



**HOPE ACADEMY UNIVERSITY CAMPUS
SUMMIT COUNTY**

REGULAR AUDIT

FOR THE YEAR ENDED JUNE 30, 2000



JIM PETRO
AUDITOR OF STATE

STATE OF OHIO

HOPE ACADEMY UNIVERSITY CAMPUS
SUMMIT COUNTY

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REPORT OF INDEPENDENT ACCOUNTANTS

Hope Academy University Campus
Summit County
220 Broadway
Akron, Ohio 44308

To the Board of Trustees:

We have audited the Balance Sheet of Hope Academy University Campus, Summit County, (the School) as of June 30, 2000, and the related Statements of Revenues, Expenses and Changes in Accumulated Deficit, and of Cash Flows for the year then ended. 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.

We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about 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 that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Hope Academy University Campus, Summit County, as of June 30, 2000, and the results of its operations and cash flows for the year then ended in conformity with generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we have also issued our report dated March 15, 2001 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 grants. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be read in conjunction with this report in considering the results of our audit.

Jim Petro
Auditor of State

March 15, 2001

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**HOPE ACADEMY UNIVERSITY CAMPUS
BALANCE SHEET
JUNE 30, 2000**

ASSETS

CURRENT ASSETS

Cash and cash equivalents	\$ 125
Intergovernmental receivable	71,462
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TOTAL CURRENT ASSETS	71,587

NONCURRENT ASSETS

Fixed assets, net of accumulated depreciation	292,621
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TOTAL ASSETS	<u><u>\$ 364,208</u></u>
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LIABILITIES AND FUND EQUITY (DEFICIT)

LIABILITIES

Accounts payable	\$ 88,425
Accrued expenses	88,789
Intergovernmental payable	72,377
Notes payable	305,000
Capital lease payable, current portion	54,118
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TOTAL CURRENT LIABILITIES	608,709

LONG-TERM LIABILITIES

Capital lease payable, net of current portion	4,757
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TOTAL LIABILITIES	613,466
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FUND EQUITY (DEFICIT)

Accumulated deficit	(249,258)
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TOTAL FUND EQUITY (DEFICIT)	(249,258)
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TOTAL LIABILITIES AND FUND EQUITY (DEFICIT)	<u><u>\$ 364,208</u></u>
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The notes to the financial statements are an integral part of this statement.

HOPE ACADEMY UNIVERSITY CAMPUS
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN ACCUMULATED DEFICIT
YEAR ENDED JUNE 30, 2000

OPERATING REVENUES

Foundation payments	\$ 697,863
Disadvantaged pupil impact aid	174,372
Other	<u>119,562</u>
 TOTAL OPERATING REVENUES	 <u>991,797</u>

OPERATING EXPENSES

Salaries and wages	456,554
Fringe benefits	86,282
Purchased services	481,237
Materials and supplies	65,298
Depreciation	80,847
Other	<u>2,004</u>
 TOTAL OPERATING EXPENSES	 <u>1,172,222</u>

OPERATING LOSS	<u>(180,425)</u>
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NON-OPERATING REVENUES (EXPENSES)

Federal grant revenue	84,758
Interest earnings	2,030
Interest expense	<u>(26,244)</u>

NET NON-OPERATING REVENUES	<u>60,544</u>
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NET LOSS	(119,881)
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ACCUMULATED DEFICIT AT BEGINNING OF YEAR	<u>(129,377)</u>
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ACCUMULATED DEFICIT AT END OF YEAR	<u><u>\$ (249,258)</u></u>
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The notes to the financial statements are an integral part of this statement.

