements. The basic financial statements include a statement of net assets, statement of revenues, expenses and changes in net assets, and a statement of cash flows.

The financial statements answer the question, "How did we do financially during the fiscal year?" These statements include all assets and liabilities, both financial and capital, and short-term and long-term, using the accrual basis of accounting and the economic resources focus, which is similar to the accounting used by most private-sector companies. This basis of accounting takes into account all revenues and expenses during the year, regardless of when the cash is received or paid.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Management's Discussion and Analysis
FOR THE FISCAL YEAR ENDED JUNE 30, 2011
(Unaudited)

The statement of net assets reports the School's net assets; however, in evaluating the overall position and financial viability of the School, non-financial information such as the capital asset needs and potential changes in the laws governing charter schools in the State of Ohio will also need to be evaluated.

Table 1 provides a summary of the School's net assets for fiscal year 2011 compared with fiscal year 2010.

Table 1: Net Assets

	2010	2011	Change
Assets:			
Current assets	67,047	37,131	(29,916)
Non-current assets	31,184	24,960	(6,224)
Total Assets	98,231	62,091	(36,140)
Liabilities:			
Current liabilities	388,314	318,323	(69,991)
Total Liabilities	388,314	318,323	(69,991)
Net Assets:			
Invested in capital assets	1,063	16,004	14,941
Unrestricted	(291,146)	(272,236)	18,910
Total Net Assets	(290,083)	(256,232)	33,851

As noted in Table 1 above, total net assets of the School increased by \$33,851 during fiscal year 2011 resulting in an accumulated deficit of \$256,232 at June 30, 2011.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Management's Discussion and Analysis
FOR THE FISCAL YEAR ENDED JUNE 30, 2011
(Unaudited)

Table 2 shows the changes in net assets for the fiscal year ended June 30, 2011, as well as revenue and expense comparisons to fiscal year 2010.

Table 2: Change in Net Assets:

	2010	2011	Change
Operating Revenues			
Foundation	2,833,275	3,005,637	172,362
Other	15,651	153,419	137,768
Nonoperating revenues			
State and federal grants	891,412	700,338	(191,074)
Total Revenues	<u>3,740,338</u>	<u>3,859,394</u>	<u>119,056</u>
Operating Expenses			
Purchased Services	3,622,017	3,720,806	98,789
Professional Services	31,839	95,040	63,201
Depreciation	31,212	6,225	(24,987)
Other	529	3,472	2,943
Total Expense	<u>3,685,597</u>	<u>3,825,543</u>	<u>139,946</u>
Change in net assets	54,741	33,851	(20,890)
Beginning net assets	<u>(344,824)</u>	<u>(290,083)</u>	<u>54,741</u>
Ending net assets	<u>(290,083)</u>	<u>(256,232)</u>	<u>33,851</u>

Total revenues of the School increased by \$119,056, or 3.2 percent, over the total revenues reported for the prior year. Revenue received through the state foundation program increased by \$172,362 over the amount received in the prior year, due primarily to an increase in enrollment. Federal and state grant revenues on the other hand decreased by \$191,074 over the revenues reported for fiscal year 2010. Total expenses increased by \$139,946 or 3.8 percent.

Capital Assets

At June 30, 2011 the capital assets of the School consisted of \$599,539 of leasehold improvements, equipment and vehicles which were offset by \$583,535 in accumulated depreciation resulting in net capital assets of \$16,004. Current year depreciation was \$6,225.

See note 6 to the basic financial statements for additional information on the School's capital assets.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Management's Discussion and Analysis
FOR THE FISCAL YEAR ENDED JUNE 30, 2011
(Unaudited)

Debt

At June 30,2011, the debt obligations of the School consisted of notes payable of \$12,500. Additional information related to the School's debt obligations can be found in note 11 to the basic financial statements.

Contacting the School

This financial report is designed to provide a general overview of the finances of the Richard Allen Academy II Community School and to show the School's accountability for the monies it receives to all vested and interested parties, as well as meeting the annual reporting requirements of the State of Ohio. Any questions about the information contained within this report or requests for additional financial information should be directed to: Richard Allen Academy II Community School, 368 South Patterson Blvd, Dayton, OH 45402.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**STATEMENT OF NET ASSETS
JUNE 30, 2011**

Assets:

Current Assets:

Cash and Cash Equivalents	\$17,108
Intergovernmental Receivable	20,023
Total Current Assets	<u>37,131</u>

Non-current Assets:

Security Deposits	8,956
Capital Assets (Net of Accumulated Depreciation)	16,004
Total Non-current Assets:	<u>24,960</u>

Total Assets	<u>62,091</u>
---------------------	---------------

Liabilities:

Current Liabilities:

Accounts Payable	\$87,146
Contractual Payable	218,677
Notes Payable	12,500
Total Current Liabilities	<u>318,323</u>

Net Assets:

Invested in Capital Assets, Net of Related Debt	16,004
Unrestricted	(272,236)
Total Net Assets	<u><u>(\$256,232)</u></u>

See accompanying notes to the basic financial statements.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**STATEMENT OF REVENUES,
EXPENSES AND CHANGES IN NET ASSETS
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Operating Revenues:	
State Foundation	\$3,005,637
Other Operating Revenues	153,419
Total Operating Revenues	<u>3,159,056</u>
Operating Expenses:	
Purchased Services	3,720,806
Professional Services	95,040
Other	3,472
Depreciation	6,225
Total Operating Expenses	<u>3,825,543</u>
Operating Loss	<u>(666,487)</u>
Non-Operating Revenues:	
Federal and State Grants	<u>700,338</u>
Total Non-Operating Revenues	<u>700,338</u>
Change in Net Assets	33,851
Net Assets Beginning of Year	<u>(290,083)</u>
Net Assets End of Year	<u><u>(\$256,232)</u></u>

See accompanying notes to the basic financial statements.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**STATEMENT OF CASH FLOWS
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Increase (Decrease) in Cash and Cash Equivalents:

Cash Flows from Operating Activities:

Cash Received from State Foundation	\$3,005,637
Cash Received from Other Operating Activities	151,691
Cash Payments for Goods and Services	(3,814,737)
Cash Payments for Other Operating Expenses	(58,286)
Net Cash Used In Operating Activities	<u>(715,695)</u>

Cash Flows from Noncapital Financing Activities:

Federal and State Grants	<u>700,338</u>
Net Cash Provided by Noncapital Financing Activities	<u>700,338</u>

Net Decrease in Cash and Cash Equivalents (15,357)

Cash and Cash Equivalents Beginning of Year 32,465

Cash and Cash Equivalents End of Year 17,108

Reconciliation of Operating Loss to Net Cash

Used In Operating Activities:

Operating Loss (666,487)

Adjustments to Reconcile Operating Loss to

Net Cash Used In Operating Activities:

Changes in Assets and Liabilities:

Depreciation	6,225
Increase in Intergovernmental Receivable	(20,023)
Decrease in Accounts Receivable	34,582
Decrease in Accounts Payable	(48,827)
Decrease in Lease Payable	(21,165)
Total Adjustments	<u>(49,208)</u>

Net Cash Used In Operating Activities (\$715,695)

See accompanying notes to the basic financial statements.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

THIS PAGE IS INTENTIONALLY LEFT BLANK

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

1. Description of the School and Reporting Entity:

Richard Allen Academy II Community School (the School) is a nonprofit corporation established pursuant to Ohio Rev. Code Chapters 3314 and 1702 to maintain and provide a school exclusively for any educational, literary, scientific and related teaching service. The School, which is part of the State's education program, is independent of any school district. The School may sue and be sued, acquire facilities as needed, and contract for any services necessary for the operation of the School.

The School contracts with the Institute of Management and Resources, Inc. (IMR) for a variety of services including management consulting, Education Management Information System (EMIS) monitoring and consulting, technology and operational support, teacher training, supervision of certified and non-certified personnel and assistance in grant applications, and any other services requested by the school. In addition all employees of the School are IMR employees and are subsequently contracted to the School. (See note 9 for additional detail on the contractual relationship between IMR and the School).

The School entered into a Sponsor Contract with Kids Count of Dayton, Inc. on December 15, 2006. The contract was renewed on June 15, 2009 for the period of July 1, 2010 through June 30, 2011.

The School operates under a self-appointing six-member Board of Trustees (the Board). The School's Code of Regulations specifies that vacancies that arise on the Board be filled by the appointment of a successor trustee by a majority vote of the then existing trustees. The Board is responsible for carrying out the provisions of the contract with the Sponsor which includes but is not limited to, state mandated provisions regarding student population, curriculum, academic goals, performance standards, admission standards, and qualifications of teachers. The School's enrollment for 2011 was 454.91 FTEs or 37.44 FTEs greater than the previous year.

2. Summary of Significant Accounting Policies:

The financial statements of the School have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental nonprofit organizations. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The School also applies Financial Accounting Standards Board (FASB) statements and interpretations issued on or before November 30, 1989, provided they do not conflict with or contradict GASB pronouncements. The School has elected not to apply FASB statements and interpretations issued after November 30, 1989. The more significant of the School's accounting policies are described below.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

A. Basis of presentation

Enterprise accounting is used to account for operations that are financed and operated in a manner similar to private business enterprises where the intent is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges or where it has been decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability or other purposes.

B. Measurement focus and basis of accounting

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus. Enterprise accounting uses a flow of economic resources measurement focus. With this measurement focus, all assets and all liabilities are included on the statement of net assets. The difference between total assets and liabilities are defined as net assets. The statement of revenues, expenses and changes in net assets present increases (i.e., revenues) and decreases (i.e., expenses) in net total assets.

Basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Basis of accounting relates to the timing of the measurements made.

The accrual basis of accounting is utilized for reporting purposes. Revenues are recognized when they are earned, and expenses are recognized when they are incurred.

C. Budgetary process

Unlike other public schools located in the state of Ohio, community schools are not required to follow budgetary provisions set forth in Ohio Rev. Code Section 5705, unless specifically provided in the Schools contract with its Sponsor. The contract between the School and its Sponsor does prescribe an annual budget requirement in addition to preparing a five-year forecast which is to be updated on an annual basis.

D. Cash

All monies received by the School are maintained in a demand deposit account. For internal accounting purposes, the School segregates its cash in separate funds.

E. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from these estimates.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

F. Capital assets and depreciation

Capital assets are capitalized at cost (or estimated historical cost) and updated for additions and retirements during the year. Donated capital assets are recorded at their fair market value as of the date received. The School maintains a capitalization threshold of \$1,000. The School does not have any infrastructure. Improvements are capitalized. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the asset's life are expensed.

