# AUDITOR O

# ELECTRONIC CLASSROOM OF TOMORROW FRANKLIN COUNTY

**REGULAR AUDIT** 

FOR THE YEAR ENDED JUNE 30, 2001



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### REPORT OF INDEPENDENT ACCOUNTANTS

Board of Directors
Electronic Classroom of Tomorrow (ECOT)
Franklin County
3700 South High Street, Suite 125
Columbus, Ohio 43207

We have audited the accompanying Balance Sheet of the Electronic Classroom of Tomorrow, Franklin County, Ohio (ECOT) as of June 30, 2001, and the related Statement of Revenues, Expenses and Changes in Accumulated Deficit and Statement of Cash Flows for the year ended June 30, 2001. These financial statements are the responsibility of ECOT's management. Our responsibility is to express an opinion on these financial statements based on our audit.

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 *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 Electronic Classroom of Tomorrow, Franklin County, Ohio, as of June 30, 2001, and the results of its operations and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

The accompanying financial statements have been prepared assuming that ECOT will continue as a going concern. As discussed in Note 17 to the financial statements, ECOT's significant operating loss of \$3,280,160 and net loss of \$3,806,248 cause substantial doubt about its ability to continue as a going concern. ECOT has an accumulated deficit of \$3,806,248 and a net working capital deficit of \$4,217,999. Note 17 describes management's plans regarding these losses.

Electronic Classroom of Tomorrow Franklin County Report of Independent Accountants Page 2

In accordance with *Government Auditing Standards*, we have also issued our report dated April 9, 2002 on our consideration of the ECOT'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

April 9, 2002

### BALANCE SHEET AS OF JUNE 30, 2001

Assets Current Assets		
Cash and Cash Equivalents with Fiscal Agent	\$	202,663
Accounts Receivable		6,233
Prepaid Items		21,686
Total Current Assets		230,582
Non-Current Assets		
Security Deposits		819,244
Fixed Assets (Net of Accumulated Depreciation)		3,458,082
Total Non-Current Assets		4,277,326
Total Assets	\$	4,507,908
Link William and Francisco		
Liabilities and Fund Equity		
Current Liabilities	Ф	0.005.045
Accounts Payable	\$	2,035,215
Maintenance Contract Payable		338,241
Accrued Wages Payable		154,984
Intergovernmental Payable		163,859
Capital Leases Payable		1,756,282
Total Current Liabilities		4,448,581
Long-Term Liabilities		
Compensated Absences Payable		129,063
Intergovernmental Payable		1,650,000
Capital Leases Payable - Long-Term Portion		1,913,516
Maintenance Contract Payable - Long-Term Portion		172,996
Total Long-Term Liabilities		3,865,575
Total Liabilities		8,314,156
Accumulated Deficit		(3,806,248)
Total Liabilities and Fund Equity	\$	4,507,908

The accompanying notes are an integral part of the financial statements.

# STATEMENT OF REVENUES, EXPENSES AND CHANGES IN ACCUMULATED DEFICIT FOR THE YEAR ENDED JUNE 30, 2001

Operating Revenues	
Foundation Payments	\$ 8,347,666
Disadvantaged Public Impact Aid	436,619
Miscellaneous Operating Revenue	531
Total Operating Revenues	8,784,816
Operating Expenses	
Salaries	3,079,414
Fringe Benefits	726,584
Purchased Services	6,923,822
Materials and Supplies	510,236
Depreciation	743,053
Other Operating Expenses	81,867
Total Operating Expenses	12,064,976
Operating Income (Loss)	(3,280,160)
Non-Operating Revenues and (Expenses)	
Grants	113,750
Interest	49,538
Contributions and Donations	5,190
Loss on Unreturned Equipment	(446,600)
Interest and Fiscal Charges	(247,966)
Total Non-Operating Revenues (Expenses)	(526,088)
Net Income (Loss)	(3,806,248)
Beginning Retained Earnings	-
Accumulated Deficit at End of Year	\$ (3,806,248)

The accompanying notes are an integral part of the financial statements.

### STATEMENT OF CASH FLOWS FOR THE YEAR ENDED JUNE 30, 2001

### Increase (Decrease) in Cash and Cash Equivalents

Cash Flows from Operating Activities	
Cash received from State of Ohio	\$ 10,434,285
Cash received from Other Sources	531
Cash Payments to Suppliers for Goods and Services	(5,720,825)
Cash Payments to Employees for Services	(2,795,367)
Cash Payments for Employee Benefits	(562,612)
Cash Payments for Other Operating Uses	 (93,324)
Net Cash Provided by Operating Activities	 1,262,688
Cash Flows from Noncapital Financing Activities	
Grants Received	113,750
Contributions and Donations	2,590
Net Cash Provided by Noncapital Financing Activities	116,340
Cash Flows from Capital and Related Financing Activities	
Principal Payments on Capital Leases	(849,308)
Interest Payments	(300,005)
Payments for Capital Acquisitions	, ,
rayments for Capital Acquisitions	(76,590)
Net Cash Used for Capital and Related Financing Activities	 (1,225,903)
Cash Flows from Investing Activities	
Cash Received from Interest on Investments	 49,538
Net Cash Provided by Investing Activities	49,538
Net Increase in Cash and Cash Equivalents	202,663
Cash and Cash Equivalents at Beginning of Year	,
Cash and Cash Equivalents at End of Year	\$ 202,663

The accompanying notes are an integral part of the financial statements.