**HOPE ACADEMY UNIVERSITY CAMPUS
STATEMENT OF CASH FLOWS
YEAR ENDED JUNE 30, 2000**

INCREASE (DECREASE) IN CASH AND CASH EQUIVALENTS

CASH FLOWS FROM OPERATING ACTIVITIES

Cash received from State of Ohio	\$ 933,617
Cash payments to suppliers for goods and services	(431,728)
Cash payments to employees for services and benefits	(494,901)
Other operating revenue	<u>66,120</u>
Net cash provided by operating activities	<u>73,108</u>

CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES

Cash received from federal grant revenue	73,747
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CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES

Cash payments for capital acquisitions	(104,630)
Cash received from notes payable	158,000
Cash payments on notes payable	(140,059)
Cash payments on obligation under capital lease	(48,988)
Interest payments	<u>(26,244)</u>
Net cash used for capital and related financing activities	<u>(161,921)</u>

CASH FLOWS FROM INVESTING ACTIVITIES

Interest on investments	<u>2,030</u>
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NET DECREASE IN CASH AND CASH EQUIVALENTS	(13,036)
CASH AND CASH EQUIVALENTS AT BEGINNING OF YEAR	<u>13,161</u>
CASH AND CASH EQUIVALENTS AT END OF YEAR	<u><u>\$ 125</u></u>

(continued)

**HOPE ACADEMY UNIVERSITY CAMPUS
STATEMENT OF CASH FLOWS
YEAR ENDED JUNE 30, 2000
(Continued)**

**RECONCILIATION OF OPERATING LOSS TO NET
CASH PROVIDED BY OPERATING ACTIVITIES**

Operating loss	\$ (180,425)
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**ADJUSTMENTS TO RECONCILE OPERATING LOSS
TO NET CASH PROVIDED BY OPERATING ACTIVITIES**

Depreciation	80,847
Changes in assets and liabilities:	
(Increase) in intergovernmental receivable	(9,658)
Decrease in prepaid expenses	2,761
Increase in accounts payable	84,250
Increase in accrued expenses	79,027
Increase in intergovernmental payable	16,306
	253,533
Total adjustments	253,533
Net cash provided by operating activities	\$ 73,108

The notes to the financial statements are an integral part of this statement.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000**

1. DESCRIPTION OF THE SCHOOL AND REPORTING ENTITY

Hope Academy University Campus (the School) is a state 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 White Hat Management, LLC, for a variety of services including management consulting, Ohio Department of Education consulting, Education Management Information System (EMIS) monitoring and consulting, technology and operational support, teacher training, and assistance in grant applications.

The School was approved for operation under contract with the Ohio State Board of Education (Sponsor) for a period of five years commencing July 1, 1998. The School operates under a self-appointing four-member Board of Trustees (the Board). The School's Code of Regulations specify that vacancies that arise on the Board are 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 has one instructional/support facility staffed by 15 non-certified and 9 certified full-time teaching personnel who provide services to 172 students. The Board also operates another Hope Academy in the City of Akron.

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 more significant of the School's accounting policies are described below.

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 balance sheet. Equity consists of the accumulated deficit. Operating statements present increases (i.e., revenues) and decreases (i.e., expenses) in net total assets. 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.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

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 School's contract with its Sponsor. The contract between the School and its Sponsor requires a detailed school budget for each year of the contract, however the budget does not have to follow the provisions of Ohio Rev. Code Section 5705.

The School's Board adopts a formal budget at the beginning of the school year. Spending limits are set based on projected revenue from the State of Ohio and other known sources. The Board's adoption of the budget states that actual expenditures are "not to exceed" budget amounts. The School Principal and Business Manager are responsible for ensuring that purchases are made within these limits. However, any variances from the budget are presented to the Board for subsequent approval.

D. CASH AND CASH EQUIVALENTS

All cash received by the School is maintained in demand deposit accounts of which a portion is swept, daily, into an overnight investment account.

For purposes of the Statement of Cash Flows and for presentation on the Balance Sheet, investments with an original maturity of three months or less at the time they are purchased are considered to be cash equivalents.

