



Mary Taylor, CPA
Auditor of State

FOUNDATION ACADEMY
RICHLAND COUNTY

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Mary Taylor, CPA

Auditor of State

INDEPENDENT ACCOUNTANTS' REPORT

Foundation Academy
Richland County
75 N. Walnut St.
Mansfield, Ohio 44902

To the Board of Directors:

We have audited the accompanying basic financial statements of the Foundation Academy, Richland County, Ohio (the Academy), as of and for the year ended June 30, 2009, as listed in the table of contents. These financial statements are the responsibility of the Academy'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 the Comptroller General of the United States' *Government Auditing Standards*. Those standards require that we plan and perform the audit to reasonably assure whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Foundation Academy, Richland County, Ohio, as of June 30, 2009, and the changes in its financial position and its cash flow for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated February 23, 2010, on our consideration of the Academy's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. While we did not opine on the internal control over financial reporting or on compliance, that report describes the scope of our testing of internal control over financial reporting and compliance and the results of that testing. That report is an integral part of an audit performed in accordance with *Government Auditing Standards*. You should read it in conjunction with this report in assessing the results of our audit.

Management's Discussion and Analysis is not a required part of the basic financial statements but is supplementary information accounting principles generally accepted in the United States of America requires. We have applied certain limited procedures, consisting principally of inquiries of management regarding the methods of measuring and presenting the required supplementary information. However, we did not audit the information and express no opinion on it.

A handwritten signature in black ink that reads "Mary Taylor". The signature is written in a cursive, flowing style.

Mary Taylor, CPA
Auditor of State

February 23, 2010

**FOUNDATION ACADEMY
RICHLAND COUNTY**

*MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2009
UNAUDITED*

The discussion and analysis of the Foundation Academy's (the "Academy") financial performance provides an overall review of the Academy's financial activities for the fiscal year ended June 30, 2009. Readers should also review the basic financial statements and notes to enhance their understanding of the Academy's financial performance.

Highlights

The Academy finished its second year of operations during fiscal year 2009 serving Kindergarten through eighth grade. Enrollment varied during the year but averaged 168 students.

Key highlights for fiscal year 2009 are as follows:

- Net assets increased \$69,988.
- Operating revenues accounted for \$1,207,409 of the total revenues of \$1,717,961.
- Operating expenses accounted for \$1,637,487 of the total expenses of \$1,647,973.
- The Academy had an operating loss of \$430,078.
- Total assets increased \$63,396.
- Total liabilities decreased \$6,592.

Overview of the Financial Statements

The financial report consists of three parts - management discussion and analysis, the basic financial statements and the notes to the financial statements. These statements are organized so the reader can understand the financial position of the academy. Enterprise accounting uses a flow of economic resource measurement focus. With this measurement focus, all assets and all liabilities are included on the statement of net assets. The statement of net assets represents the statement of position of the Academy. The statement of revenues, expenses, and changes in net assets present increases (e.g., revenues) and decreases (e.g. expenses) in net total assets. The statement of cash flows reflects how the academy finances and meets its cash flow needs. Finally, the notes to the basic financial statements provide additional information that is essential to full understanding of the data provided on the basic financial statements.

Financial Analysis of the Academy as a Whole

The Academy is not required to present government-wide financial statements as the Academy is engaged in only business-type activities. Therefore, no condensed financial information derived from the governmental-wide financial statements is included in the discussion and analysis.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

*MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2009
UNAUDITED
(Continued)*

Table 1 provides a summary of Academy's net assets for 2009:

Table 1
Net Assets

	2009	2008	Change
<u>Assets:</u>			
Current Assets	\$400,497	\$323,295	\$77,202
Capital Assets	126,024	139,830	(13,806)
Total Assets	<u>526,521</u>	<u>463,125</u>	<u>63,396</u>
<u>Liabilities:</u>			
Current Liabilities	206,313	171,878	34,435
Long-Term Liabilities	56,572	97,599	(41,027)
	<u>262,885</u>	<u>269,477</u>	<u>(6,592)</u>
<u>Net Assets:</u>			
Invested in Capital Assets, Net of Related Debt	31,716	4,455	27,261
Restricted for Other Purposes	78	278	(200)
Unrestricted	231,842	188,915	42,927
Total Net Assets	<u>\$263,636</u>	<u>\$193,648</u>	<u>\$69,988</u>

Total net assets increased \$69,988. The increase is the result of total revenues exceeding total expenditures in the Academy's second year of operations. The Academy was able to achieve enough enrollment to surpass break even. The capacity of the facility is estimated to be 265 students. Average enrollment during fiscal 2009 was 168 students. Enrollment as of November 2009 was 227. Management is projecting a surplus in fiscal year 2010.

Based on the analysis that was done at the time the decision was made to open the school, the Board and its management made the decision to make an investment in the future of the children of this community, not based on a plan that was expected to general large economic profits, but rather on a plan that is economically sustainable and that would generate dividends to the community in the form of enhanced opportunities for children and families.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

*MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2009
UNAUDITED
(Continued)*

Table 2 reflects the changes in net assets for fiscal year 2009.

Table 2			
Change in Net Assets			
	2009	2008	Change
<u>Operating Revenues:</u>			
Foundation	\$1,197,433	\$994,459	\$202,974
Charges for Services	9,976	3,906	6,070
<u>Non-Operating Revenues:</u>			
Federal/State Restricted Grants	510,552	201,457	309,095
Total Revenues	\$1,717,961	\$1,199,822	\$518,139
<u>Operating Expenses:</u>			
Building	62,822	45,200	17,622
Purchased Services	1,288,055	766,415	521,640
Depreciation	23,595	8,304	15,291
General Supplies	246,188	164,433	81,755
Other Operating Expense	16,827	14,875	1,952
<u>Non-Operating Expenses:</u>			
Interest	10,486	6,947	3,539
Total Expenses	\$1,647,973	\$1,006,174	\$641,799
Total Increase in Net Assets	\$69,988	\$193,648	(\$123,660)

The fiscal year 2009 surplus is primarily due to the Academy obtaining a low cost facility and achieving growth in enrollment. Average enrollment in fiscal years 2009 and 2008 was 168 students and 144 students, respectively. Enrollment in November of 2009 was 227 students. The approximate student capacity for the facility is 265.

Budgeting

Unlike other public schools located in the State of Ohio, community schools are not required to follow budgetary provision set forth in the Ohio Revised Code Chapter 5705, unless specifically provided by the Academy's contract with its sponsor. The contract between the Academy and its sponsor, the Ohio Council of Community Schools, does not prescribe a budgetary process for the Academy.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

*MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2009
UNAUDITED
(Continued)*

Capital Assets and Debt Administration

Capital Assets

At the end of fiscal year 2009, the Academy had \$126,024 invested in capital assets (net of accumulated depreciation) for computers and other equipment as follows:

	2009	2008	Change
Furniture & Equipment	\$59,377	\$60,240	(\$863)
Computer Equipment	66,647	79,590	(12,943)
Total Capital Assets, Net	\$126,024	\$139,830	(\$13,806)

For further information regarding the Academy's capital assets, refer to Note 6 of the basic financial statements.

Debt

At June 30, 2009, the Academy had \$94,308 of capital leases outstanding, of which \$37,736 is due within one year. The following table summarizes the Academy's debt outstanding as of June 30, 2009.

Outstanding Debt, at Year End

	2009	2008	Change
Capital Leases Payable	\$94,308	\$135,375	(\$41,067)

For further information regarding the Academy's debt, refer to Note 13 to the basic financial statements.

Economic Factors

Management is not currently aware of any facts, decision or conditions that have occurred that are expected to have a significant effect on the financial position or results of operation.