(Continued)

### STATEMENT OF CASH FLOWS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### Reconciliation of Operating Loss to Net Cash Provided by Operating Activities

Operating Loss	\$	(3,280,160)
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### Adjustments to Reconcile Operating Loss to Net Cash Provided by Operating Activities

Depreciation	743,053
Non-Operating Changes in Accruals	2,600
Changes in Assets and Liabilities:	
(Increase)/Decrease in Accounts Receivable	(6,233)
(Increase)/Decrease in Prepaid Items	(21,686)
(Increase)/Decrease in Security Deposits	(819,244)
Increase/(Decrease) in Accounts Payable	2,035,215
Increase/(Decrease) in Maintenance Contract Payable	511,237
Increase/(Decrease) in Accrued Wages Payable	154,984
Increase/(Decrease) in Compensated Absences Payable	129,063
Increase/(Decrease) in Intergovernmental Payable	 1,813,859
Total Adjustments	 4,542,848
Net Cash Provided by Operating Activities	\$ 1,262,688

### **Non-Cash Capital Transactions**

During Fiscal Year 2001, ECOT acquired \$4.5 million in furniture and equipment through capital leases.

The accompanying notes are an integral part of the financial statements.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001

### 1. DESCRIPTION OF THE ENTITY

Electronic Classroom of Tomorrow (ECOT) is a nonprofit corporation established pursuant to Ohio Revised Code Chapters 3314 and 1702. ECOT's objective is to lead Ohio in becoming the nation's premier, performance driven telecommunity school. ECOT recognizes that the role of parents in the education of children is paramount. The role of ECOT is to support the parent in delivering the best resources and tools necessary for student success. ECOT wishes to make distance learning accessible to all of Ohio's students regardless of mental, emotional, or physical disability, regardless of socio-economic or geographical hardship, and regardless of academic ability or family background. ECOT, which is part of the State's education program, is independent of any school district and is nonsectarian in its programs, admission policies, employment practices, and all other operations. ECOT may sue and be sued, acquire facilities as needed, and contract for any services necessary for the operation of ECOT.

ECOT was approved for operation under a contract with the Lucas County Educational Service Center (the Sponsor) for a period of five academic years commencing July 1, 2000. The Sponsor is responsible for evaluating the performance of ECOT and has the authority to deny renewal of the contract at its expiration or terminate the contract prior to its expiration. The sponsorship agreement states the Treasurer of Lucas County Educational Service Center shall serve as the Chief Fiscal Officer of ECOT (See Note 9.).

ECOT operates under the direction of a five-member Board of Directors. The Board is responsible for carrying out the provisions of the contract which include, but are not limited to, state-mandated provisions regarding student population, curriculum, academic goals, performance standards, admission standards, and qualifications of teachers. The Board controls ECOT's one instructional/ support facility staffed by 34 non-certified and 83 certificated full time teaching personnel who provide services to approximately 2,465 students.

ECOT contracts with Altair Learning Management, LLC for a variety of services including management of personnel and human resources, the program of instruction, purchasing, strategic planning, public relations, financial reporting, recruiting, compliance issues, budgets, contracts, and equipment and facilities (See Note 14.).

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of ECOT have been prepared in conformity with generally accepted accounting principles as applied to a governmental nonprofit organization. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. ECOT also applies Financial Accounting Standards Board statements and interpretations issued on or before November 30, 1989, provided they do not conflict with or contradict GASB pronouncements. The more significant of ECOT'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 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.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

### B. Measurement Focus/basis of Accounting

The accounting and financial reporting treatment 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. Operating statements present increases (e.g., revenues) and decreases (e.g., 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 used 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 Revised Code Chapter 5705, unless specifically provided in the School's contract with its Sponsor. The contract between ECOT and it's Sponsor does not prescribe an annual budget requirement, but sets forth a requirement to prepare a five year forecast which is to be updated annually.

### D. Equity in Pooled Cash And Investments

All monies received by ECOT are accounted for by the School's fiscal agent, the Lucas County Educational Service Center. All cash received by the fiscal agent is maintained in separate accounts in ECOT's name. Monies for ECOT are maintained in these accounts or temporarily used to purchase short-term investments.

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 by ECOT 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 fair value on the date received. ECOT maintains a capitalization policy of five hundred dollars. ECOT does not possess 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 an asset's life are not capitalized.

Depreciation of furniture and equipment is computed using the straight-line method over an estimated useful life of five years. Improvements to fixed assets are depreciated over the remaining useful lives of the related fixed assets.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

### F. Intergovernmental Revenues

ECOT currently participates in the State Foundation Program and the State Disadvantaged Pupil Impact Aid (DPIA) Program. Revenues received from these programs are recognized as operating revenues in the accounting period in which all eligibility requirements have been met.