Depreciation of equipment and vehicles is computed using the straight-line method over estimated useful lives of five to fifteen years. Improvements to capital assets are depreciated over the remaining useful lives of the related capital assets. Leasehold improvements are depreciated over the life of the lease agreement of five years.

G. Intergovernmental revenues

The School currently participates in the State Foundation Program and the State Parity (poverty based aid) Program. These programs are recognized as operating revenues in the accounting period in which they are earned, essentially the same as the fiscal year. Federal and state grants and entitlements are recognized as non-operating revenues in the accounting period in which all eligibility requirements of the grants have been met.

H. Operating and non-operating revenues and expenses

Operating revenues are those revenues that are generated directly by the School's primary mission. For the School, operating revenues include foundation payments and parity aid received from the State of Ohio. Operating expenses are necessary costs incurred to support the School's primary mission, including depreciation.

Non-operating revenues and expenses are those that are not generated directly by the School's primary mission. Various state and federal grants comprise the non-operating revenues of the school.

I. Accrued liabilities payable

The School has recognized certain liabilities on its statement of net assets relating to expenses, which are due but unpaid as of June 30, 2011, including accounts payable.

J. Federal tax exemption status

The School is a non-profit organization that has been determined by the Internal Revenue Service to be exempt from federal income taxes as a tax-exempt organization under Section 501 (c)(3) of the Internal Revenue Code. Management is not aware of any course of action or series of events that have occurred that might adversely affect the School's tax-exempt status.

K. Net Assets

Net assets represent the difference between assets and liabilities. Net assets invested in capital assets, net of related debt, consist of capital assets, net of accumulated depreciation reduced by the outstanding balances of any borrowing used for the acquisition, construction or improvement

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

of those assets. Net assets are reported as restricted when there are limitations imposed on their use either through enabling legislation adopted by the School or through external restrictions imposed by creditors, grantors or laws or regulations of other governments. The School applies restricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. At June 30, 2011, the School had no restricted net assets.

3. Deposits and Investments:

Custodial credit risk for deposits is the risk that in the event of bank failure, the School will not be able to recover deposits or collateral securities that are in the possession of an outside party. At fiscal year end, the School's ending bank balance was \$17,559. Federal depository insurance covered entire bank balance, and was not exposed to custodial credit risk.

4. Receivables:

All intergovernmental receivables are considered collectible in full due to the fiscal year guarantee of federal funds.

5. Risk Management:

Property and liability – The School is exposed to various risks of loss related to torts; theft or damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During fiscal year 2011, the School contracted with the Indiana Insurance Company for business personal property, director and officer liability and general liability insurance. Business personal property coverage carries a \$1,000 deductible and has a \$1,223,000 blanket business income limit. Director and officer liability coverage is set at \$1,000,000, total loss. General liability coverage provides \$1,000,000 per occurrence and \$2,000,000 in the aggregate with no deductible. Indiana Insurance Company also provides umbrella liability coverage of \$4,000,000 per occurrence, as well as, in the aggregate. Business auto coverage is provided by through the Indiana Insurance Company carrying a \$1,000 deductible and \$1,000,000 limit.

There has been no significant reduction in coverage in relation to the prior fiscal year. Settled claims have not exceeded commercial coverage in any of the last three fiscal years.

Employee insurance benefits – As part of the management agreement with the IMR (see note 9), insurance benefits are paid by the Institute.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

6. Capital Assets:

A summary of the School's capital assets at June 30, 2011, follows:

<u>Capital Assets</u>	Beginning Balance	Additions	Deletions	Ending Balance
Leasehold Improvements	339,078	-	-	339,078
Equipment	149,361	-	-	149,361
Vehicles	111,100	-	-	111,100
Total	599,539	-	-	599,539
Less: accumulated depreciation	(577,310)	(6,225)	-	(583,535)
Capital Assets, net	<u>22,229</u>	<u>(6,225)</u>	<u>-</u>	<u>16,004</u>

7. Defined Benefit Pension Plans:

A. School Employees Retirement System

Plan Description – The School contributes to the School Employees Retirement System (SERS), a cost-sharing multiple employer defined pension plan. SERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Authority to establish and amend benefits is provided by Chapter 3309 of the Ohio Revised Code. SERS issues a publicly available, stand-alone financial report that includes financial statements and required supplementary information. That report may be obtained by writing to SERS, 300 East Broad Street, Suite 100, Columbus, Ohio 43215-3476 or by calling (800) 878-5853. It is also posted on SERS' website, www.ohsers.org, under Employers/Audit Resources.

Funding Policy – Plan members are required to contribute 10 percent of their annual covered salary and the School is required to contribute 14 percent of annual covered payroll. The contribution requirements of plan members and employers are established and may be amended, up to statutory maximum amounts, by the SERS' Retirement Board. The Retirement Board acting with the advice of the actuary, allocates the employer contribution rate among four of the funds (Pension Trust Fund, Death Benefit Fund, Medicare B Fund, and Health Care Fund) of the System. For fiscal year ending June 30, 2011, the allocation to pension and death benefits is 11.81 percent. The remaining 2.19 percent of the 14 percent employer contribution rate allocated to the Health Care and Medicare B Funds. The School's contributions to SERS for the years ended June 30, 2011, 2010, and 2009 were \$28,543, 14,291, and \$13,910, respectively, which equaled the required contributions each year.

B. State Teachers Retirement System

Plan Description – The School participates in the State Teachers Retirement System of Ohio (STRS Ohio), a cost-sharing, and multiple-employer public retirement system. STRS Ohio provides retirement and disability benefits, annual cost-of-living adjustments, and death and

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

survivor benefits to beneficiaries. STRS Ohio issues a stand-alone financial report that may be obtained by writing to STRS Ohio, 275 E. Broad St., Columbus, OH 43215-3371 or by calling (888) 227-7877 or by visiting STRS Ohio website at www.strsoh.org.

New members have a choice of three retirement plans, a Defined Benefit (DB) Plan, a Defined Contribution (DC) Plan and a Combined Plan. The DB plan offers an annual retirement allowance based on a final average salary times a percentage that varies based on years of service, or an allowance based on member contributions and earned interest matched by STRS Ohio funds times and actuarially determined annuity factor. The DC Plan allows members to place all their member contributions and employer contributions equal to 10.5 percent of earned compensation into an investment account. Investment decisions are made by the member. A member is eligible to receive a retirement benefit at age 50 and termination of employment. The member may elect to receive a lifetime monthly annuity or a lump sum withdrawal. Combined Plan offers features of both the DC Plan and the DB Plan. In the Combined Plan, member contributions are invested by the member, and employer contributions are used to fund the defined benefit payment at a reduced level from the regular DB Plan. The DB portion of the Combined Plan payment is payable to a member on or after age 60; the DC portion of the account may be taken as a lump sum or converted to a lifetime monthly annuity at age 50. Benefits are established by Chapter 3307 of the Ohio Revised Code.

A DB or Combined Plan member with five or more years credited services who becomes disabled may qualify for a disability benefit. Eligible spouses and dependents of these active members who die before retirement may qualify for survivor benefits. Members in the DC Plan who become disabled are entitled only to their account balance. If a member of the DC Plan dies before retirement benefits begin, the member's designated beneficiary is entitled to receive the member's account balance.

Funding Policy – For the fiscal year ended June 30, 2011, plan members were required to contribute the statutory maximum of 10 percent of their annual covered salaries. The School was required to contribute 14 percent; 13 percent was the portion used to fund pension obligations. Contribution rates are established by the State Teachers Retirement Board, upon recommendations of its consulting actuary, not to exceed statutory maximum rates of 10 percent for members and 14 percent for employers. Chapter 3307 of the Ohio Revised Code provides statutory authority for members and employer contributions.

The School's required contributions for pension obligations for the fiscal year ended June 30, 2011, 2010, and 2009 were \$206,039, \$229,699, and \$170,658 respectively; which were equal to the required contributions for each year.

8. Post Employment Benefits

A. School Employees Retirement System

Plan Description – The School participates in two cost-sharing multiple employer defined OPEB plans administered by the School Employees Retirement System (SERS) for non-certificated retirees and their beneficiaries, a Health Care Plan and a Medicare Part B Plan. The Health Care Plan includes hospitalization and physicians' fees through several types of plans including HMO's, PPO's and traditional indemnity plans as well as a prescription drug program. The Medicare Part B Plan reimburses Medicare Part B premiums paid by eligible retirees and

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

beneficiaries up to a statutory limit. Benefits provisions and the obligations to contribute are established by SERS based on authority granted by State statute. The financial reports of both Plans are included in the SERS Comprehensive Annual Financial Report which is available by contacting SERS at 300 East Broad Street, Suite 100, Columbus, Ohio 43215-3476 or by calling (800) 878-5853. It is also posted on SERS' website, www.ohsers.org, under Employers/Audit Resources.

Funding Policy – State statute permits SERS to fund the health care benefits through employer contributions. Each year, after the allocation for statutorily required benefits, the Retirement Board allocates the remainder of the employer contribution of 14 percent of covered payroll to the Health Care Fund. The Health Care Fund was established and administered in accordance with Internal Revenue Code Section 401h. For 2011, 1.43 percent of covered payroll was allocated to health care. In addition, employers pay a surcharge for employees earning less than an actuarially determined amount; for 2010, this amount was \$35,800.

Active employee members do not contribute to the Health Care Plan. Retirees and their beneficiaries are required to pay a health care premium that varies depending on the plan selected, the number of qualified years of service, Medicare eligibility and retirement status.

The School's contributions for health care for the fiscal years ended June 30, 2011, 2010, and 2009 were \$3,456, \$514, and \$6,366 respectively; which were equal to the required contributions for each year.

The Retirement Board, acting with advice of the actuary, allocates a portion of the employer contributions to the Medicare B Fund. For 2011, this actuarially required allocation was .76 percent of covered payroll. The School's contributions for Medicare Part B for the fiscal years ended June 30, 2011, 2010, and 2009 were \$1,837, \$850, and \$1,148 respectively; which were equal to the required contributions for each year.

B. State Teachers Retirement System

Plan Description – The School contributes to the cost sharing multiple-employer defined benefit Health Plan administered by the State Teachers Retirement System of Ohio (STRS Ohio) for eligible retirees who participate in the defined benefit or combined pension plans offered by STRS Ohio. Benefits include hospitalization, physicians' fees, prescription drugs and reimbursement of monthly Medicare Part B premiums. The Plan is included in the report of STRS Ohio which may be obtained by visiting www.strsoh.org or by calling (888) 227-7877.