Operations

Foundation Academy is a nonprofit corporation established pursuant to Ohio Revised Code Chapter 1702. The Academy offers education for Ohio children in grades K-8. The Academy is independent of any school district and is nonsectarian in its programs, admission policies, employment practices, and all other operations. The Academy may lease or acquire facilities as needed and contract for any services necessary for the operation of the Academy.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

*MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2009
UNAUDITED
(Continued)*

Requests for Information

This financial report is designed to provide citizens, taxpayers, investors, and creditors with a general overview of the Academy's finances and to show the Academy's accountability for the money it receives. If you have any question concerning this report, please contact Robert Lotz, Treasurer for Foundation Academy, 3333 Chippewa Street, Columbus, Ohio 43204.

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FOUNDATION ACADEMY
RICHLAND COUNTY

STATEMENT OF NET ASSETS
JUNE 30, 2009

Assets:

Current assets:

Cash and Cash Equivalents	\$ 150,959
Accounts Receivable	5
Intergovernmental Receivable	247,572
Prepaid Expense	1,961
Total current assets	<u>400,497</u>

Noncurrent assets:

Capital Assets, net of Accumulated Depreciation	126,024
Total assets	<u><u>526,521</u></u>

Liabilities:

Current liabilities:

Accounts Payable, Trade	87,781
Accounts Payable, Related Party	80,796
Current Portion of Long-term Debt	37,736
Total current liabilities	<u>206,313</u>

Noncurrent liabilities:

Noncurrent Portion of Long-term Debt	56,572
Total liabilities	<u>262,885</u>

Net Assets

Invested in Capital Assets, Net of Related Debt	31,716
Restricted for Other Purposes	78
Unrestricted Net Assets	231,842
Total Net Assets	<u><u>\$ 263,636</u></u>

See Accompanying Notes to the Basic Financial Statements

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET ASSETS
FOR THE YEAR ENDED JUNE 30, 2009**

Operating Revenues:	
Community School Foundation	\$ 1,197,433
Charges for Services	9,976
Total Operating Revenues	<u>1,207,409</u>
Operating Expenses:	
Building	62,822
Purchased Services	1,288,055
Depreciation	23,595
General Supplies	246,188
Other Operating Expenses	16,827
Total Operating Expenses	<u>1,637,487</u>
Operating Loss	<u>(430,078)</u>
Nonoperating Revenues and Expenses:	
Federal and State Restricted Grants	510,552
Interest Expense	(10,486)
Net Nonoperating Revenues and Expenses	<u>500,066</u>
Change in Net Assets	69,988
Net Assets Beginning of Year	<u>193,648</u>
Net Assets End of Year	<u><u>\$ 263,636</u></u>

See Accompanying Notes to the Basic Financial Statements

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**STATEMENT OF CASH FLOWS
FOR THE YEAR ENDED JUNE 30, 2009**

CASH FLOWS FROM OPERATING ACTIVITIES

Foundation Receipts	\$ 1,195,957
Charges for Services	9,379
Other Operating Receipts	592
Cash Payments to Suppliers for Goods and Services	<u>(1,572,202)</u>
Net Cash Used For Operating Activities	<u>(366,274)</u>

CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES

Short-term Financing Payments	(889)
Federal and State Grant Receipts	<u>361,593</u>
Net Cash Provided by Noncapital Financing Activities	<u>360,704</u>

CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES

Purchase of Assets	(9,790)
Capital Lease Interest Payments	(10,536)
Capital Lease Principal Retirement	<u>(41,067)</u>
Net Cash Used for Capital and Related Financing Activities	<u>(61,393)</u>

Net Decrease in Cash and Cash Equivalents	(66,963)
Cash and Cash Equivalents - Beginning of the Year	<u>217,922</u>
Cash and Cash Equivalents - End of the Year	<u><u>150,959</u></u>

Reconciliation of Operating Loss to Net Cash Used for Operating Activities

Operating Loss	<u>(430,078)</u>
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Adjustments to Reconcile Operating Loss to Net Cash Used for Operating Activities