Grants and entitlements are recognized as non-operating revenues in the accounting period in which all eligibility requirements have been met. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the fiscal year when use is first permitted, matching requirements, in which the school must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the school on a reimbursement basis.

ECOT also participates in the Federal Charter School Grant Program through the Ohio Department of Education. Under this program, ECOT was awarded \$50,000 to offset start-up costs of the school prior to the fiscal year and \$100,000 during the fiscal year. This money can be used for certain expenses as described in the grant agreement. As of June 30, 2001, ECOT used the grant for consulting, capital equipment, and various supplies and materials. Revenue received from this program is recognized as non-operating revenue in the accompanying financial statements.

ECOT also received grants from the Ohio Department of Education for EMIS and School Net Professional Development.

Amounts awarded under the above named programs for the 2001 school year totaled \$10,548,035.

### G. Prepaid Items

Prepayments represent payment in advance of the receipt of goods or services and are therefore not current expendable resources. These items are reported as fund assets on the balance sheet using the allocation method, which amortizes their cost over the periods benefitting from the advance payment.

### H. Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions that affect certain reported amounts and disclosures. Accordingly, actual results could differ from those estimates.

### I. Compensated Absences

Paid time off benefits are accrued as a liability as the benefits are earned if the employees' rights to receive compensation are attributable to services already rendered and it is probable that ECOT will compensate the employees for the benefits through paid time off or some other means. ECOT records a liability for accumulated unused paid time off when earned for all employees.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

### J. SECURITY DEPOSIT

ECOT entered into several leases for the use of building space for the administration of ECOT, for computer equipment, and for phone service for which security deposits were required to be paid at the signing of the agreement. These amounts are held by the respective lessors/vendors and will be returned to ECOT when lease payments are made.

### 3. CASH AND CASH EQUIVALENTS

The following information classifies deposits and investments by categories of risk as defined in GASB Statement No. 3, "Deposits with Financial Institutions, Investments (including Repurchase Agreements), and Reverse Repurchase Agreements".

At June 30, 2001, the carrying amount of ECOT's deposits was a deficit of \$213,941 and the bank balance was \$90,757. The total bank balance was insured by the Federal Deposit Insurance Corporation (FDIC) up to \$100,000.

ECOT's investments are categorized to give an indication of the level of risk assumed by ECOT at fiscal year end. Category 1 includes investments that are insured or registered for which the securities are held by ECOT or its agent in ECOT's name. Category 2 includes uninsured and unregistered investments for which the securities are held by the counterparty's trust department or agent in ECOT's name. Category 3 includes uninsured and unregistered investments for which the securities are held by the counterparty, or by its trust department or agent but not in ECOT's name. ECOT's investments totaling \$416,604 (reported amount and fair value), which are maintained in a Business Sweep Account and a Money Market Sweep Account (repurchase agreement), which are included in Category 3.

### 4. FIXED ASSETS

The following is a summary of changes in the fixed assets during the fiscal year:

	Balance <u>7/1/00</u>	<u>Additions</u>	<u>Deletions</u>	Balance <u>6/30/01</u>
Computer Equipment	\$ -	\$4,574,745	(\$446,600)	\$4,128,145
Furniture & Other Equipment		72,990		72,990
Total Assets	-	4,647,735	(446,600)	4,201,135
Less Accum. Depreciation	-	(743,053)		(743,053)
Net Fixed Assets	\$ -	\$3,904,682	(\$446,600)	\$3,458,082

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 5. RISK MANAGEMENT

### A. Property and Liability

ECOT is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. For fiscal year 2001, ECOT contracted with CNA Insurance for property and general liability insurance.

The School Leaders Errors and Omissions policy covers errors and omissions. This policy is protected by National Union Fire Insurance Company of Pittsburgh, PA. with a \$2,000,000 aggregate limit and a \$5,000 deductible.

The CyberLiability Plus Insurance policy covers claims arising from ECOT's cyberspace activities. This policy is protected by Gulf Underwriters Insurance Company with a \$1,000,000 single occurrence limit, a \$2,000,000 aggregate limit, and a \$10,000 deductible.

### **B.** Worker's Compensation

ECOT pays the State Worker's Compensation System a premium for employee injury coverage. The premium is calculated by multiplying the monthly total gross payroll by a factor that is calculated by the State.

### 6. DEFINED BENEFIT PENSION PLANS

### A. School Employees Retirement System

ECOT 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 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 state statute per Chapter 3309 of the Ohio Revised Code. SERS issues a publicly available, stand-alone financial report that includes financial statements and required supplementary information. The report may be obtained by writing to the School Employees Retirement System, 45 North Fourth Street, Columbus, Ohio 43215-3634 or by calling (614) 222-5853.