Funding Policy – Ohio law authorizes STRS Ohio to offer the Plan and gives the Retirement Board authority over how much, if any, of the health care costs will be absorbed by STRS Ohio. Active employee members do not contribute to the Plan. All benefit recipients pay a monthly premium. Under Ohio law, funding for post-employment health care may be deducted from employer contributions. For 2011, STRS Ohio allocated employer contributions equal to 1 percent of covered payroll to the Health Care Stabilization Fund. The School's contributions for health care for the fiscal years ended June 30, 2011, 2010, and 2009 were \$15,849 \$17,669, and \$13,127 respectively; which were equal to the required contributions for each year.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

9. Management Company Agreements:

On September 1, 2006, the School entered into an agreement with the Institute of Management and Resources, Inc. (IMR), a non-profit corporation, to provide management services. The agreement with IMR was renewed and amended through June 30, 2015.

The Management Agreement provides that IMR will perform functions reasonably required to manage the operation of the School; ensure students receive services which are in accordance with applicable educational standards; make every effort to ensure the School complies with the requirements of any applicable statute, ordinance, law, rule, regulation or order of any governmental or regulatory body having jurisdiction; acquire all necessary licenses and permits; maintain all student and financial records required by federal, state and local laws and regulations, as well as, protecting the confidentiality of those records; act as the School's agent in making deposits and disbursements promptly; provide for all expenses of operating the School, including lease payments for the school building, equipment and operating supplies needed in the operation of the School, from its management fee. IMR is responsible for hiring qualified teachers and all other employees which are subsequently contracted to operate the School. For fiscal year 2011, the expenses related to contractual employees totaled \$1,873,275; \$1,617,551 for payroll and \$255,724 for benefits, respectively.

IMR receives a monthly management fee of 10 percent of total revenues of the School from all sources after deductions of STRS, SERS, and audit adjustments. IMR receives 87 percent of the remaining 90 percent of operating revenues for any expenses it incurs on behalf of the School in order to provide district wide services. These expenses include but are not limited to district-wide management services provided by IMR employees in the area of instruction, transportation, financial and general business management and development as well as district-wide purchases of text books and supplies.

The Governing Board's intent, which was clarified in the Second Addendum to the Management Agreement, dated January 21, 2012 and retroactive to July 1, 2008, is that the Management Company should receive 10 percent of total revenues for management fees, another 87 percent of total revenues for expenses it incurs on behalf of the School. Accordingly, the School paid the Management Company 97 percent of its total revenues from all sources after deductions for STRS, SERS, and audit adjustments. This is the subject of an ongoing lawsuit (see Note 17 C).

For the fiscal year ended June 30, 2011, Institute of Management and Resources, Inc. (IMR) incurred the following expenses on behalf of the School.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

Direct	
Salary & Wages	1,617,551
Audit Fees	1,881
Benefits	255,724
Food Service	17,438
Health Insurance	224,200
Property & Casualty Insurance, Workers Comp.	30,688
Professional & Legal Services	4,327
Postage	1,390
Purchased Services	381,294
Rent	122,178
Repairs & Maintenance	26,226
Supplies	4,988
Telephone/Networking	24,759
Utility	108,931
Indirect	
Overhead	537,572
Total Expenses	<u><u>3,359,147</u></u>

The administration expenses incurred by IMR are allocated to the four different Richard Allen Schools under its control. These expenses are allocated to the individual school based on the student enrollment at each school to the total enrollment of all the schools.

10. Contingencies

A. Grants

The Auditor of State is currently performing a statewide review of supporting documentation for student attendance data reported to the Ohio Department of Education. The results of this review are still pending and will be reported separately to the Ohio Department of Education at a later date.

The School received financial assistance from federal and State agencies in the form of grants. The expenditure of funds received under these programs generally requires compliance with terms and conditions specified in the grant agreements and is subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become liability of the General Fund or other applicable funds. This also encompasses the Auditor of State's ongoing review of student attendance data. However the effect of any such disallowed claims on the overall financial position of the School District at June 30, 2011, if applicable, cannot be determined at this time.

B. State funding

The Ohio Department of Education conducts reviews of enrollment data and FTE calculations made by the schools. These reviews are conducted to ensure the schools are reporting accurate student enrollment data to the State, upon which state foundation funding is calculated. Discrepancies are adjusted in subsequent fiscal year funding. As a result of the fiscal-year end review, the school owed the Ohio Department of Education \$1,953. This amount is not reflected

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

on the school's financial statements.

C. Litigation

On October 18, 2012, The institute of Management and Resources, Inc. ("IMR"), the management company of the School, filed a complaint for declaratory judgment and injunctive relief against the School, as well as the Auditor of State and Attorney General regarding findings for recovery issued by the Auditor in favor of the School.

Institute of Management and Resources, Inc. v. Dave Yost, et al.
Montgomery County, Ohio Court of Common Pleas: Case No. 2012 CV 07494

Both IMR and the School dispute the Auditor's interpretation of the contract and have attempted to resolve the matter amicably with both the Auditor and the Attorney General, who is tasked with enforcing findings for recovery. Not only were the parties unsuccessful in resolving the dispute, the Auditor has put both parties on notice that they intend to issue similar findings against IMR for the 2011 fiscal year. Accordingly, IMR has filed this action pursuant to R.C. 9.24, challenging the Auditor's interpretation of the management contract and enjoining the Attorney General from enforcing the finding. Because the Auditor and Attorney General are acting on behalf of the School statutorily, the School is an indispensable party to the litigation. The outcome of this case will have a material impact on financial statements of the School, the exact amount of which is not known at this time.

11. Notes Payable

At June 30, 2011, the School has outstanding notes payable to IMR in the amount of \$12,500. These notes were originally required to be repaid from operating revenue by December 31, 2011 unless extended by the two parties. The repayment of the notes has subsequently been extended until payment is required by IMR or by December 31, 2011. The loans do not contain any provision for interest. A summary of the School's short-term debt obligations for the year is as follows:

	Beginning Balance	Additions	Deletions	Ending Balance
Operating Loan - IMR	\$ 12,500	\$ -	\$ -	\$ 12,500

12. Operating Leases:

The School leases its facilities from The Institute of Management and Resources (IMR) under a six - year lease agreement beginning July 1, 2010 through June 30, 2016. The terms of the lease are renewable annually on July 1 as long as the School remains chartered by the Ohio Department of Education to operate a chartered public school. The monthly lease payments during fiscal year 2011 were \$11,000.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

13. Related Parties:

The Governing Board, Chief Executive Officer, and the Treasurer/CFO of Richard Allen Academy II Community School served during fiscal year 2011 in the same capacity for Richard Allen Preparatory, Richard Allen Academy, and Richard Allen Academy III Community Schools all of which are managed by the Institute of Management & Resources, Inc (IMR). The School pays IMR a management fee of ten percent of the total revenue of the School from all sources after a deduction of SERS, STRS, and audit adjustments. The School pays IMR 87 percent of the remaining 90 percent for School expense fee incurred on behalf of the School. See Note 9. The School has a notes payable due to IMR. See note 11. The School also has an operating lease with IMR. See note 12.

The Institute of Charter School Management Resources, Inc.(ICSMR), a corporation wholly owned by the Chief Executive Officer of the School, provides and bills for consulting services to IMR, the management company for the School. The cost of the services provided to IMR by ICSMR is allocated to the School, as well as the other Richard Allen schools. The School's Superintendent is the daughter of the IMR/ICSMR CEO. The CEO's husband is the School's co-founder and sits on the School's Board as a non-voting member.

14. Purchased Services

During the fiscal year ended June 30, 2011, purchased service expenses for services rendered were as follows:

Management Services	\$3,465,082
Certified Retirement	221,888
Non-Certified Retirement	<u>33,836</u>
	<u>\$3,720,806</u>

15. Non-Compliance

During the fiscal year 2011, the School did not pay the Management Company in accordance with the contract. The Governing Board's intent, which was clarified in the Second Addendum to the Management Agreement, dated January 21, 2012 and retroactive to July 1, 2008, is that the Management Company should receive 10 percent of total revenues for management fees, another 87 percent of total revenues for expenses it incurs on behalf of the School. Accordingly, the School paid the Management Company 97 percent of its total revenues from all sources after deductions for STRS, SERS, and audit adjustments. This is the subject of an ongoing lawsuit (see Note 17 C).

16. Management's Plan Regarding Accumulated Deficit

Management has taken steps towards increasing student enrollment and containing costs, which would provide additional State funding and reduce expenses respectively, enabling the School to return to financial stability.

17. Subsequent Events

- A. Effective July 1, 2012, the School entered into a two-year Sponsorship contract with the Ohio Department of Education (ODE) in return for three percent (3%) of all funds received by the School from the State of Ohio foundation payments.

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY
Notes to the Basic Financial Statements
FOR THE FISCAL YEAR ENDED JUNE 30, 2011

- B. On January 21, 2012, the Board of Directors and the Management Company amended the management contract to clarify the contract language, retroactive to July 1, 2008 to the effect that the School shall pay ninety seven percent (97%) of total revenues of the Academy from all sources, after applicable deductions, to the management company for management fee and purchased services.
- C. On October 18, 2012, The Institute of Management and Resources, Inc. (“IMR”), the management company of the School, filed a complaint for declaratory judgment and injunctive relief against the School, as well as the Auditor of State and Attorney General regarding findings for recovery issued by the Auditor in favor of the School.