Depreciation	23,595
Changes in assets and liabilities:	
Increase in Accounts Receivable	(5)
Decrease in Prepaid Expense	4,800
Increase in Accounts Payable, Trade	8,489
Increase in Accounts Payable, Related Party	28,402
Decrease in Deferred Revenue	<u>(1,477)</u>
Net Cash Used for Operating Activities	<u><u>\$ (366,274)</u></u>

See Accompanying Notes to the Basic Financial Statements

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**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009**

Note 1 - Description of the School

The Foundation Academy (the "Academy") is a nonprofit corporation established pursuant to Ohio Revised Code Chapter 1702. The Academy offers education for Ohio children in grades K-8. The Academy is independent of any school district and is nonsectarian in its programs, admission policies, employment practices, and all other operation. The Academy may lease or acquire facilities as needed and contract for any services necessary for the operation of the academy.

The Academy was approved for operation pursuant to Ohio Revised Code Chapter 3314 under a contract with Ohio Council of Community Schools (the Sponsor) as designated by the Board of Trustees of the University of Toledo for a period of five academic years commencing on March 7, 2007 and ending June 30, 2012. The Sponsor is responsible for evaluating the performance of the Academy and has the authority to deny renewal of the contract at its expiration or terminate the contract prior to its expiration.

Ohio Revised Code Section 3314.02(E) states in part that the Academy operate under the direction of a Governing Board that consists of not less than five individuals who are not owners or employees, or immediate relatives or owners or employees of any for-profit firm that operates or manages an academy for the Governing Board. The Board is responsible for carry out the provisions of the contract that include, but are not limited to, state-mandated provision regarding student population, curriculum, academic goals, performance standards, admission standards, and qualification of teachers.

The Academy contracts with Mosaica Education, Inc, for management services including management of personnel and human resources, the program of instruction, marketing data management, purchasing, strategic planning, public relation, financial reporting, recruiting, compliance issues, budgets, contracts, and equipment and facilities.

Note 2 - Summary of Significant Accounting Policies

The financial statements of the Academy have been prepared in conformity with generally accepted accounting principals (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The Academy 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 entity has elected not to apply FASB pronouncements and interpretations issued after November 30, 1989. The more significant of the Academy's accounting policies are described below.

A. Basis of Presentation

The Academy's basic financial statements consist of a statement of net assets; a statement of revenues, expenses, and changes in net assets; and a statement of cash flows. The Academy uses a single enterprise presentation for its financial records. Enterprise reporting focuses on the determination of operating income, changes in net assets, financial position, and cash flows.

B. Measurement Focus

The enterprise activity is accounted for using a flow of economic resources measurement focus. All assets and liabilities associated with the operation of the Academy are included on the statement of net assets. The statement of revenues, expenses, and changes in net assets presents increases (e.g. revenues) and decreases (e.g. expenses) in total net assets. The statement of cash flows reflects how the Academy finances meet its cash flow needs.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 2 - Summary of Significant Accounting Policies (Continued)

C. Basis of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. The Academy's financial statements are prepared using the accrual basis of accounting. Revenue resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded on the accrual basis when the exchange takes place. Revenue resulting from nonexchange transactions, in which Academy receives value without directly giving equal value in return, such as grants and entitlements, are recognized in the period in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the period when the resources are required to be used or the period when use is first permitted, matching requirements, in which the Academy must provide local resources to be used for a specified purpose, and expenditure requirements, in which the resources are provided to the Academy on a reimbursement basis. Expenses are recognized at the time they are incurred.

D. Budgetary Process

Unlike other public schools located in the State of Ohio, community schools are not required to follow budgetary provision set forth in the Ohio Revised Code Chapter 5705, unless specifically provided by the Academy's contract with its sponsor. The contract between the Academy and its sponsor, the Ohio Council of Community Schools, does not prescribe a budgetary process for the Academy.