Plan members are required to contribute 9 percent of their annual covered salary and ECOT is required to contribute at an actuarially determined rate. The current rate is 14 percent of annual covered payroll; 5.55 percent was the portion used to fund pension obligations. The contribution requirements of plan members and employers are established and may be amended, up to statutory maximum amounts by the SERS' Retirement Board. ECOT's required contribution for pension obligations to SERS for the year ended year ended June 30, 2001 was \$97,376; 85.86 percent has been contributed for fiscal year 2001. The unpaid contribution for fiscal year 2001, in the amount of \$13,765 is recorded as a liability.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 6. DEFINED BENEFIT PENSION PLANS (Continued)

### B. State Teachers Retirement System

ECOT 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 public 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, or by calling (614)-227-4090.

Plan members are required to contribute 9.3 percent of their annual covered salary and ECOT is required to contribute 14 percent; 9.5 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. ECOT's required contributions for pension obligations to STRS for the year ended June 30, 2001 was \$293,456, 56 percent has been contributed for fiscal year 2001. The unpaid contribution for fiscal year 2001, in the amount of \$129,279 is recorded as a liability.

### 7. POST-EMPLOYMENT BENEFITS

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

The State Teachers Retirement Board has authority over how much, if any, of the health care costs will be absorbed by STRS. Most benefit recipients pay a portion of the health care cost in the form of a monthly premium. By law, the cost of the coverage paid from STRS funds shall be included in the employer contribution rate, currently 14 percent of covered payroll. For fiscal year June 30, 2001, the Board allocated employer contributions equal to 4.5 percent of covered payroll to the Health Care Reserve Fund. For ECOT, this amount equaled \$94,325 for the fiscal year ended June 30, 2001.

STRS pays health care benefits from the Health Care Reserve Fund. The balance in the Fund was \$3,419 million at June 30, 2000 (the latest information available). For the fiscal year ended June 30, 2000, net health care costs paid by STRS were \$283,137,000 and STRS had 99,011 eligible benefit recipients.

For SERS, coverage is made available to service retirees with ten or more 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 this fiscal period, employer contributions to fund health care benefits were 8.45 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, pro-rated for partial service credit. For fiscal year 2001, the minimum pay had been established at \$12,400. For ECOT, the amount to fund health care benefits, including surcharge, was \$56,552 for the fiscal year ended June 30, 2001.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 8. OTHER EMPLOYEE BENEFITS

### A. Compensated Absences

The criteria for determining paid time off is derived from policies approved by the Board of Directors. Numerous employees had paid time off earned in fiscal year 2001 that had not been used at year end. Unused paid time off is shown as a long term liability.

### B. Employee Medical, Dental and Vision Benefits

ECOT has contracted through an independent agent to provide employee medical, dental, and vision insurance to its full time employees who work 25 or more hours per week. ECOT pays a portion of the monthly premiums for all selected coverage (medical, dental and/or vision).

### 9. FISCAL AGENT

The sponsor agreement states the Treasurer of the Lucas County Educational Service Center shall serve as the Chief Fiscal Officer of Electronic Classroom of Tomorrow. As part of this agreement, ECOT shall compensate the Lucas County Educational Service Center two percent (2%) of the per pupil allotments paid to ECOT from the State of Ohio. The total contract payment was \$208,686, of which \$174,347 was paid during the year, and the remainder, \$34,339 is recorded in accounts payable.

The Treasurer shall perform all of the following functions while serving as the Chief Fiscal Officer of ECOT:

- A. Maintain custody of all funds received by ECOT in segregated accounts separate from Lucas County ESC or any other Community School's funds;
- B. Maintain all books and accounts of ECOT:
- C. Maintain all financial records of all state funds of ECOT and follow State Auditor procedures for receiving and expending state funds;
- D. Assist ECOT in meeting all financial reporting requirements established by the Auditor of Ohio;
- E. Invest funds of ECOT in the same manner as the funds of Lucas County ESC are invested, but the Treasurer shall not commingle the funds with any of Lucas County ESC or any other community school; and
- F. Pay obligations incurred by ECOT within a reasonable amount of time, not more than 14 calendar days after receipt of a properly executed voucher signed by the Chief Administrative Officer of ECOT so long as the proposed expenditure is within the approved budget and funds are available.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 10. PURCHASED SERVICES

For the period July 1, 2000 through June 30, 2001, purchased service expenses were payments for services rendered by various vendors, as follows:

Computer and Technology Services	\$2,978,457
Lucas Count Education Service Center CFO Fees - See	Note 9 208,686
Public Relations Consulting Services	127,160
Financial Planning Services	112,915
Other Professional and Technical Services	526,021
Management Fees - See Note 14	1,060,069
Property Services/Rent	63,409
Travel Mileage/Meeting Expense	123,875
Telephone/Internet Service	1,691,386
Utilities	8,244
Contracted Craft or Trade Services	23,600
Total Purchased	d Services \$6,923,822

### 11. CAPITALIZED LEASES - LESSEE DISCLOSURE

During fiscal year 2001, ECOT entered into numerous capital leases for the cost of the computer server, computer equipment and the telephone system. The lease terms range from three to five years and the amounts paid represent more than 90% of the fair market value of the equipment. These leases meet 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 capital leases have been recorded at the present value of the future minimum lease payments as of the inception date.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 11. CAPITALIZED LEASES - LESSEE DISCLOSURE (Continued)

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, 2001.