E. FIXED ASSETS AND DEPRECIATION

Fixed assets are capitalized at cost (or estimated historical cost) and updated for additions and retirements during the year. Donated fixed 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 furniture and fixtures, textbooks, and equipment is computed using the MACRS half-year convention over estimated useful lives of five to ten years. Leasehold improvements are depreciated over an estimated useful life of 39 or 40 years.

F. INTERGOVERNMENTAL REVENUES

The School currently participates in the State Foundation Program and the State Disadvantaged Pupil Impact Aid (DPIA) Program. These programs are recognized as operating revenues in the accounting period in which they are earned and measurable.

Additionally, the school has applied and received approval for federal grant monies. Amounts recognized under federal programs for the 2000 fiscal year totaled \$84,758. All of this money was passed through the State of Ohio.

G. ACCRUED EXPENSES

Payroll and unpaid pension obligations (\$47,885), rent (\$20,516), management fees (\$15,683), and advertising and promotion fees (\$4,705) which are due but unpaid as of June 30, 2000, are reported as Accrued Expenses in the accompanying Balance Sheet.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

H. INTERGOVERNMENTAL PAYABLE

The School has recognized on its balance sheet an amount classified as "Intergovernmental Payable". This figure represents the amount that is estimated to be refunded to the Ohio Department of Education based on the difference in the actual student full-time equivalent (FTE) enrollment as determined at the end of the year, compared to the October 1999 enrollment that the School's monthly funding was based upon. A payable reflects that the School was funded on a higher estimated enrollment figure throughout the year than what the actual FTE enrollment figure was calculated to be at year end.

I. USE OF ESTIMATES

In preparing the financial statements, management is sometimes required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

3. ACCUMULATED DEFICIT

The School had an accumulated deficit of \$249,258 for the year ended June 30, 2000.

The School's deficit has been guaranteed by White Hat Management, LLC. This guarantee is considered an advance under the school's revolving loan note. All amounts advanced under this Deficit Coverage Guaranty Agreement are subject to the provisions of the Revolving Loan and Security Agreement agreed to by the School and White Hat Management, LLC. Operating surpluses shall be applied to the reduction of the advances and interest due. Amounts guaranteed are limited to the School's available funds under the loan agreement.

On January 11, 2001, the Board of Trustees for the school entered into an agreement with White Hat Management, LLC and White Hat Realty, LLC to reduce the continuing management fees and rent expenses in an amount to fund one half of the projected FY01 operating deficit, not to exceed \$145,000. Simultaneous with this agreement, the Board and White Hat Management increased the note payable and deficit coverage guarantee to \$550,000.

4. DEPOSITS

At year-end, the carrying amount of the School's deposits were \$125, and the bank balance was \$11,769. All of the bank balance was covered by federal depository insurance.

5. INTERGOVERNMENTAL RECEIVABLES

Intergovernmental receivables of the School at June 30, 2000 consisted of federal program grants of \$61,804, federal lunch program reimbursements of \$6,938, and miscellaneous federal revenue of \$2,720.

6. NOTES PAYABLE

The School has a \$300,000 (\$550,000 effective 7/1/2000), Revolving Loan and Security Agreement (the Loan) with White Hat Management, LLC to fund working capital and other operating needs. The Loan was due on demand or in the absence of earlier demand, on June 30, 2000. The Loan was renewed for an additional one-year period. The balance outstanding was \$255,000 at June 30, 2000. Interest expense of \$17,663 was paid at a rate of 10% for the year ended June 30, 2000. No interest amounts were payable at June 30, 2000.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

6. NOTES PAYABLE (Continued)

Additionally, the School received a loan in the amount of \$50,000 from HOPE for Cleveland's Children, Inc., which is affiliated with White Hat Management, LLC. The loan will convert to an outright grant upon the School obtaining its federal tax-exempt status. No interest is payable on the loan.