Institute of Management and Resources, Inc. v. Dave Yost, et al.
Montgomery County, Ohio Court of Common Pleas: Case No. 2012 CV 07494

Both IMR and the School dispute the Auditor’s interpretation of the contract and have attempted to resolve the matter amicably with both the Auditor and the Attorney General, who is tasked with enforcing findings for recovery. Not only were the parties unsuccessful in resolving the dispute, the Auditor has put both parties on notice that they intend to issue similar findings against IMR for the 2011 fiscal year. Accordingly, IMR has filed this action pursuant to R.C. 9.24, challenging the Auditor’s interpretation of the management contract and enjoining the Attorney General from enforcing the finding. Because the Auditor and Attorney General are acting on behalf of the School statutorily, the School is an indispensable party to the litigation. The outcome of this case will have a material impact on financial statements of the School, the exact amount of which is not known at this time.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**FEDERAL AWARDS RECEIPTS AND EXPENDITURES SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

Federal Grantor/ Pass Through Grantor Program Title	Federal CFDA Number	Receipts	Disbursements
UNITED STATES DEPARTMENT OF AGRICULTURE			
<i>Passed through Ohio Department of Education</i>			
Child Nutrition Cluster:			
School Breakfast Program	10.553	\$32,593	\$32,593
National School Lunch Program	10.555	105,471	105,471
Total Child Nutrition Cluster		<u>138,064</u>	<u>138,064</u>
Total United States Department of Agriculture		<u>138,064</u>	<u>138,064</u>
UNITED STATES DEPARTMENT OF EDUCATION			
<i>Passed through Ohio Department of Education</i>			
Title I, Part A Cluster:			
Title I Grants to Local Educational Agencies	84.010	137,684	174,305
ARRA - Title I Grants to Local Educational Agencies	84.389		35,200
Total Title I, Part A Cluster		<u>137,684</u>	<u>209,505</u>
Special Education Cluster (IDEA):			
Special Education Grants to States	84.027	94,992	82,273
ARRA - Special Education Grants to States	84.391		24,511
Total Special Education Cluster (IDEA)		<u>94,992</u>	<u>106,784</u>
Safe and Drug-Free Schools and Communities State Grants	84.186	1,690	
Educational Technology State Grants	84.318	85	
Improving Teacher Quality State Grants	84.367	8,995	20,569
ARRA - State Fiscal Stabilization Fund (SFSF) - Education State Grants	84.394	254,808	254,808
Education Jobs Fund	84.410	64,021	64,021
ARRA - State Fiscal Stabilization Fund (SFSF) - Race-to-the-Top Incentive Grants	84.395		200
Total United States Department of Education		<u>562,275</u>	<u>655,887</u>
Total Federal Assistance		<u>\$700,339</u>	<u>\$793,951</u>

The notes to this schedule are an integral part of this schedule.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**NOTES TO THE FEDERAL AWARDS RECEIPTS AND EXPENDITURES SCHEDULE
FOR THE FISCAL YEAR ENDED JUNE 30, 2011**

NOTE A - SIGNIFICANT ACCOUNTING POLICIES

The accompanying Federal Awards Receipts and Expenditures Schedule (the Schedule) reports the Richard Allen Academy II Community School (the School's) federal award programs' receipts and disbursements. The schedule has been prepared on the cash basis of accounting.

NOTE B - CHILD NUTRITION CLUSTER

The School commingles cash receipts from the U.S. Department of Agriculture with similar State grants. When reporting expenditures on this Schedule, the School assumes it expends federal monies first.



Dave Yost • Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS REQUIRED BY GOVERNMENT AUDITING STANDARDS

Richard Allen Academy II Community School
Montgomery County
368 South Patterson Boulevard
Dayton, Ohio 45402

To the Governing Board:

We have audited the financial statements of Richard Allen Academy II Community School, Montgomery County, (the School) as of and for the year ended June 30, 2011, which collectively comprise the School's basic financial statements and have issued our report thereon dated October 26, 2012, wherein we noted we are unable to obtain sufficient audit evidence supporting the School's accounts payable and the school has excluded, from receivables in the accompanying statement of net assets, certain accounts receivables due from the School's management company Institute of Management and Resources, Inc. We also noted that the School has an accumulated deficit of \$256,232 as of June 30, 2011. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the School's internal control over financial reporting as a basis for designing our audit procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of opining on the effectiveness of the School's internal control over financial reporting. Accordingly, we have not opined on the effectiveness of the School's internal control over financial reporting.

Our consideration of internal control over financial reporting was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over financial reporting that might be significant deficiencies or material weaknesses. Therefore, we cannot assure that we have identified all deficiencies, significant deficiencies or material weaknesses. However, as described in the accompanying schedule of findings and questioned costs we identified certain deficiencies in internal control over financial reporting, that we consider material weaknesses and another deficiency we consider to be a significant deficiency.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, when performing their assigned functions, to prevent, or detect and timely correct misstatements. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and timely corrected. We consider findings 2011-003 and 2011-004 described in the accompanying schedule of findings and questioned costs to be material weaknesses.

A significant deficiency is a deficiency, or a combination of deficiencies in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider finding 2011-005 described in the accompanying schedule of findings and questioned costs to be a significant deficiency.

One First National Plaza, 130 W. Second St., Suite 2040, Dayton, Ohio 45402
Phone: 937-285-6677 or 800-443-9274 Fax: 937-285-6688
www.ohioauditor.gov

Compliance and Other Matters

As part of reasonably assuring whether the School's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and accordingly, we do not express an opinion. The results of our tests disclosed instances of noncompliance or other matters we must report under *Government Auditing Standards* which are described in the accompanying schedule of findings as items 2011-001 through 2011-005.

We also noted certain matters not requiring inclusion in this report that we reported to the School's management in a separate letter dated October 26, 2012.

The School's responses to the findings identified in our audit are described in the accompanying schedule of findings. We did not audit the School's responses and, accordingly, we express no opinion on them.

We intend this report solely for the information and use of management, the audit committee, the Governing Board, School's sponsor, and others within the School. We intend it for no one other than these specified parties.



Dave Yost
Auditor of State

October 26, 2012



Dave Yost • Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT ON COMPLIANCE WITH REQUIREMENTS APPLICABLE TO EACH MAJOR FEDERAL PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY OMB CIRCULAR A-133

Richard Allen Academy II Community School
Montgomery County
368 South Patterson Boulevard
Dayton, Ohio 45402

To the Governing Board:

Compliance

We have audited the compliance of Richard Allen Academy II Community School (the School) with the types of compliance requirements described in the U.S. Office of Management and Budget (OMB) *Circular A-133, Compliance Supplement* that could directly and materially affect each of the School's major federal programs for the year ended June 30, 2011. The *summary of auditor's results* section of the accompanying schedule of findings and questioned costs identifies the School's major federal programs. The School's management is responsible for complying with the requirements of laws, regulations, contracts, and grants applicable to each major federal program. Our responsibility is to opine on the School's compliance based on our audit.

Our compliance audit followed auditing standards generally accepted in the United States of America; the standards applicable to financial audits included in the Comptroller General of the United States' *Government Auditing Standards*; and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. These standards and OMB Circular A-133 require that we plan and perform the audit to reasonably assure whether noncompliance occurred with the compliance requirements referred to above that could directly and materially affect a major federal program. An audit includes examining, on a test basis, evidence about the School's compliance with these requirements and performing other procedures we considered necessary in the circumstances. We believe our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on the School's compliance with these requirements.

As described in finding 2011-006 and findings 2011-008 through 2011-011 in the accompanying schedule of findings and questioned costs, the School did not comply with requirements regarding allowable costs/cost principles, cash management, period of availability of federal funds, reporting and special tests and provisions applicable to its Title I, Part A Cluster major federal program. As described in finding 2011-008 in the accompanying schedule of findings and questioned costs, the School did not comply with requirements regarding reporting provisions applicable to its ARRA – State Fiscal Stabilization Fund (SFSF) – Education State Grants. Compliance with these requirements is necessary, in our opinion, for the School to comply with requirements applicable to these programs.

In our opinion, except for the noncompliance described in the preceding paragraph, the Richard Allen Academy II Community School complied, in all material respects, with the requirements referred to above that could directly and materially affect each of its major federal programs for the year ended June 30, 2011.

Compliance (Continued)

The results of our auditing procedures also disclosed other instances of noncompliance with these requirements that, while not affecting our opinion on compliance, OMB Circular A-133 requires us to report. The accompanying schedule of findings and questioned costs lists these instances as Findings 2011-007 and 2011-012.

Internal Control Over Compliance

The School's management is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts, and grants applicable to federal programs. In planning and performing our audit, we considered the School's internal control over compliance with the requirements that could directly and materially affect a major federal program, to determine our auditing procedures for the purpose of expressing our opinion on compliance, and to test and report on internal control over compliance in accordance with OMB Circular A-133, but not for the purpose of opining on the effectiveness of internal control over compliance. Accordingly, we have not opined on the effectiveness of the School's internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be significant deficiencies or material weaknesses and therefore, we cannot assure we have identified all deficiencies, significant deficiencies, or material weaknesses. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weaknesses and a deficiency that we consider to be a significant deficiency.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, when performing their assigned functions, to prevent, or to timely detect and correct, noncompliance with a federal program compliance requirement. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a federal program compliance requirement will not be prevented, or timely detected and corrected. We consider the deficiencies in internal control over compliance described in the accompanying schedule of findings and questioned costs as items 2011-006 through 2011-011 to be material weaknesses.

A significant deficiency in internal control over compliance is a deficiency, or a combination of deficiencies, in internal control over compliance with a federal program compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiency in internal control over compliance described in the accompanying schedule of findings and questioned costs as item 2011-012 to be a significant deficiency.

The School's responses to the findings we identified are described in the accompanying schedule of findings and questioned costs. We did not audit the School's responses and, accordingly, we express no opinion on them.

We also noted other matters involving federal compliance or internal control over federal compliance not requiring inclusion in this report, that we reported to the School's management in a separate letter dated October 26, 2012.

We intend this report solely for the information and use of the management, the Governing Board, the Community School's sponsor, others within the entity, federal awarding agencies, and pass-through entities. It is not intended for anyone other than these specified parties.

A handwritten signature in black ink that reads "Dave Yost". The signature is written in a cursive style with a large, looping "D" and "Y".

Dave Yost
Auditor of State

October 26, 2012

This page intentionally left blank.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**SCHEDULE OF FINDINGS AND QUESTIONED COSTS
OMB CIRCULAR A -133 § .505
JUNE 30, 2011**

1. SUMMARY OF AUDITOR'S RESULTS

(d)(1)(i)	Type of Financial Statement Opinion	Qualified
(d)(1)(ii)	Were there any material control weaknesses reported at the financial statement level (GAGAS)?	Yes
(d)(1)(ii)	Were there any significant deficiencies in internal control reported at the financial statement level (GAGAS)?	Yes
(d)(1)(iii)	Was there any reported material noncompliance at the financial statement level (GAGAS)?	Yes
(d)(1)(iv)	Were there any material internal control weaknesses reported for major federal programs?	Yes
(d)(1)(iv)	Were there any significant deficiencies in internal control reported for major federal programs?	Yes
(d)(1)(v)	Type of Major Programs' Compliance Opinion	Qualified
(d)(1)(vi)	Are there any reportable findings under § .510(a)?	Yes
(d)(1)(vii)	Major Programs (list):	Title I, Part A Cluster Title I Grants to Local Educational Agencies (84.010) ARRA - Title I Grants to Local Educational Agencies (84.389) ARRA – State Fiscal Stabilization Fund (SFSF) – Education State Grants (84.394)
(d)(1)(viii)	Dollar Threshold: Type A/B Programs	Type A: > \$ 300,000 Type B: all others
(d)(1)(ix)	Low Risk Auditee?	No

**2. FINDINGS RELATED TO THE FINANCIAL STATEMENTS
REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS**

FINDING NUMBER 2011-001

NONCOMPLIANCE

Ohio Rev. Code Section 3314.02(E)(2) states no person shall serve on the governing authorities of more than two start-up community schools at the same time. However, all members of the Board of Directors of the School were members of the Board of Directors for each of the other three Richard Allen Community Schools for the first three meetings of the fiscal year. At the final meeting of the fiscal year, there were three Directors that were still on the Board of Directors of more than two Richard Allen Community Schools.