Fiscal Year Ending	Lease Payments
2002	\$2,076,446
2003	1,462,639
2004	446,096
2005	<u>197,799</u>
Total Minimum Lease Payments	4,182,980
Less: Amount Representing Interest	(513,182)
Present Value of Minimum Lease Payments	<u>\$3,669,798</u>

### 12. MAINTENANCE CONTRACTS PAYABLE

ECOT received computers as well as support and maintenance services from Xerox Connect during the first few months of the school's startup. ECOT financed these services for a period of three years through Information Leasing Corporation (ILC). The total expense for the services rendered was \$757,836. As of June 30, 2001 \$246,599 of the expenses had been paid by ECOT through payments to ILC. The remainder is recorded in Maintenance Contract Payable.

The following is a schedule of the future payments of the Maintenance Contracts Payable required under the terms of the agreement and the present value of the payments as of June 30, 2001:

Fiscal Year Ending	Maintenance Contract Payments
2002	\$380,098
2003	<u>183,859</u>
Total Contract Payments	563,957
Less: Amount Representing Interest	(52,720)
Present Value of Contract Payments	<u>\$511,237</u>

### 13. TAX EXEMPT STATUS

ECOT has not obtained approval for it's tax exempt status under Section 501(c)(3) of the Internal Revenue Code. In May of 2001, management completed and filed the required forms. ECOT has made no provision for any potential future tax liability which could result from not obtaining the Section 501(c)(3) tax exempt status.

ECOT has been approved for tax exempt status in the State of Ohio.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 14. MANAGEMENT COMPANY

ECOT contracts with Altair Learning Management, LLC (Altair) for a variety of services including management of personnel and human resources, the program of instruction, purchasing, strategic planning, public relations, financial reporting, recruiting, compliance issues, budgets, contracts, and equipment and facilities. The majority of the services provided by Altair were performed by William Lager. It does not appear that Altair paid for any ECOT related expenses other than Mr. Lager's compensation.

Per the management agreement with ECOT, Altair is entitled to ten percent of all revenues received. The management fee for fiscal year 2001 was \$1,060,069. As of June 30, 2001, \$494,250 of this fee had been paid to Altair with \$567,469, including delinquent fees and interest, still owed. ECOT also paid \$50,997 to reimburse Altair for business expenses during fiscal year 2001.

### 15. LOSS ON UNRETURNED EQUIPMENT

ECOT recorded a loss on unreturned equipment of \$446,600 and a corresponding reduction of fixed assets in the financial statements. This represents approximately 400 computers that were not returned by students who had withdrawn from ECOT during the period of July 1, 2000 through December 19, 2001.

ECOT began taking an active approach in retrieving these computers and related equipment from those students in January, 2002. In some cases, ECOT has forwarded the information to a collection agency.

ECOT plans to actively seek collection on all 400 computers.

### 16. CONTINGENCIES

### A State School Funding Decision

On September 6, 2001, the Ohio Supreme Court issued its latest opinion regarding the State's school funding plan. The decision identified aspects of the current plan that require modification if the plan is to be considered constitutional, including:

- A change in the school districts that are used as the basis for determining the base cost support amount. Any change in the amount of funds distributed to school districts as a result of this change must be retroactive to July 1, 2001, although a time line for distribution is not specified.
- Fully funding parity aid no later than the beginning of fiscal year 2004 rather than fiscal year 2006.

The Supreme Court relinquished jurisdiction over the case based on anticipated compliance with its order.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 16. CONTINGENCIES (Continued)

### A State School Funding Decision (Continued)

In general, it is expected that the decision would result in an increase in State funding for most Ohio school districts. However, as of February 21, 2002, the Ohio General Assembly is still analyzing the impact this Supreme Court decision will have on funding for individual school districts. Further, the State of Ohio, in a motion filed September 17, 2001, asked the Court to reconsider and clarify the parts of the decision changing the school districts that are used as the basis for determining the base cost support amount and the requirement that changes be made retroactive to July 1, 2001.

On November 2, 2001, the Court granted this motion for reconsideration. The Court may reexamine and redetermine any issue upon such reconsideration. As of the date of these financial statements, ECOT is unable to determine what effect, if any, this ongoing litigation will have on its future State funding under this program and on its financial operations.

### B. Grants

ECOT received financial assistance from federal and state agencies in the form of grants. The disbursement 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 a liability of ECOT. However, in the opinion of management, any such disallowed claims will not have a material adverse effect on the overall financial position of ECOT at June 30, 2001.

### C. Ohio Department of Education Enrollment Review

The Ohio Department of Education (ODE) has performed a student enrollment review of ECOT for the fiscal year ended June 30, 2001. Based on their review, ECOT and ODE have reached a tentative agreement which will result in payments to ODE of \$1.65 million over 36 months beginning in July, 2002 to settle overpayments of State Foundation payments for fiscal 2001. This amount has been recorded as an intergovernmental payable in the accompanying financial statements. ECOT and ODE have also agreed to certain criteria to determine any over funding amounts in fiscal 2002 and have agreed to execute a funding agreement for fiscal 2003 by May 31, 2002. However, additional liabilities may exist for fiscal year 2002.