E. Cash and Cash Equivalents

Cash received by the Academy is reflected as "Cash and Cash Equivalents" on the statement of net assets. The Academy had no investments during the fiscal year ended June 30, 2009.

F. Prepaid Items

The Academy records payments made to vendors for services that will benefit periods beyond June 30, 2009, as prepaid items using the consumption method. A current asset for the prepaid amount is recorded at the time of the purchase and an expense is reported in the year in which services are consumed.

G. Capital Assets

The Academy's capital assets during fiscal year 2009 consisted of computers and other equipment. All capital assets are capitalized at cost and updated for additions and retirements during the fiscal year. Donated capital assets are recorded at their fair market values as of the date received. The Academy maintains a capitalization threshold of one thousand five hundred dollars. The Academy 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 an asset's life are not capitalized.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 2 - Summary of Significant Accounting Policies (Continued)

All capital assets are depreciated. Improvements are depreciated over the remaining useful lives of the related capital assets. Depreciation is computed using the straight-line method over the following useful lives:

<u>Description</u>	<u>Useful Lives</u>
Computers, Furniture and Equipment	5-10 years

H. Net Assets

Net assets represent the difference between assets and liabilities. Net assets are reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by Academy or through external restrictions imposed by creditors, grantors, or laws or regulations of other governments. The Academy applies restricted resources first when an expense is incurred for purposes for which both restricted and unrestricted net assets are available.

The statement of net assets reports \$78 in restricted net assets related to certain unspent federal grant receipts and \$31,716 invested in capital assets net of related debt.

I. Operating Revenues and Expenses

Operating revenues are those revenues that are generated directly from the primary activity of the Academy. Operating expenses are necessary costs incurred to provide the service that is the primary activity of the Academy. All revenues and expenses not meeting this definition are reported as non-operating.

J. Estimates

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

K. Economic Dependency

The Academy receives approximately 99% of its operating revenue from the Ohio Department of Education. Due to the significance of this revenue source, the Academy is considered to be economically dependent on the State of Ohio Department of Education.

Note 3 – Changes in Accounting Principles

There were no changes in accounting principals implemented during 2009 that would have a material effect on the financial statements.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 4 - Deposits

Custodial credit risk is the risk that, in the event of a bank failure, the Academy's deposits may not be returned. The Academy does not have a deposit policy for custodial credit risk. At June 30, 2009, the bank balance of Academy's deposits was \$220,073. The bank balance was covered by federal depository insurance. There are no significant statutory restrictions regarding the deposit and investment of funds by the nonprofit corporation.

Note 5 – Receivables

At June 30, 2009, the Academy had intergovernmental receivables, in the amount of \$247,572. The receivables are expected to be collected within one year.

	Amount
Federal Community School Implementation	\$190,706
IDEA	42,426
Title I	9,932
National School Lunch Programs	2,216
Title II D	1,289
Title II A	1,003
Total Intergovernmental Receivables	\$247,572

Note 6 - Capital Assets

Capital asset activity for the fiscal year ended June 30, 2009, was as follows:

	Balance June 30, 2008	Additions	Deletions	Balance June 30, 2009
Furniture & Equipment	\$62,859	\$5,677	\$0	\$68,536
Computer Equipment	85,275	4,112	0	89,387
Less Accumulated Depreciation	(8,304)	(23,595)	0	(31,899)
Capital Assets, Net	\$139,830	(\$13,806)	\$0	\$126,024

Note 7 - Risk Management

The Academy 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. During fiscal year 2009, the Academy contracted with Pashley Insurance Agency to provide insurance coverage with the Hartford Casualty Insurance Company. The types and amounts of coverage provided are as follows:

FOUNDATION ACADEMY
RICHLAND COUNTY

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 7 - Risk Management (Continued)

General Liability:	
Each Occurrence	\$1,000,000
Aggregate Limit	2,000,000
Products - Completed Operations Aggregate Limit	2,000,000
Medical Expense Limit - Any One Person/Occurrence	10,000
Damage to Rented Premises - Each Occurrence	300,000
Personal and Advertising Injury	1,000,000
Automobile Liability:	
Combined Single Limit	1,000,000
Business Personal Property	100,000
Excess/Umbrella Liability:	
Each Occurrence	10,000,000
Aggregate Limit	10,000,000

Settled claims have not exceeded this commercial coverage.