The School should evaluate Board of Directors membership to require that any one individual serve on the Board of not more than two community schools at one time.

Official's Response: The Governing Board has taken action to ensure that no Governing Board member serves on more than two (2) start-up community school governing boards at the same time, in accordance with R.C. 331.02(E)(2).

FINDING NUMBER 2011-002

NONCOMPLIANCE/FINDING FOR RECOVERY

State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951), provides that expenditures made by a governmental unit should serve a public purpose. Typically the determination of what constitutes a "proper public purpose" rests with the judgment of the governmental entity, unless such determination is arbitrary or unreasonable. Even if a purchase is reasonable, **Ohio Attorney General Opinion 82-006** indicates that it must be memorialized by a duly enacted ordinance or resolution and may have a prospective effect only.

In response to the finding for recoveries stemming from the special audit conducted by the Auditor of State of Ohio, the Academy retroactively amended its management company contract during the January 21, 2012 meeting. Section Three of the revised contract in part states that the Academy shall pay to IMR a management fee of ten percent (10%) of the total revenues of the Academy from all sources after deduction of STRS, SERS and audit adjustments. The Academy will pay to IMR eight-seven percent (87%) of total revenues of the Academy from all sources after deduction of STRS, SERS and audit adjustments for School Expense Fees incurred on behalf of the Academy for school-wide operational services, i.e. transportation, supplies, textbooks, rents, utilities, etc. This Addendum shall be of full force and effect retroactive to July 1, 2008. The addendum replaced First Addendum to the Management Agreement between Institute of Management and Resources, Inc. (IMR) and the School which stated, in part, that the School shall pay to IMR a management fee of 10% of the total revenues of the School from all sources after deduction of STRS, SERS, and audit adjustments. The School will pay to the IMR 87% of the remaining 90% for School Expense Fee incurred on behalf of the School for District wide operational services, i.e., transportation, supplies, textbooks, rents, utilities, etc.

Per Ohio Attorney General Opinion 82-006 retroactive approval of the management company contract is not permitted and the First Addendum to the Management Agreement would be binding up to January 21, 2012.

**FINDING NUMBER 2011-002
(Continued)**

During fiscal year 2011, the School paid \$3,559,012 to IMR for management fees and school related expenses. Other than the IMR contract, there was no support, such as billing statements or support for amounts paid and transferred to IMR for fiscal year 2011. During fiscal year 2011 the School received \$3,561,295 in "total revenues." 10%, or \$356,130 of these revenues were due to the IMR for management fee. 87% of the remaining \$3,205,165 amounting to \$2,788,494 was due to IMR for "School Expense Fees." Although no payments were specifically identifiable, \$132,000 was credited for payments involving a lease agreement between the School and management company for the school building. The lease was \$11,000 per month. Based on the management agreement and lease agreement, total payment to IMR for management company, lease and school expense fees should have been \$3,276,624. The management company was overpaid \$282,388.

In accordance with the forgoing facts, and pursuant to Ohio Revised Code Section 117.28, a finding for recovery for public money illegally expended in the amount of \$282,388 is hereby issued against the Institute of Management and Resources, and in favor of Richard Allen Academy II Community School.

Under Ohio law, any public official who either authorizes an illegal expenditure of public funds or supervises the accounts of a public office from which such illegal expenditure was made is strictly liable for the amount of the expenditure. *Seward v. National Surety Corp.*, 120 Ohio St 47 (1929); 1980 Op. Atty Gen. No. 80-074; Ohio Rev. Code Section 9.39; State, ex.rel. *Village of Linndale v. Masten*, 18 Ohio St. 3d 228 (1985). Public officials controlling public funds or property are liable for the loss incurred should such funds or property be fraudulently obtained by another, converted, misappropriated, lost or stolen. Public officials will be liable if and to the extent that recovery or restitution is not obtained from the persons who unlawfully obtained such funds or property, 1980 Op. Atty Gen. No. 80-074.

Felix O'Aku, Treasurer, authorized bank transfers resulting in the improper payment. Accordingly, a Finding for Recovery is hereby jointly and severally issued against Felix O'Aku and his bonding company the Ohio Casualty Insurance Company in the amount of \$282,388 and in favor of the Richard Allen Academy II Community School.

The School should review its management company contract and verify that payments made to the management company are in accordance with the board ratified contract. Failure to do so could result in future potential overpayments and findings for recoveries. Also, any payments made to the management company should be adequately documented and supported.

Official's Response: The Richard Allen Academies and the Institute of Management and Resources dispute the Auditor of State's interpretation of the management company contract. We believe the Auditor's interpretation to be in in direct conflict with the intent, agreement and course of performance of the parties. Accordingly, the Institute of Management Resources has filed a complaint in Common Pleas Court against both the Auditor of State and Attorney General seeking declaratory and injunctive relief with regard to this Finding 2011-002, as well as previous Findings for Recovery pertaining to the Auditor's improper contract interpretation. This litigation is currently ongoing.

FINDING NUMBER 2011-003

NONCOMPLIANCE/ FINDING FOR RECOVERY AND MATERIAL WEAKNESS

At June 30, 2010, the School reported \$33,080 in accounts receivable balance due from its management company, Institute of Management & Resources (IMR). This balance consisted of June 30, 2010 reconciling items for various revenues deposited by IMR in its bank account instead of the School's bank account during fiscal year 2010. During 2011, the School receipted \$14,337 of this receivable amount for school lunch receipts. There was no evidence that IMR actually repaid the remaining receivable amount of \$18,743 to the School during fiscal year 2011 or netted the receivables against the payables due to the management company, and the School did not report any receivable due from the management company at June 30, 2011. Additionally, we could not determine the adjusting entry used to remove the remaining receivable of \$18,743 from the financial statements. Normally beginning equity should have been affected; however, beginning equity amounts tied to prior year's audited financial statements. We could not issue an audit adjustment or render an opinion on the accounts receivable line item.

In accordance with the foregoing facts, and pursuant to Ohio Rev. Code Section 117.28, a Finding for Recovery for public money due, but not collected is hereby issued against the Institute of Management & Resources, Inc., and in favor of Richard Allen Academy II Community School, in the amount of \$18,743.

Under Ohio law, any public official who either authorizes an illegal expenditure of public funds or supervises the accounts of a public office from which such illegal expenditure was made is strictly liable for the amount of the expenditure. *Seward v. National Surety Corp.*, 120 Ohio St 47 (1929); 1980 Op. Atty Gen. No. 80-074; Ohio Rev. Code Section 9.39; *State, ex.rel. Village of Linndale v. Masten*, 18 Ohio St. 3d 228 (1985). Public officials controlling public funds or property are liable for the loss incurred should such funds or property be fraudulently obtained by another, converted, misappropriated, lost or stolen. Public officials will be liable if and to the extent that recovery or restitution is not obtained from the persons who unlawfully obtained such funds or property, 1980 Op. Atty Gen. No. 80-074.

Felix O'Aku, Treasurer, supervised public funds. Accordingly, a Finding for Recovery is hereby jointly and severally issued against Felix O'Aku and his bonding company the Ohio Casualty Insurance Company in the amount of \$18,743 and in favor of the Richard Allen Academy II Community School.

Failure to provide adequate supporting documentation for all financial statement line items could result in financial statement opinion modifications. Procedures should be implemented to verify the overall financial integrity of the information presented in the financial statements. Elimination of accounts receivable should be supported by payments on the receivable or evidence that the receivable is uncollectible.

Official's Response: Accounts receivable as well as accounts payable reconciliations were provided to the auditors explaining the netting of the balance of accounts receivable against accounts payable. Supporting documentations along with explanations were provided showing how the calculations were derived. When an entity carries both a receivable and a payable from the same vendor on its book, it is an allowable transaction to net (off set) those two transactions (customarily referred to as inter-company transaction, and that is what was done here – offsetting what the management company owes the school (accounts receivable) against what the school owes the management company (accounts payable).

The Richard Allen Schools agree that elimination of accounts receivable should be supported by payments on the receivable or evidence that the receivable is uncollectible; alternatively, netting of accounts receivable is a legal transaction which is what was done here and supported by documents which have been submitted to the Auditors.

Auditor of State's Conclusion: The Academy did not provide any sufficient documentary evidence to support that receivables were netted against the payables. Therefore, a finding for recovery has been issued.

FINDING NUMBER 2011-004

NONCOMPLIANCE AND MATERIAL WEAKNESS

Ohio Revised Code Section 3314.03 (B)(5) and **AOS Bulletin 2000-005** require that the management of each community school be responsible for the design and implementation of an internal control process that provides reasonable assurance of the integrity of its financial reporting, the safeguarding of assets, the efficiency and effectiveness of its operations, and its compliance with applicable laws, regulations and contracts.

The School utilized Sage accounting system for recording its financial transactions. The system was designed to capture information on an accrual basis of accounting. Based on review of the general ledger from the system these accounts were not accurately updated or corrected in a timely basis throughout the year. In addition, numerous correcting entries were posted in the general ledger and two different versions of the financial statements were provided for audit.

The School's Financial Report for 2011 lacked sufficient underlying support to opine on some line items and contained errors which resulted in reclassifications and adjustments to correctly report the financial activity during and at the end of the period as follows:

Statement of Net Assets:

- The accounts receivable balance of \$20,023 was improperly classified. This was related to a federal lunch reimbursement and should have been classified as intergovernmental receivable. The corresponding revenue related to this receivable was also incorrectly booked as other revenue instead of federal and state grants. The financial statements were adjusted to properly reflect receivable amounts. Revenues were not adjusted and have been reported to the management in the summary of unadjusted differences.
- The School's original fiscal year 2011 financial statements reported accounts payable in the amount of \$250,066. The School then provided updated financial statements that reported accounts payable in the amount of \$87,145. The School could not provide invoices to support the accounts payable line item. Additionally, the supporting calculation provided by the School was \$54,368 greater than the amount reported on the financial statements. Due to the lack of appropriate supporting documentation for the accounts payable, an opinion cannot be rendered on this line item.