### D. Litigation

A suit was filed in Franklin County Common Pleas Court on May 14, 2001, alleging that Ohio's Community (i.e., Charter) Schools program violates the state constitution and state laws. The effect of this suit, if any, on ECOT is not presently determinable.

### 17. GOING CONCERN

ECOT's significant operating loss of \$3,280,160 and net loss of \$3,806,248 cause substantial doubt about its ability to continue as a going concern. ECOT has an accumulated deficit of \$3,806,248 and a net working capital deficit of \$4,217,999.

### NOTES TO THE FINANCIAL STATEMENTS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

### 17. GOING CONCERN (Continued)

ECOT has modified student enrollment levels to work toward creating the optimum balance of operating revenues and expenditures. ECOT has also cut all non-essential staff in addition to reducing non-essential operating expenditures in order to reduce the level of funding required to operate the school. ECOT is additionally seeking revenue sources through federal and private sources. ECOT's management is of the opinion that these modifications will create a positive operating balance by the end of the fiscal year 2002.



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# REPORT ON COMPLIANCE AND ON INTERNAL CONTROL REQUIRED BY GOVERNMENT AUDITING STANDARDS

Board of Directors
Electronic Classroom of Tomorrow (ECOT)
Franklin County
3700 South High Street, Suite 125
Columbus, Ohio 43207

We have audited the financial statements of the Electronic Classroom of Tomorrow, Franklin County, Ohio, (ECOT) as of and for the year ended June 30, 2001, and have issued our report thereon dated April 9, 2002, wherein we expressed substantial doubt about ECOT's ability to continue as a going concern. 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 *Government Auditing Standards*, issued by the Comptroller General of the United States.

### Compliance

As part of obtaining reasonable assurance about whether ECOT'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*. However, we noted an immaterial instance of noncompliance that we have reported to management of ECOT in a separate letter dated April 9, 2002.

### **Internal Control Over Financial Reporting**

In planning and performing our audit, we considered ECOT'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. However, we noted certain matters involving the internal control over financial reporting and its operation that we consider to be reportable conditions. Reportable conditions involve matters coming to our attention relating to significant deficiencies in the design or operation of the internal control over financial reporting that, in our judgment, could adversely affect ECOT's ability to record, process, summarize and report financial data consistent with the assertions of management in the financial statements. Reportable conditions are described in the accompanying schedule of findings items 2001-10625-001 through 2001-10625-008.

Electronic Classroom of Tomorrow Franklin County Report on Compliance and on Internal Control Required by *Government Auditing Standards* Page 2

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. Our consideration of the internal control over financial reporting would not necessarily disclose all matters in the internal control that might be reportable conditions and, accordingly, would not necessarily disclose all reportable conditions that are also considered to be material weaknesses. However, of the reportable conditions described above, we consider items 2001-10625-001 to 2001-10625-005 to be material weaknesses. We also 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 ECOT in a separate letter dated April 9, 2002.

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

JIM PETRO Auditor of State

April 9, 2002

### SCHEDULE OF FINDINGS FOR THE YEAR ENDED JUNE 30, 2001

# FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS

### **Material Weaknesses**

Finding Number	2001-10625-001
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### **Internal Audit**

Internal auditing is an independent appraisal activity within an organization that reviews operations as a service to management. It is a managerial control that functions by measuring and evaluating the effectiveness of other controls. The basic objective of internal auditing is to assist all members of management in the discharge of their responsibilities. The internal audit function provides this assistance by furnishing management with analyses, appraisals, recommendations and comments concerning the activities reviewed. Frequently, this involves going beyond accounting and financial records to obtain a full understanding of the operations under review.

The scope of an internal audit function should encompass the examination and evaluation of the adequacy and effectiveness of ECOT's internal control, and the quality of performance in carrying out its operations including:

- Reliability and integrity of information
- · Compliance with policies, plans, procedures, laws and regulations
- Safeguarding assets
- · Economical and efficient use of resources
- · Accomplishment of established objectives and goals for operations or programs

ECOT should establish an internal audit function within the organization and provide the internal audit function with the authority to obtain full access to all records, properties, and personnel that could be relevant to the subject under review. The internal audit function should be free to review and appraise policies, plans, procedures, and records.

The internal audit function should have no direct responsibility or authority over any of the activities reviewed. Therefore, the internal audit review and appraisal does not relieve other people in the organization of the responsibilities assigned to them. Independence is critical to the effectiveness of internal auditing. This independence is obtained primarily through organization status and objectivity. The status of the internal audit function within the organization and the support accorded to it by management are major determinants of its range and value. The head of the internal audit function should be responsible to a person or body whose authority is sufficient to assure both a broad range of audit coverage and the adequate consideration of, and effective action on, the audit findings and recommendations.