Note 8 – Purchased Services

For the fiscal year ended June 30, 2009, purchased service expenses were as follows:

Purchased Services	Amount
Personnel Services	\$861,878
Staff and Administrative Services	244,876
Lunch Services	65,415
Building Services	55,964
Sponsor Services	23,919
Advertising	18,246
Student Services	10,007
Professional Services	7,750
Total	<u><u>\$1,288,055</u></u>

Note 9 – Defined Benefit Pension Plans

The Academy has contracted with Mosaica Education, Inc. to provide employee services. However, these contracted services do not relieve the Academy of the obligation for remitting pension contributions. The retirement systems consider the School as the Employer-of-Record and the Academy is ultimately responsible for remitting retirement contributions to each of the systems noted below.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 9 – Defined Benefit Pension Plans (Continued)

A. School Employees Retirement System

Plan Description - The Academy contributes to the School Employees Retirement System (SERS), a cost-sharing multiple-employer pension plan. SERS provides retirement and disability benefits, annual cost-of-living adjustments, and death benefits to plan members and beneficiaries. Authority to establish and amend benefits is provided by Chapter 3309 of the Ohio Revised Code. SERS issues a publicly available, stand-alone financial report that includes financial statements and required supplementary information. That report may be obtained by writing to the School Employees Retirement System, 300 East Broad Street, Suite 100, Columbus, Ohio 43215-3746.

Funding Policy - Plan members are required to contribute 10% of their annual covered salary and the Academy is required to contribute 14% of annual covered payroll. The contribution requirements of plan members and employers are established and may be amended, up to statutory maximum amounts, by the SERS' Retirement Board. The Retirement Board acting with the advice of the actuary, allocates the employer contribution rate among four of the funds (Pension Trust Fund, Death Benefit Fund, Medicare B Fund, and Health Care Fund) of the System. For fiscal year ending June 30, 2009, the allocation to pension and death benefits is 9.09%. The remaining 4.91% of the 14% employer contribution rate is allocated to the Health Care and Medicare B Funds. The Academy's contribution to SERS for the years ended June 30, 2009 and 2008 were \$13,230 and \$8,663, respectively, which equaled the required contributions each year.

B. State Teachers Retirement System

Plan Description - The Academy participates in the State Teachers Retirement System of Ohio (STRS Ohio), a cost-sharing, multiple-employer public employee retirement system. STRS Ohio provides retirement and disability benefits to members and death and survivor benefits to beneficiaries. STRS Ohio issues a stand-alone financial report that may be obtained by writing to STRS Ohio, 275 E. Broad St., Columbus, OH 43215-3371, by calling (888) 227-7877, or by visiting the STRS Ohio web site at www.strsoh.org.

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

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

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 9 – Defined Benefit Pension Plans (Continued)

B. State Teachers Retirement System (Continued)

Funding Policy - For the fiscal year ended June 30, 2009, plan members were required to contribute 10 percent of their annual covered salaries. The Academy was required to contribute 14 percent; 13 percent was the portion used to fund pension obligations. Contribution rates are established by the State Teachers Retirement Board, upon recommendations of its consulting actuary, not to exceed statutory maximum rates of 10 percent for members and 14 percent for employers. Chapter 3307 of the Ohio Revised Code provides statutory authority for member and employer contributions.