7. FIXED ASSETS AND DEPRECIATION

A summary of the School's fixed assets at June 30, 2000, follows:

Leaseholds	\$ 128,002
Furniture and fixtures	12,052
Textbooks	100,700
Equipment	<u>175,942</u>
Subtotal	416,696
Less: accumulated depreciation	<u>(124,075)</u>
Net fixed assets	<u>\$ 292,621</u>

Equipment includes assets under a capital lease which have an original cost of \$148,679.

8. LEASES

During fiscal year 1999, the School entered into a capitalized lease with White Hat Management, LLC, for computers and technology. The lease meets the criteria of a capital lease as defined by Statement of Financial Accounting Standards No. 13, "Accounting for Leases", which defines a capital lease generally as one which transfers benefits and risks of ownership to the lessee. The equipment has been recorded at the present value of the future minimum lease payments (\$148,679) as of the inception date of the lease.

The following is a schedule of the future minimum lease payments required under the capital lease and the present value of the minimum lease payments as of June 30, 2000.

Year Ending	<u>Amount</u>
<u>June 30</u>	
2001	57,570
2002	<u>4,796</u>
Total future minimum lease payments	62,366
Less: amount representing interest	<u>(3,491)</u>
Present value of future minimum lease payments	<u>\$ 58,875</u>

The School also leases its facilities from White Hat Realty, LLC, under a five-year triple net sub-lease agreement which ends on June 30, 2003. The sub-lease requires minimum annual rent of \$48,000 plus 6% of the School's annual gross revenues in excess of \$800,000. The sub-lease also contains a renewal option for an additional five-year term. Rent expense under this lease was \$73,395 for the year ended June 30, 2000, of which \$20,516 was payable to White Hat Realty, LLC at June 30, 2000.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

9. PURCHASED SERVICES

Purchased Services include the following:

Occupancy costs	\$ 108,747
Professional services – Management fee	104,392
Professional services – Grant and title program expenses	132,105
Professional services – Fiscal	17,381
Food service	31,828
Insurance	27,571
Advertising and promotion	33,816
Other, net	<u>25,397</u>
Total	<u>\$ 481,237</u>

10. 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 2000, the School contracted with Westfield Insurance Company for property and general liability insurance. Property coverage carries a \$1,000 deductible and has a \$215,000 limit. General liability coverage provides \$1,000,000 per occurrence and \$2,000,000 in the aggregate with no deductible. General Star National Insurance Companies provides umbrella liability coverage of \$10,000,000 per occurrence, as well as in the aggregate, and excess umbrella liability coverage of \$15,000,000 per occurrence, as well as in the aggregate.

Director and officer coverage is provided by National Union Fire Insurance Company with a \$1,000,000 aggregate limit and no deductible.

Workers Compensation – The School pays the State Worker’s Compensation System a premium for employee injury coverage. The premium is calculated by multiplying the total monthly gross payroll by a factor determined by the Bureau of Worker’s Compensation.

11. OTHER EMPLOYEE BENEFITS

Employee Medical, Dental, and Vision Benefits – The School has contracted with a private carrier to provide employee medical/surgical benefits. The School pays 50% and 75% of the monthly premium for family and single employees, respectively. The employee is responsible for the remaining percentage. For fiscal year 2000, the School’s and the employees’ monthly premiums were \$210.95 and \$146.06 for family coverage and \$97.36 and \$32.46 for single coverage per employee, respectively.

The School has also contracted with private carriers to provide dental and vision insurance. As with medical benefit premiums, the School pays 75% and 50% of the monthly premium for single and family employees, respectively. The employee is responsible for the remaining percentage. For the fiscal year 2000, the School’s and employees’ monthly premiums for vision were \$8.42 and \$5.84 for family coverage and \$3.86 and \$1.29 for single coverage per employee, respectively. The School’s and employees’ monthly premiums for dental were \$33.60 and \$24.40 for family coverage and \$13.81 and \$4.60 for single coverage per employee, respectively.