Objectivity is essential to the internal audit function. Therefore the internal audit function should not develop and install procedures, prepare records, or engage in any other activity that he or she would normally review and appraise and that could be reasonably construed to compromise his or her independence. The objectivity of the internal audit function need not be affected adversely by determining and recommending standards of control to be applied in the development of the systems and procedures being reviewed.

### SCHEDULE OF FINDINGS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

# FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)

### **Material Weaknesses (Continued)**

### **Internal Audit (Continued)**

One of ECOT's main business functions is to record and monitor the hours of educational opportunity that ECOT students receive. These hours are comprised of both time spent in the "electronic classroom" where instruction time is recorded by the computer system and time entered into the computer system for instruction received outside the "electronic classroom." ECOT did not utilize an internal audit function to monitor the hours of educational opportunity, which contributed to the \$1.65 million in State Foundation overpayments during fiscal year 2001.

We recommend that ECOT establish an internal audit function which possesses the characteristics and functions outlined above. The internal audit function should review the computer system's capabilities, performance, and security to ensure that it accurately and reliably records and reports the amount of each student's computer-based instruction. For instances where students are required to enter their instructional hours into the computer system, the internal audit function should, on a sample basis, periodically review documentation which supports the number of instructional hours entered by the student and evaluate the number of hours for reasonableness. In addition, the internal audit function should review the computer system tracked instructional hours for students reported within ECOT's enrollment data to ensure that students are obtaining the appropriate amount of service hours for their reported full time equivalency.

Finding Number	2001-10625-002
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### SAS 70 Report

ECOT has delegated the inventory and tracking function for significant fixed assets, which is a significant accounting function, to a third-party administrator, Xerox Connect. ECOT has not established procedures to determine whether the service organization has sufficient controls in place and they are operating effectively to reduce the risk that assets have not been completely and accurately tracked and inventoried.

We recommend ECOT implement procedures to assure the completeness and accuracy of asset tracking and inventory by Xerox Connect. Statement on Auditing Standards (SAS) No. 70 as amended, prescribes standards for reporting on the processing (i.e. control design and operation) of transactions by service organizations. An unqualified Tier II "Report on Policies and Procedures Placed in Operation and Tests of Operating Effectiveness" in accordance with SAS No. 70, should provide ECOT with an appropriate level of assurance that assets are being tracked and inventoried in conformance with the contract.

We recommend ECOT specify in their contract with all third-party administrators that an annual Tier II SAS 70 audit report be performed. ECOT should be provided a copy of the SAS 70 report timely and should review the report's content. A SAS 70 audit report should be conducted in accordance with American Institute of Certified Public Accountants' (AICPA) standards by a firm registered and considered in "good standing" with the Accountancy Board of the respective State. If the third-party administrator refuses to provide ECOT with a Tier II SAS 70 report, we recommend ECOT only contract with a third-party administrator that will provide such a report.

### SCHEDULE OF FINDINGS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

# FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)

### **Material Weaknesses** (Continued)

Finding Number	2001-10625-003
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### **Withdrawal Procedures**

ECOT should have established procedures for the withdrawal of students from the school. The withdrawn status of students should be timely conveyed to Xerox Connect so that they are aware of students whose computers should be returned. The withdrawal information should also be submitted to the appropriate departments of ECOT (i.e. EMIS, Education Coordinator) when a withdrawal request is received.

ECOT did not have any established procedures to determine when students were withdrawing from the school. Students who withdrew from ECOT conveyed their withdrawal in various forms. The name and withdrawal date for those students was not provided to Xerox Connect and other ECOT departments in a timely manner.

The lack of established procedures and communication about withdrawn students contributed to the \$446,600 loss on equipment that was not returned by withdrawn students. The lack of appropriate withdrawal procedures also contributed to the State Foundation funding error that has resulted in an overpayment of \$1.65 million. Furthermore, ECOT could be paying monthly expenses for the connection and servicing of student computers that are not actually enrolled students of the school.

We recommend the Board establish policies and procedures that are to be followed when a student is withdrawing from ECOT. The policy should also contain what information the various departments of ECOT and Xerox Connect need, along with how and when that information should be provided.

Finding Number 200	001-10625-004
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### **Computer Tracking**

ECOT did not receive or review reports from Xerox Connect that provided timely meaningful information on the computers tracked and assigned users. Additionally, Xerox Connect's tracking system did not monitor the condition of computers held in inventory. Xerox Connect's tracking system also failed to update the most current information from the inventory modules placed on tracked computers and about withdrawn students.

Information could not be obtained to determine if all of ECOT's actively enrolled students had received the appropriate computer equipment. The absence of a timely review over the rapidly changing fixed assets of ECOT led to a loss on unreturned equipment of \$446,600 for approximately 400 computers that are still held by students who have withdrawn from ECOT. ECOT continues to pay, and is responsible for, the capital lease payments on these computers.

ECOT should review current information for all computers tracked by Xerox Connect at least monthly. Xerox Connect should provide ECOT with detailed reports that include user (student) names, assigned computer numbers, and location for all computers. For computers held in inventory by Xerox Connect, the reports should provide the condition of the equipment and an estimate of repair costs. These reports should be provided to ECOT by the tenth of each month and may need to be provided more often during peak enrollment and withdrawal periods.