Additionally, the School's ability to pay significant liabilities is questionable. The School historically has had low cash balances, including \$17,108 at June 30, 2011. Based on the School's interpretation of the management contract, nearly all of the School's revenue was turned over to the management company for payment of the School's expenses over the last two years. If this practice continues, the School may never accumulate sufficient funds to pay all liabilities.

Statement of Revenues, Expenses and Changes in Net Assets:

- Due to an incorrect interpretation of the management company agreement, the management purchased services line item was overstated by \$11,202. The financial statements were not adjusted to reflect this error. The error has been reported to the management in the summary of unadjusted differences. This resulted in a corresponding overstatement of accounts payable. Additionally, we have issued a separate finding for recovery related to the School's payments to its management company. The \$11,202 error included here does not include overpayments to the management company reported as finding for recovery.
- SFSF revenue in the amount of \$254,808 was posted to the financial statements incorrectly as state stabilization stimulus fund. This should have been presented as federal and state grants. The financial statements were adjusted to correct this error.

**FINDING NUMBER 2011-004
(Continued)**

- State grant revenue in the amount of \$11,263 was incorrectly reported as state foundation. The proper classification for such revenue is federal and state grants. The financial statements were not adjusted for this error. The error has been reported to the management in the summary of unadjusted differences.
- Purchased services expenses in the amount of \$255,724 were incorrectly classified as retirement benefits. Professional services expenses in the amount of \$95,040 were incorrectly classified as sponsorship fees and audit fees. Other expenses in the amount of \$3,472 were incorrectly classified as board meeting expenses. The financial statements were modified to correct these errors.

Statement of Cash Flows:

- Within cash flows from operating activities, cash received from the State of Ohio and cash payments for purchased services were both understated by \$255,724. The financial statements were adjusted to correct this error.
- The School reported \$21,165 in capital lease payments under cash flow from operating activities instead of cash flow from capital and related financing activities. The cash flow statement was not adjusted to correct this error. The error has been reported to the management in the summary of unadjusted differences.

In addition, there were minor footing errors in the financial statements and there were several errors and omissions in the management's discussion & analysis (MD&A) and the notes to the basic financial statements that required corrections. Also, the School provided a trial balance that did not have journal entries (reversing entries and accrual entries) to calculate the financial statements.

Procedures should be developed and implemented to provide for integrity of the financial records. Additionally, the amounts in the financial statements, notes to the financial statements, and MD&A should be supported by appropriate documentation. Failure to establish these procedures could result in inaccurate financial reporting of the School's activities.

The School should also consider utilizing software like one offered by MDECA for accounting. Such software is specifically designed for Schools and utilize Ohio Department of Education recommended USAS to better capture accounting information. This software will not capture information on accrual basis of accounting. However, it will allow the School to segregate its activity in funds and help the School properly track its federal expenditures. Additionally MDECA will provide data integrity that the current software does not as the School was able to go back one year after the fiscal year end to make changes in the system and generate a new set of financial reports.

Official's Response: As stated in the Official Response to Finding Number 2011-002, the Richard Allen Schools dispute the Auditor's interpretation of the management agreement with IMR. Accordingly, do not believe that there was an overstatement of the management purchased services line item. Since the conclusion of this audit period, the Schools have implemented procedures requiring invoices in order to properly support accounts payable.

With regard to the Auditor's suggested software, the Schools use a state-of-the-art fund accounting system "Sage 100 Fund Accounting Software. The MDECA accounting Software is cash basis and therefore not suited to produced GAAP basis reports as our current Software; however, the management Company has agreed to evaluate the Grants Module of the MDECA Software and present a recommendation to the board.

**FINDING NUMBER 2011-004
(Continued)**

In addition, The Richard Allen Schools are considering engaging additional financial professionals in order to address the internal control concerns raised by the Auditors in this report. The Schools have asked the Ohio Department of Education for its insight and recommendations.

Auditor of State's Conclusion: As the finding states overstatement to purchased services line item does not include overpayments to the management company that have been reported as a finding for recovery in finding number 2011-002. The amounts reported as overpayments in this finding are based on expenditures in excess of Academy's interpretation of the contract.

FINDING NUMBER 2011-005

NONCOMPLIANCE AND SIGNIFICANT DEFICIENCY

Ohio Rev. Code Section 3314.024 requires community school management companies that receive more than 20 percent of the annual gross revenues of the school to provide a detailed accounting including the nature and cost of the services it provides to the community school. This information shall be included in the footnotes to the financial statements of the school, and be subject to audit during the course of the regular financial audit of the community school. **Auditor of State Bulletin 2004-009** provides guidance for management company footnote disclosure. The Bulletin also allows the school to obtain an agreed upon procedures report on this particular note disclosure from an independent auditor.

The School's agreed upon procedures report obtained from an independent accountant noted that credit card purchases and reimbursements were incorrectly reported in the purchased services line item by the management company. Such charges should be categorized appropriately as indicated in Appendix A of Auditor of State Audit Bulletin 2004-009. The Management Company reported \$381,294 in the purchased services expenditures which was approximately 11.3% of the total expenditures made by the management company on behalf of the School.

Additionally, the management company reported benefit expenses paid by the management company on behalf of the School to be \$255,724. The First Addendum to the Management Agreement between Institute of Management and Resources, Inc. (IMR) and the School which stated, in part, that the School shall pay to IMR a management fee of 10% of the total revenues of the School from all sources after deduction of STRS, SERS, and audit adjustments. The School will pay to the IMR 87% of the remaining 90% for School Expense Fee incurred on behalf of the School for District wide operational services, i.e., transportation, supplies, textbooks, rents, utilities, etc. Retirement benefits are excluded from the calculation of payments made to the management company and were reported by the School as part of purchased service expenditures. The management company did not make these expenditures on behalf of the School and should not have reported these on their note.

Policies and procedures should be established and implemented to verify that the management company properly and accurately reports all expenditures made on behalf of the School in accordance with the Auditor of State Bulletin 2004-009. Failure to do so could result in opinion modifications in the future.

Official's Response: Since the conclusion of this audit period, the Schools have implemented procedures requiring invoices in order to properly support accounts payable as well as management company expenditures made on behalf of the Schools.

3. FINDINGS AND QUESTIONED COSTS FOR FEDERAL AWARDS

Finding Number	2011-006
CFDA Title and Number	Title I, Part A Cluster Title I Grants to Local Educational Agencies (84.010) ARRA - Title I Grants to Local Educational Agencies (84.389)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE/ QUESTIONED COST AND MATERIAL WEAKNESS – ALLOWABLE COSTS/ COST PRINCIPLES, PERIOD OF AVAILABILITY

2 CFR Part 225 Appendix A Part C provides the following guidelines for an expenditure to be allowable under federal expenditures:

- Be necessary and reasonable for proper and efficient performance and administration of Federal awards.
- Be adequately documented.
- Be consistent with policies, regulations, and procedures that apply uniformly to both Federal awards and other activities of the governmental unit.

2 C.F.R. Part 225, Attachment B, Section 8(h)(3) states where employees are expected to work solely on a single Federal award or cost objective, charges for their salary and wages will be supported by periodic certifications that the employee worked solely on that program for the period covered by the certification. These certifications will be prepared at least semi-annually and will be signed by the employee or supervisory official having firsthand knowledge of the work performed by the employee.

Furthermore, Section 8(h)(4) provides that: ...Where employees work on multiple activities or cost objectives, a distribution of their salaries or wages will be supported by personnel activity reports or equivalent documentation which meets the standards in subsection 8.h.(5) of this appendix...Such documentary support will be required where employees work on:

- a. More than one Federal award,
- b. A Federal award and a non-Federal award,
- c. An indirect cost activity and a direct cost activity,
- d. Two or more indirect activities which are allocated using different allocation bases, or
- e. An unallowable activity and a direct or indirect cost activity.

Additionally, **2 CFR Section 215.28** states that where a funding period is specified, a recipient may charge to the grant only allowable costs resulting from obligations incurred during the funding period and any pre-award costs authorized by the Federal awarding agency. In Ohio, programs included in ODE's Consolidated Application have a project period starting with the application substantially approved date through June 30. ARRA expenditures were required to be obligated by September 30, 2011. All Title I grant expenditures were required to be liquidated by September 30, 2011. Any carryover to the subsequent school district fiscal year must be approved by ODE. Additionally, any budget revisions contain a substantially approved date which coincides with the date the revision request was submitted to ODE. Activities may not commence from that budget revision prior to the substantially approved date. For Richard Allen II Academy, the substantially approved date was July 12, 2010.

**FINDING NUMBER 2011-006
 (Continued)**

The following payroll-related expenditures were deemed unallowable to the 2011 Title I Grant in accordance with 2 CFR Appendix A Part C:

Table 1

Employee	Amount	Reason Why Unallowable	ARRA
Heather Gilbert	\$ 5,741	No support for salary, medical benefits and retirement benefit charges	No
Leonita White	3,321	No support for medical charges	Yes
Samantha Hoang	323	Federal and state unemployment tax charges	No
Veda Brown-Chambers	367	Federal and state unemployment tax charges	No
JaQuan Postell	33	Federal and state unemployment tax charges	No
Verbie Walder	324	Federal and state unemployment tax charges	No
Total	<u>\$10,109</u>		

Federal and state unemployment tax charges were indirect cost that were not given consistent accounting treatment or applied uniformly to both federal awards and local monies.

The following payroll expenditures were determined to be unallowable because they relate to 2010 contracts charged to the 2011 Title I grant:

Table II

Name	Amount	ARRA
Samantha Hoang	\$2,886	No
Heather Gilbert	1,425	No
Leonita White	3,463	Yes
Total	<u>\$7,774</u>	

Wages and benefits amounting to \$21,885 for the School's Director were paid from Title I Funds. Single funding certifications signed by the Director and building principal documented that 25% of the Director's time was spent on performing duties associated with the Title I program. However, the School did not maintain personnel activity reports or equivalent documentation to support time spent on the federal program.