Insurance Benefits – The School provides life insurance to all employees through a private carrier. Coverage in the amount of \$25,000 is provided for all certified and noncertified employees. The School pays premiums for this coverage at a rate of \$4.88 per employee per month.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

12. DEFINED BENEFIT PENSION PLANS

A. School Employees Retirement System

The School contributes to the School Employees Retirement System of Ohio (SERS), a cost-sharing multiple employer public employee retirement system administered by the School Employees Retirement Board (SERS). SERS provides basic retirement benefits, disability, survivor, and health care benefits based on eligible service credit to members and beneficiaries. Benefits are established by Chapter 3309 of the Ohio Revised Code. SERS issues a publicly available financial report that includes financial statements and required supplementary information for SERS. The report may be obtained by writing to the School Employees Retirement System, 45 North Fourth Street, Columbus, Ohio 43215-3634.

Plan members are required to contribute 9 percent of their annual covered salary and the School is required to contribute 14 percent; for fiscal year 2000, 5.5 percent was the portion to fund pension obligations. The contribution rates are not determined actuarially, but are established by SERS' Retirement Board within the rates allowed by Ohio statute. The adequacy of the contribution rates is determined annually. The School's required contributions for pension obligations to SERS for the fiscal year ended June 30, 2000, and 1999 were \$24,203 and \$14,436, respectively; 96 percent has been contributed for fiscal year 2000 and 100 percent for fiscal year 1999. \$1,064 representing the unpaid contribution for fiscal year 2000 is recorded as a liability within accrued expenses.

B. State Teachers Retirement System

The School also contributes to the State Teachers Retirement System of Ohio (STRS), a cost-sharing multiple employer public employee retirement system administered by the State Teachers Retirement Board. STRS provides basic retirement benefits, disability, survivor, and health care benefits based on eligible service credit to members and beneficiaries. Benefits are established by Chapter 3307 of the Ohio Revised Code. STRS issues a publicly available financial report that includes financial statements and required supplementary information for STRS. The report may be obtained by writing to the State Teachers Retirement System, 275 East Broad Street, Columbus, Ohio 43215-3771.

Plan members are required to contribute 9.3 percent of their annual covered salary and the School is required to contribute 14 percent; 6 percent was the portion used to fund pension obligations. Contribution rates are established by STRS, upon recommendation of its consulting actuary, not to exceed statutory maximum rates of 10 percent for members and 14 percent for employers. The School's required contributions for pension obligations to STRS for the fiscal year ended June 30, 2000 and 1999 were \$38,905 and \$23,913, respectively; 90 percent has been contributed for fiscal year 2000 and 100 percent for fiscal year 1999. \$3,959 representing the unpaid contribution for fiscal year 2000 is recorded as a liability within accrued expenses.

13. POST EMPLOYMENT BENEFITS

The School provides comprehensive health care benefits to retired teachers and their dependents through the State Teachers Retirement System (STRS), and to non-certified employees and their dependents through the School Employees Retirement System (SERS). Benefits include hospitalization, physician's fees, prescription drugs, and reimbursement of monthly Medicare premiums. Benefit provisions and contribution rates are established by the Systems based on authority granted by State statute. Both Systems are on a pay-as-you-go basis.

HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)

13. POST EMPLOYMENT BENEFITS (Continued)

For STRS, all benefit recipients are required to pay a portion of health care costs in the form of a monthly premium. By Ohio Law, the cost of coverage paid from STRS funds shall be included in the employer contribution rate, currently 14 percent of covered payroll. The Board currently allocates employer contributions equal to 8 percent of covered payroll to the Health Care Reserve Fund for which payments for health care benefits are paid. For the School, this amount equaled \$19,969 during the 2000 fiscal year.

For SERS, coverage is made available to service retirees with ten or more fiscal years of qualifying service credit, disability and survivor benefit recipients. Members retiring on or after August 1, 1989, with less than twenty-five years of service credit must pay a portion of their premium for health care. The portion is based on years of service up to a maximum of 75 percent of the premium.