### SCHEDULE OF FINDINGS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

# FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)

### **Material Weakness (Continued)**

Finding Number	2001-10625-005
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### **Student Enrollment Determination**

ECOT does not have an established policy describing how student enrollment will be counted and reported, including enrollments, withdrawals, and full-time equivalency. In addition, ECOT and the Ohio Department of Education have not reached an agreement on the funding basis for State Foundation payments.

The lack of an established policy and funding basis agreement with ODE has lead to a discrepancy between ECOT and ODE about which students may be counted for enrollment and FTE. This discrepancy has resulted in a liability of \$1.65 million for overpayments of State Foundation for the fiscal year ended June 30, 2001. Additional liabilities may also exist for fiscal year 2002.

We recommend that the Ohio Department of Education and ECOT work to reach an agreement on the funding for ECOT students. ECOT should develop a policy describing how student enrollment will be counted and reported, including enrollments, withdrawals, and full time equivalency (FTE). The policy should be in accordance with the guidelines set forth by the Ohio Department of Education (ODE) regarding the basis of funding for ECOT students.

### **Reportable Conditions**

Finding Number	2001-10625-006
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### **Management Contract**

ECOT has a management agreement with Altair Learning Management, LLC (Altair) for management services. Per the management agreement, Altair was entitled to ten percent of all revenues received during fiscal year 2001, \$1,060,069. As of June 30, 2001, \$494,250 of this fee had been paid to Altair with \$567,469, including delinquent fees and interest, still owed. ECOT also paid \$50,997 to reimburse Altair for business expenses during fiscal year 2001.

Altair is responsible for management of personnel and human resources, the program of instruction, purchasing, strategic planning, public relations, financial reporting, recruiting, compliance issues, budgets, contracts, and equipment and facilities. The majority of the services provided by Altair were performed by William Lager. It does not appear that Altair paid for any ECOT related expenses other than Mr. Lager's compensation.

During fiscal year 2001, ECOT received no breakout of what services or charges were contained in the management fee paid or owed to Altair. ECOT cannot monitor the management company or expenses being incurred by ECOT without more detailed information about the services performed by Altair.

We recommend ECOT require Altair to provide monthly invoices detailing the services provided, expenses incurred, and charges billed. We further recommend ECOT seek to revise the management contract fee basis with Altair to the actual cost for services provided plus a reasonable profit. In addition, the management contract should be revised to explicitly state the required duties, terms, and conditions of the services to be provided, which should be agreed to by both ECOT and Altair.

### SCHEDULE OF FINDINGS FOR THE YEAR ENDED JUNE 30, 2001 (Continued)

# FINDINGS RELATED TO THE FINANCIAL STATEMENTS REQUIRED TO BE REPORTED IN ACCORDANCE WITH GAGAS (Continued)

### **Reportable Conditions (Continued)**

Finding Number	2001-10625-007
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### **Expenditure Approval**

Purchase orders and expenditures should be reviewed and approved in advance by an employee/consultant that is knowledgeable about ECOT's mission, budget, and available resources.

There was no formal approval of expenditures by ECOT employees/representatives. Purchase orders and expenditures were approved by the Fiscal Agent's Treasurer and Superintendent. This approval does not provide the necessary authorization of expenditures because those individuals do not have direct contact with the day to day operations of ECOT.

We recommend the Board direct an employee knowledgeable about the operations of ECOT to review and approve expenditures prior to sending them to the fiscal agent. Such review will ensure that all expenditures are within the mission of ECOT and within the expectations of the Board for how ECOT's resources will be used.

Finding Number	2001-10625-008
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### **Monitoring Controls**

The Board of Directors should monitor the financial operations of ECOT regularly. Such monitoring should include, for example, a review of resources received, expenditures, fund balances, and unpaid invoices.

Effective monitoring controls over financial operations were not implemented by ECOT's management. Lack of effective monitoring controls could allow for operational failures and errors to occur without timely detection by management.

Monitoring controls should be comprised of regular management and supervisory activities established to oversee whether management's objectives are being achieved, including operational, legal compliance, and financial control objectives. Effective monitoring controls should identify unexpected results or exceptions (including significant compliance exceptions), investigate underlying causes, and take corrective action.

To assist management in detecting potential material financial and or compliance transactions that may effect financial operations, we recommend the Board develop and implement monitoring controls. Some of these monitoring controls may consist of, but may not be limited to, the following:

- regular review of monthly budgeted and actual figures:
- regular review of financial summaries (detailed revenue, expenditure, and fund balance reports)
- review of key performance indicators:
- review of payable aging reports;
- review of unusual or significant and long outstanding items;
- monitoring grant expenditures in accordance with grant requirements;
- ensuring adequate segregation of duties exist, and;
- review of monthly bank reconciliations.



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# ELECTRONIC CLASSROOM OF TOMORROW

### FRANKLIN 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.

**CLERK OF THE BUREAU** 

Susan Babbitt

CERTIFIED APRIL 11, 2002