The following non-payroll expenditures were deemed unallowable to the 2011 Title I Grant in accordance with 2 CFR Section 215.28

Table III

Check Number	Amount	Reason Why Unallowable	ARRA
9681	\$ 714	Paid 10/17/11	Yes
Not available	4,381	Obligated 4/1/12	Yes
Not available	7,974	Obligated 4/1/12	Yes
9684	14,283	Paid 10/17/11	Yes
9890	5,732	Paid 12/21/11	No
9787	16,500	Paid 11/23/11	Yes
Total	<u>\$49,584</u>		

**FINDING NUMBER 2011-006
 (Continued)**

Following is the summary of total unallowable cost:

<u>From</u>	<u>CFDA 84.010</u>	<u>CFDA 84.389</u>	<u>Total</u>
Table I	\$ 6,788	\$ 3,321	\$10,109
Table II	4,311	3,463	7,774
Director's Wages	21,885		21,885
Table III	5,732	43,852	49,584
Total Questioned Cost	<u>\$38,716</u>	<u>\$50,636</u>	<u>\$89,352</u>

In accordance with the foregoing facts and pursuant to OMB Circular A133 Section .510 (a)(3) a federal questioned cost in amount of \$89,352 which includes \$50,636 in ARRA Title I grant is hereby issued. Policies and procedures should be established and implemented to establish controls that would detect and prevent any noncompliance with the federal awards. Failure to do so could result in loss of grant revenue.

Official's Response: The Richard Allen Schools are considering engaging additional financial professionals in order to address the internal control concerns raised by the Auditors in this report. The Schools have asked the Ohio Department of Education for its insight and recommendations.

Finding Number	2011-007
CFDA Title and Number	Title I Grants to Local Educational Agencies (84.010) ARRA - Title I Grants to Local Educational Agencies (84.389) ARRA – State Fiscal Stabilization Fund (SFSF) – Education State Grants (84.394)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND MATERIAL WEAKNESS - ACTIVITIES ALLOWED OR UN-ALLOWED, ALLOWABLE COSTS/COST PRINCIPLES, CASH MANAGEMENT, MATCHING/LEVEL OF EFFORT/EARMARKING, PERIOD OF AVAILABILITY, PROCUREMENT, SUSPENSION AND DEBARMENT, REPORTING SPECIAL TESTS AND PROVISIONS

OMB Circular A-133 Subpart C Section .300(b) requires the auditee to maintain internal control over Federal programs that provides reasonable assurance that the auditee is managing Federal awards in compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a material effect on each of its Federal programs.

The School spent \$209,505 of Title I, Part A Cluster funding during fiscal year 2011. \$171,016 or 81.6% of these expenditures were related to payroll cash disbursements. However, the School did not have appropriate controls in place and operating effectively over these federal expenditures to prevent and detect material noncompliance. Lack of controls resulted in expenditures that were outside the period of availability and other expenditures that were deemed unallowable per 2 CFR Section 225 (formerly circular A-87). Also, the School did not have appropriate controls in place and operating effectively over non-payroll expenditures to prevent and detect material noncompliance. Lack of controls resulted in expenditures that were outside the period of availability. These issues have been reported as finding 2011-006. Additionally, lack of controls were noted for the following compliance requirements in the Title I program:

**FINDING NUMBER 2011-007
 (Continued)**

- Cash Management (one of two project cash requests submitted by the School during fiscal year 2011 was not approved by the School's Treasurer)
- Level of Effort (Supplement, not Supplant) & Earmarking
- Reporting, including ARRA, FTEs--jobs saved and created
- Special Tests and Provisions - Presentation on SEFA & DCF
- Special Tests and Provisions - Highly Qualified Teachers and Paraprofessionals

Lack of controls were also noted for Reporting, including ARRA, FTEs - jobs saved and created for State Fiscal Stabilization Fund (SFSF) - Education State Grants.

Appropriate controls should be developed and implemented at the School level to verify that controls will be able to prevent and detect any material non-compliance over federal programs. Failure to do so increases the likelihood of unallowable expenditures and material non-compliance with program requirements going undetected.

Official's Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal reporting requirements in order to ensure the accuracy of any and all reports submitted. Many of these issues have been addressed since the conclusion of the audit period.

Finding Number	2011-008
CFDA Title and Number	ARRA - Title I Grants to Local Educational Agencies (84.389) ARRA – State Fiscal Stabilization Fund (SFSF) – Education State Grants (84.394)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND MATERIAL WEAKNESS – REPORTING

American Recovery and Reinvestment Act of 2009 (ARRA), Section 1512 (c)(D) required not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency to submit a report to that agency that contained an estimate of the number of jobs created and the number of jobs retained by the project or activity.

The Ohio Department of Education's American Recovery and Reinvestment Act Reporting Guidance states the Ohio Department of Education (ODE), as a prime recipient of ARRA funding, is required to report quarterly to the federal government data on ARRA programs. ODE distributes ARRA funds to local education agencies (LEAs) as sub recipients and must collect quarterly data from LEAs to meet the reporting requirements associated with ARRA funding. Among the items to be reported, was number of jobs created and retained by the project or activity.

**FINDING NUMBER 2011-008
 (Continued)**

M-09-21, Implementing Guidance for the Reports on Use of Funds Pursuant to the American Recovery and Reinvestment Act of 2009 Section 5.2 states the estimate of the number of jobs required by the Recovery Act should be expressed as “full-time equivalents” (FTE), which is calculated as total hours worked in jobs created or retained divided by the number of hours in a full-time schedule, as defined by the recipient (see Section 5.3 for more information). Employees who are not directly charged to Recovery Act supported projects/activities, who, nonetheless, provide critical indirect support, e.g., clerical/administrative staff preparing reports, institutional review board staff members, departmental administrators, are NOT counted as jobs created/retained. Recipients will report for all projects and activities or federally awarded contracts regardless of whether they are funded in whole or in part by the Recovery Act, but should report only on the jobs and funding attributable to an award under the Recovery Act.

The School reported 1, 5.25, 0 and 0 jobs created and retained by the School from Title I funds to Ohio Department of Education (ODE) for each quarter of fiscal year 2011. One employee was charged to the Title I ARRA grant during the entire school year. Similarly, the School reported 0, 0, 0, and .25 jobs created and retained by State Fiscal Stabilization Fund (SFSF) for each quarter of 2011 even though seven employees were paid out of this grant during the entire year.

Steps should be established and implemented to verify that the reports submitted to the grantor are accurate and supported by the underlying School records. Failure to do so could result in loss of grant revenue.

Official’s Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal reporting requirements in order to ensure the accuracy of any and all reports submitted. Many, if not all, of these issues have been addressed since the conclusion of the audit period.

Finding Number	2011-009
CFDA Title and Number	Title I Grants to Local Educational Agencies (84.010)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND MATERIAL WEAKNESS – CASH MANAGEMENT

34 CFR 80.20 Section 6 states accounting records must be supported by such source documentation as cancelled checks, paid bills, payrolls, time and attendance records, contract and sub-grant award documents, etc.

The Title I grant expenditures reported on project cash request (PCR) forms submitted to the Ohio Department of Education (ODE) for cash draw downs did not agree to the School's actual grant expenditures. Additionally, the School could not provide supporting documentation for the expenditure amounts that were reported on project cash request forms. For the project cash request forms reviewed, the following variances were noted:

**FINDING NUMBER 2011-009
 (Continued)**

<u>Title I – PCR Date</u>	<u>PCR Expenditures</u>	<u>Academy’s Actual Expenditures</u>	<u>Variance</u>
November 10, 2010	\$ 95,746	\$47,746	\$48,000
January 19, 2011	\$153,757	\$94,900	\$58,857

Policies and procedures should be established and implemented to verify that cash requests submitted to ODE are accurate. Failure to do so could result in loss of grant revenues. Supporting reports or other documentation should be available to show how the School arrived at the expenditure amounts that are shown on the PCR.

Official’s Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal reporting requirements in order to ensure the accuracy of any and all reports submitted and funds expended, as well as the retention of supporting documentation. Since the conclusion of this audit period, the Schools have implemented procedures requiring invoices in order to properly support Title I grant expenditures.

Finding Number	2011-010
CFDA Title and Number	Title I, Part A Cluster Title I Grants to Local Educational Agencies (84.010) ARRA - Title I Grants to Local Educational Agencies (84.389)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND MATERIAL WEAKNESS - REPORTING

34 CFR section 80.20(b)(1) states accurate, current, and complete disclosure of the financial results of financially assisted activities must be made in accordance with the financial reporting requirements of the grant or sub-grant.

Ohio Department of Education (ODE) requires the School to prepare a final expenditure report (FER) that is to be submitted for each project immediately after all financial obligations have been liquidated. The report is due no later than 90 days after the end of the project period for programs operated through the CCIP.

The School's fiscal year 2011 Title I grant final expenditure reports for non-ARRA and ARRA grants were not accurate based on the grant expenditures reported on the federal awards receipts and expenditures schedule and list of expenditures made after fiscal year end that was provided by the School's management company. Expenditures on the non-ARRA FER were overstated by \$9,218 and expenditures on the ARRA FER were understated by \$8,781. Additionally, actual payroll expenditures and benefits exceeded amounts reported on federal awards receipts and expenditures schedule by \$14,543 and \$1,870 for employees charging to non-ARRA Title I grant. The management company's accounting system was not able to distinguish between amounts charged to federal programs and general fund.

**FINDING NUMBER 2011-010
 (Continued)**

The School submitted its Title I fiscal year 2011 grant final expenditure report for non-ARRA funding to Ohio Department of Education on October 31, 2011 which was one month after the required reporting deadline.

Policies and procedures should be established and implemented to verify that the final expenditure reports disclose accurate and complete financial activity of the grant. Additionally, procedures should be established to verify that the reports are filed with the ODE before the required filing deadlines. Failure to file accurate and timely final expenditure reports for all grants could result in a future loss of federal grant revenue.

Official's Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal reporting requirements in order to ensure the accuracy of any and all reports submitted, as well as the retention of supporting documentation. Many of these issues have been addressed since the conclusion of the audit period.

Finding Number	2011-011
CFDA Title and Number	Title I, Part A Cluster Title I Grants to Local Educational Agencies (84.010) ARRA - Title I Grants to Local Educational Agencies (84.389)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND MATERIAL WEAKNESS – SPECIAL TEST AND PROVISIONS

34 CFR Section 200.55 in part states that:

- (a) Newly hired teachers in Title I programs.
 - (1) An LEA must ensure that all teachers hired after the first day of the 2002–2003 school year who teach core academic subjects in a program supported with funds under subpart A of this part are highly qualified as defined in § 200.56.
 - (2) For the purpose of paragraph (a)(1) of this section, a teacher teaching in a program supported with funds under subpart A of this part is —
 - (i) A teacher in a targeted assisted school who is paid with funds under subpart A of this part;
 - (ii) A teacher in a school-wide program school; or
 - (iii) A teacher employed by an LEA with funds under subpart A of this part to provide services to eligible private school students under § 200.62.
- (b) All teachers of core academic subjects.
 - (1) Not later than the end of the 2005–2006 school year, each State that receives funds under subpart A of this part, and each LEA in that State, must ensure that all public elementary and secondary school teachers in the State who teach core academic subjects, including teachers employed by an LEA to provide services to eligible private school students under § 200.62, are highly qualified as defined in § 200.56.