The Academy's required contributions for pension obligations to STRS Ohio for the fiscal years ended June 30, 2009 and 2008 were \$64,271 and \$37,268, respectively; 100 percent has been contributed for both fiscal years. Contributions to the DC and Combined Plans for the fiscal year 2009 were \$0 made by the Academy and \$0 made by the plan members.

C. Social Security System

Effective July 1, 1991, all employees not otherwise covered by the School Employees Retirement System or the State Teachers Retirement System of Ohio have an option to choose Social Security or the School Retirement System. The contribution rate is 6.2 percent of wages. As of June 30, 2009, none of the Academy staff have elected Social Security.

Note 10 – Postemployment Benefits

A. School Employees Retirement System

In addition to a cost-sharing multiple-employer defined benefit pension plan the School Employees Retirement System of Ohio (SERS) administers two postemployment benefit plans.

Medicare Part B Plan

The Medicare B plan reimburses Medicare Part B premiums paid by eligible retirees and beneficiaries as set forth in Ohio revised Code (ORC) 3309.69. Qualified benefit recipients who pay Medicare Part B premiums may apply for and receive a monthly reimbursement from SERS. The reimbursement amount is limited by statute to the lesser of the January 1, 1999 Medicare Part B premium or the current premium. The Medicare Part B premium for calendar year 2009 was \$96.40, SERS' reimbursement to retirees was \$45.50.

The Retirement Board, acting with the advice of the actuary, allocates a portion of the current employer contribution rate to the Medicare B Fund. For fiscal year 2009, the actuarially required allocation is .75%. The Academy's contributions for the years ended June 30, 2009, 2008, and 2007 were \$2,417, \$2,417, and \$2,001, respectively, which equaled the required contributions each year.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 10 – Postemployment Benefits (Continued)

Health Care Plan

ORC 3309.375 and 3309.69 permit SERS to offer health care benefits to eligible retirees and beneficiaries. SERS' Retirement Board reserves the right to change or discontinue any health plan or program. SERS offers several types of health plans from various vendors, including HMOs, PPOs, Medicare Advantage and traditional indemnity plans. A prescription drug program is also available to those who elect health coverage. SERS employs two third-party administrators and a pharmacy benefit manager to manage the self-insurance and prescription drug plans, respectively.

The ORC provides the statutory authority to fund SERS' postemployment benefits through employer contributions. Active members do not make contributions to the postemployment benefit plans.

The Health Care Fund was established under, and is administered in accordance with Internal Revenue Code 105(e). Each year after the allocation for statutorily required benefits, the Retirement Board allocates the remainder of the employer 14% contribution to the Health Care Fund. For the year ended June 30, 2009, the health care allocation is 4.16%. An additional health care surcharge on employers is collected for employees earning less than an actuarially determined minimum compensation amount, pro-rated according to service credit earned. Statutes provide that no employer shall pay a health care surcharge greater than 2% of that employer's SERS-covered payroll; nor may SERS collect in aggregate more than 1.5% of the total statewide SERS-covered payroll for the health care surcharge. For fiscal year 2009, the minimum compensation level was established at \$35,800. The surcharge, added to the unallocated portion of the 14% employer contribution rate is the total amount assigned to the Health Care Fund. The Academy contributes assigned to health care for the years ended June 30, 2009 and 2008 were \$6,037 and \$3,953, respectively, which equaled the required contributions each year.

The SERS Retirement Board establishes the rules for the premiums paid to the retirees for health care coverage for themselves and their dependents or for their surviving beneficiaries. Premiums vary depending on the plan selected, qualified years of service, Medicare eligibility, and retirement status.

The financial reports of SERS' Health Care and Medicare B plans are included in its *Comprehensive Annual Financial Report*. The report can be obtained by contacting SERS, 300 East Broad Street, Suite 100, Columbus, Ohio 43215-3746 or by calling toll free (800) 878-5853. It is also posted on SERS' website at www.ohsers.org under **Employers/Audit Resources**.