For fiscal year 2000, employer contributions to fund health care benefits were 8.5 percent of covered payroll. In addition, SERS levies a surcharge to fund health care benefits equal to 14 percent of the difference between a minimum pay and the member's pay, prorated for partial service credit. For fiscal year 2000, the minimum pay was established at \$12,400. For the School, the amount to fund health care benefits, including surcharge, equaled \$14,049 during the 2000 fiscal year.

14. AGREEMENTS WITH WHITE HAT MANAGEMENT, LLC

On August 10, 1998, the School entered into a five-year Management Consulting, Technology Support, and License Agreement (Consulting Agreement) and a Deficit Coverage Guaranty Agreement (Deficit Coverage Agreement) with White Hat Management, LLC (WHM), which is an education consulting and management company.

The Consulting Agreement's term coincides with the school's charter agreement and allows the School to utilize WHM's proprietary systems, manuals, forms, names and to receive advice on funding and reimbursement; special education programs; consulting and liaison services with the Ohio Department of Education and other governmental agencies; EMIS monitoring and consulting; grant writing assistance; technology procurement, implementation assistance, and other services and consultation as requested. WHM is compensated at a rate of 10% of qualified gross revenues plus an incentive fee equal to 25% of excess revenues over expenditures as defined in the agreement. For the year ended June 30, 2000, \$104,392 was expensed by the School under the Consulting Agreement and \$15,683 was payable to WHM at June 30, 2000. Amounts payable, if any, under the incentive fee arrangement have been waived as of June 30, 2000. The Consulting Agreement also requires the School to fund an advertising and recruitment program fee at a rate of 3% of qualified gross revenues, which amounted to \$31,095 of which \$4,705 was payable to WHM at June 30, 2000.

The School has also entered into a Revolving Loan and Security Agreement as detailed in Note 6.

As mentioned above, the School entered into a Deficit Coverage Guaranty Agreement with White Hat Management, LLC. This guarantee is considered an advance under the school's revolving loan note. All amounts advanced under this Deficit Coverage Guaranty Agreement are subject to the provisions of the Revolving Loan and Security Agreement agreed to by the School and White Hat Management, LLC. Operating surpluses shall be applied to the reduction of the advances and interest due. Amounts guaranteed are limited to the School's available funds under the loan agreement. The Board and White Hat Management have increased the note payable and deficit coverage guarantee to \$550,000.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

15. CONTINGENCIES

A. GRANTS

Amounts received from grantor agencies are subject to audit and adjustment by the grantor. Any disallowed costs may require refunding to the grantor. Amounts which may be disallowed, if any, are not presently determinable. However, in the opinion of the School, any such disallowed claims will not have a material adverse effect on the financial position of the School.

B. FEDERAL TAX EXEMPTION STATUS

The School has applied for status as an exempt organization under Internal Revenue Code Section 501(c)(3). The Internal Revenue Service (IRS) issued a proposed conclusion that the School does not qualify for federal tax exemption under Section 501 (c)(3) of the Internal Service Code and must file federal income tax returns. The School had requested an extension of time until January 31, 2001 for the School to file a protest of the proposed denial of exemption under Section 501 (c)(3). The School's Board of Trustees filed a formal protest under IRS procedures by January 31, 2001. To date, the School has not received a response to the filed protest. Presently, the School is unable to assess the likelihood of obtaining federal tax exempt status under Section 501(c)(3). Should the School fail to obtain federal tax exempt status, it could be subject to federal income tax, the effect of which has not been assessed.

16. RELATED PARTY TRANSACTIONS

The School and Hope Academy Brown Street Campus have common board members. During the year, the School utilized certain staff from Hope Academy Brown Street Campus for the performance of accounting services. The entire salary of this individual was paid by Hope Academy Brown Street Campus. The estimated amount of the benefit received by the School, for these services for the year ended June 30, 2000 was \$14,000.