**FINDING NUMBER 2011-011
 (Continued)**

Per a letter from the Ohio Department of Education dated April 10, 2012 to the School's superintendent, the School did not meet 100% highly qualified teacher requirement (HQT). The School's HQT percentage during 2011 was 90.32 percent.

The School should develop and implement policies and procedures to verify that required individuals meet and maintain the highly qualified teacher requirements. This will provide for the School hiring the most qualified teaching staff.

Official's Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal program requirements, including but not limited to Title I, in order to ensure that all programmatic and funding requirements have been met. The Richard Allen Schools believe that the Title I Highly Qualified Teacher requirement has been fully addressed and remedied since the conclusion of the audit period.

Finding Number	2011-012
CFDA Title and Number	ARRA - Title I Grants to Local Educational Agencies (84.389) ARRA – Special Education Grants to States (84.391) ARRA – State Fiscal Stabilization Fund (SFSF) – Education State Grants (84.394) Education Jobs Fund (84.410)
Federal Award Number / Year	2011
Federal Agency	U.S. Department of Education
Pass-Through Agency	Ohio Department of Education

NONCOMPLIANCE AND SIGNIFICANT DEFICIENCY - REPORTING

Office of Management and Budget (OMB) Circular A-133 Subpart C, §__.310(b) states that the auditee shall prepare a schedule of expenditures of Federal awards for the period covered by the auditee's financial statements. While not required, the auditee may choose to provide information requested by Federal awarding agencies and pass-through entities to make the schedule easier to use. For example, when a Federal program has multiple award years, the auditee may list the amount of Federal awards expended for each award year separately.

At a minimum, the schedule shall:

- (1) List individual Federal programs by Federal agency. For Federal programs included in a cluster of programs, list individual Federal programs within a cluster of programs. For R&D, total Federal awards expended shall be shown either by individual award or by Federal agency and major subdivision within the Federal agency. For example, the National Institutes of Health is a major subdivision in the Department of Health and Human Services.
- (2) For Federal awards received as a sub-recipient, the name of the pass-through entity and identifying number assigned by the pass-through entity shall be included.
- (3) Provide total Federal awards expended for each individual Federal program and the CFDA number or other identifying number when the CFDA information is not available.
- (4) Include notes that describe the significant accounting policies used in preparing the schedule.

FINDING NUMBER 2011-012
(Continued)

- (5) To the extent practical, pass-through entities should identify in the schedule the total amount provided to sub-recipients from each Federal program.
- (6) Include, in either the schedule or a note to the schedule, the value of the Federal awards expended in the form of non-cash assistance, the amount of insurance in effect during the year, and loans or loan guarantees outstanding at year end. While not required, it is preferable to present this information in the schedule.

The School provided three different versions of the Federal Awards Receipts and Expenditures Schedule (the Schedule) for the audit. The final Schedule did not include a CFDA number for three grants, report grants by cluster or report by federal agency and pass through entity. Additionally, the School did not include notes to the Schedule which would provide users with additional information that is not presented on the face of the Schedule. The following variances were noted between the third and final version of the Schedule provided by the School and the underlying supporting documentation provided by the School:

- Supporting expenditures for the State Fiscal Stabilization Fund (SFSF) grant expenditures exceeded the SFSF allocation by \$57,772. The amount reported on the Schedule was correct as it was limited to the total allocation for the grant.
- Supporting documentation for Title I ARRA expenditures exceeded the amount reported on the Schedule by \$8,160.
- Support for IDEA-B ARRA expenditures exceeded the amount reported on the Schedule by \$331.
- Support for Education Jobs expenditures exceeded the amount reported on the Schedule by a net amount of \$6,037. Expenditures reported were limited to total grant allocation.

To reduce the risk of inaccurate reporting of federal revenues and expenditures and noncompliance with OMB Circular A-133, Subpart C, §__.310(b), due care should be taken in the preparation of the Federal Awards Receipts and Expenditures Schedule. The Schedule should be reviewed after preparation and agreed to the underlying accounting records of the School for accuracy.

Official's Response: The Richard Allen Schools regularly review and revise their policies and procedures with regard to federal reporting requirements in order to ensure the accuracy of any and all reports and schedules submitted. Many, if not all, of these issues have been addressed since the conclusion of the audit period. In addition, the Richard Allen Schools are considering engaging additional financial professionals in order to address the federal reporting concerns raised by the Auditors in this report. The Schools have asked the Department of Education for its insight and recommendations.

**RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL
MONTGOMERY COUNTY**

**SCHEDULE OF PRIOR AUDIT FINDINGS
JUNE 30, 2011**

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; Explain
2010-001	Ohio Rev. Code Section 3314.02(E)(2) Board Membership	No	Repeated as finding 2011-01
2010-002	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Dixie Allen	Yes	Fully repaid on January 11, 2012.
2010-003	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance- Board Member Pay – Gary Persons	Yes	Fully repaid on January 11, 2012.
2010-004	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Johnny Davis	Yes	Fully repaid on January 11, 2012.
2010-005	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Lonnie Norwood	Yes	Fully repaid on January 11, 2012.
2010-006	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Michael McCormick	Yes	Fully repaid on January 11, 2012.
2010-007	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance- Board Member Pay – Wanda Mills	Yes	Fully repaid on January 11, 2012.
2010-008	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Laquetta Cortner	Yes	Fully repaid on January 11, 2012.
2010-009	Finding for Recovery - Ohio Rev. Code Section 3314.025 Noncompliance - Board Member Pay – Mia Wortham-Spells	Yes	Fully repaid on January 11, 2012.
2010-010	State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) – Improper Expenditure	No	Reduced to management letter comment
2010-011	First Addendum to the Management Agreement - Overpayment of Management Company	No	Repeated as finding 2011 – 002
2010-012	Ohio Rev. Code Section 3314.03 (B)(5) and AOS Bulletin 2000-005 – Financial Report Errors	No	Repeated as finding 2011 – 004
2010-013	Cash Reconciliation	No	Partially corrected, repeated as Management Letter Recommendation
2010-014	Accounting for all Financial Activity	Yes	
2010-015	Food Service Activity	Yes	

Richard Allen Academy II Community School
Montgomery County
Schedule Of Prior Audit Findings
June 30, 2011

Finding Number	Finding Summary	Fully Corrected?	Not Corrected, Partially Corrected; Significantly Different Corrective Action Taken; or Finding No Longer Valid; Explain
2010-016	Finding for Recovery - State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) – West Park Academy	No	Finding has not been repaid by West Park Academy
2010-017	Finding for Recovery - State ex rel. McClure v. Hagerman, 155 Ohio St. 320 (1951) – Richard Allen Community School	Yes	Fully repaid on January 9, 2012
2010-018	Finding for Recovery – Improper Expenditure – Kids Count of Dayton, West Park Academy and Richard Allen Preparatory Academy	Yes	Fully repaid January 6, 2012 and January 9, 2012
2010-019	34 CFR Section 75.525 (a) – (b) – Federal Funds, Conflict of Interest	Yes	
2010-020	2 CFR Part 225 Appendix A Part C, 2 CFR Section 215.28 – Unallowable Federal Expenditures	No	Repeated as finding 2011 – 006
2010-021	OMB Circular A-133 Subpart C, Section .300(b) – Federal Controls	No	Repeated as finding 2011 – 007
2010-022	OMB Circular A-133 Subpart C, Section .310(b) – Federal Schedule	No	Repeated as finding 2011 – 012
2010-023	34 CFR 80.20 – Project Cash Requests	No	Repeated as finding 2011 – 009
2010-024	34 CFR Section 200.55 – Highly Qualified Teachers and Paraprofessionals	No	Repeated as finding 2011 – 011
2010-025	American Recovery and Reinvestment Act of 2009 (ARRA), Section 1512 (c)(D) – ARRA Reporting	No	Repeated as finding 2011 - 008



Dave Yost • Auditor of State

Independent Accountants' Report on Applying Agreed-Upon Procedures

Richard Allen Academy II Community School
Montgomery County
368 South Patterson Blvd.
Dayton, Ohio 45402

To the Board of Directors:

Ohio Rev. Code Section 117.53 states "the auditor of state shall identify whether the school district or community school has adopted an anti-harassment policy in accordance with Section 3313.666 of the Revised Code. This determination shall be recorded in the audit report. The auditor of state shall not prescribe the content or operation of any anti-harassment policy adopted by a school district or community school."

Accordingly, we have performed the procedures enumerated below, which were agreed to by the Board, solely to assist the Board in evaluating whether Richard Allen Academy II Community School (the School) has adopted an anti-harassment policy in accordance with Ohio Rev. Code Section 3313.666. Management is responsible for complying with this requirement. This agreed-upon procedures engagement was conducted in accordance with attestation standards established by the American Institute of Certified Public Accountants. The sufficiency of these procedures is solely the responsibility of the Board. Consequently; we make no representation regarding the sufficiency of the procedures described below either for the purpose for which this report has been requested or for any other purpose.

1. In our report dated November 18, 2011, we noted the Board adopted an anti-harassment policy on January 12, 2010. However, this policy did not include all matters required by Ohio Rev. Code 3313.666.
2. The Board amended the policy on March 29, 2011. We read the amended policy, noting it now includes all the requirements listed in Ohio Rev. Code 3313.666.

We were not engaged to and did not conduct an examination, the objective of which would be the expression of an opinion on compliance with the anti-harassment policy. Accordingly, we do not express such an opinion. Had we performed additional procedures, other matters might have come to our attention that would have been reported to you.

This report is intended solely for the information and use of the Board and School's sponsor and is not intended to be and should not be used by anyone other than these specified parties.

A handwritten signature in black ink that reads "Dave Yost".

Dave Yost
Auditor of State

October 26, 2012

This page intentionally left blank.



Dave Yost • Auditor of State

RICHARD ALLEN ACADEMY II COMMUNITY SCHOOL

MONTGOMERY COUNTY

CLERK'S CERTIFICATION

This is a true and correct copy of the report which is required to be filed in the Office of the Auditor of State pursuant to Section 117.26, Revised Code, and which is filed in Columbus, Ohio.

Susan Babbitt

CLERK OF THE BUREAU

**CERTIFIED
FEBRUARY 28, 2013**