17. STATE SCHOOL FUNDING DECISION

On March 24, 1997, the Ohio Supreme Court rendered a decision declaring certain portions of the Ohio school funding plan unconstitutional. The Court stayed the effect of its ruling for one year to allow the Ohio General Assembly to design a plan to remedy the perceived defects in the system. Declared unconstitutional was the State's "school foundation program", which provides significant amounts of monetary support to the School. During the fiscal year ended June 30, 2000, the School recorded \$697,863 in school foundation revenue.

Since the Supreme Court ruling, numerous pieces of legislation have been passed by the Ohio General Assembly in an attempt to address the issues identified by the Court. The Court of Common Pleas in Perry County has reviewed the new laws and, in a decision issued on February 26, 1999, determined they are not sufficiently responsive to the constitutional issues raised under the "thorough and efficient" clause of the Ohio Constitution. The State appealed the decision made by the Court of Common Pleas to the Ohio Supreme Court. On May 11, 2000, the Ohio Supreme Court rendered an opinion on this issue. The Court concluded, "...the mandate of the [Ohio] Constitution has not been fulfilled." The Court's majority recognized efforts by the Ohio General Assembly taken in response to the Court's March 27, 1997, decision, however, it found seven "...major areas warrant[ing] further attention, study, and development by the General Assembly...", including the State's reliance on local property tax funding, the state's basic aid formula, the school foundation program, as discussed above, the mechanism for, and adequacy of, funding for school facilities, and the existence of the State's School Solvency Assistance Fund, which the Court found took the place of the unconstitutional emergency school loan assistance program.

**HOPE ACADEMY UNIVERSITY CAMPUS
NOTES TO THE FINANCIAL STATEMENTS
JUNE 30, 2000
(Continued)**

17. STATE SCHOOL FUNDING DECISION (Continued)

The Court decided to maintain jurisdiction over these issues and continued the case at least until June 15, 2001.

As of the date of these financial statements, the School is unable to determine what effect, if any, this ongoing litigation will have on its future State funding under the school foundation program and on its financial operations.

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STATE OF OHIO
OFFICE OF THE AUDITOR

JIM PETRO, AUDITOR OF STATE

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**REPORT OF INDEPENDENT ACCOUNTANTS ON COMPLIANCE AND ON INTERNAL CONTROL
REQUIRED BY GOVERNMENT AUDITING STANDARDS**

Hope Academy University Campus
Summit County
220 Broadway
Akron, Ohio 44308

To the Board of Trustees:

We have audited the financial statements of Hope Academy University Campus, Summit County, (the School) as of and for the year ended June 30, 2000, and have issued our report thereon dated March 15, 2001. We conducted our audit in accordance with generally accepted auditing standards and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Compliance

As part of obtaining reasonable assurance about whether the School's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grants, noncompliance with which could have a direct and material effect on 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 such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered School's internal control over financial reporting in order to determine our auditing procedures for the purpose of expressing our opinion on the financial statements and not to provide assurance on the internal control over financial reporting. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control over financial reporting that might be material weaknesses. A material weakness is a condition in which the design or operation of one or more of the internal control components does not reduce to a relatively low level the risk that misstatements in amounts that would be material in relation to the financial statements being audited may occur and not be detected within a timely period by employees in the normal course of performing their assigned functions. We noted no matters involving the internal control over financial reporting and its operation that we consider to be material weaknesses.

However, we noted other matters involving the internal control over financial reporting that do not require inclusion in this report, that we have reported to management of the School in a separate letter dated March 15, 2001.

This report is intended for the information and use of management and the Board of Trustees, and is not intended to be and should not be used by anyone other than these specified parties.

Jim Petro
Auditor of State

March 15, 2001



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HOPE ACADEMY UNIVERSITY CAMPUS

SUMMIT 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
APRIL 5, 2001**