B. State Teachers Retirement System

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

Funding Policy – Ohio law authorizes STRS Ohio to offer the Plan and gives the Retirement Board authority over how much, if any, of the health care costs will be absorbed by STRS Ohio. Active employee members do not contribute to the Plan. All benefit recipients pay a monthly premium. Under Ohio law, funding for post-employment health care may be deducted from employer contributions. For 2009, STRS Ohio allocated employer contributions equal to 1 percent of covered payroll to the Health Care Stabilization Fund. The Academy's contributions for health care for the fiscal years ended June 30, 2009 and 2008 were \$4,944 and \$2,867, respectively; 100 percent has been contributed for both fiscal years.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 11 - Contingencies

A. Grants

The Academy 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 are subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the Academy. However, in the opinion of management, any such disallowed claims will not have a material adverse effect on the overall financial position of the Academy at June 30, 2009.

B. Ohio Department of Education Enrollment Review

The Ohio Department of Education (ODE) conducts reviews of enrollment data and full-time equivalency (FTE) calculations made by community schools. These reviews are conducted to ensure the Academy is reporting accurate student enrollment data to the State, upon which state foundation funding is calculated. The conclusion of this review could result in state funding being adjusted. In the opinion of management, any such adjustments would not have a material adverse effect on the overall financial position of the Academy at June 30, 2009.

Note 12 – Building Leases

In September 2007, the Academy entered into a lease agreement with Richland Academy of Arts for the use of a building (7,554 rentable square feet) as a school facility. The lease commenced August 1, 2007 and extended through June 30, 2008 with one year renewal options available upon 30 days notice to Landlord. For fiscal year 2009, the lease was renewed for the fiscal year at a base rent of \$5,600 per month. For fiscal 2010, the Academy renewed the lease effective July 1, 2009 through June 30, 2010 at the continued base rent of \$5,600 per month.

Note 13 – Long-Term Obligations

Changes in the Academy’s long-term obligations during fiscal year 2009 were as follows:

	<u>Balance 6/30/2008</u>	<u>Additions</u>	<u>Principal Payments</u>	<u>Balance 6/30/2009</u>	<u>Amount Due Within One Year</u>
Capital Leases Payable	\$135,375	\$0	(\$41,067)	\$94,308	\$37,736

Note 14 – Capital Lease-Lessee Disclosure

The Academy has entered into capitalized leases for the use of computer equipment and furniture. Each lease meets the criteria of 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 risk of ownership to the lessee. The leases have been capitalized in the amounts of \$85,275 and \$62,859 at the present value of future minimum lease payments at their inceptions in 2008.

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 14 – Capital Lease-Lessee Disclosure (Continued)

The following is a schedule of the future long-term minimum lease payments required under the capital lease and the present value of the minimum lease payments as of June 30, 2009.

Capital Lease		
Fiscal Year Ending June 30	Principal	Interest
2010	37,736	9,892
2011	33,727	3,181
2012	14,071	1,397
2013	8,774	250
Total	<u>\$94,308</u>	<u>\$14,720</u>

Note 15 –Tax Exempt Status

The Academy has filed for its tax-exempt status under Section 501(c)(3) of the Internal Revenue Code.

Note 16 – Related Party Transactions/Management Company

The Academy contracts with Mosaica Education, Inc. for variety of services including management of personnel and human resources, board relations, financial management, marketing, technology services, the program of instruction, purchasing, strategic planning, public relations, financial reporting, recruiting, compliance issues, budgets, contracts, and equipment and facilities. Financial management services include, but are not limited to, financial statement, budget preparation, accounts payable, and payroll preparation.

Per the management agreement with the Academy, Mosaica Education, Inc. is entitled to a management fee that is equivalent to 12.5% of Academy revenue. The management fee for fiscal year 2009 was \$214,745.

Also, per the management agreement there are expenses that will be billed back to the Academy based on the actual cost incurred for the Academy by Mosaica Education, Inc. These expenses include salaries and other costs related to providing educational and administrative services. The total expenses paid to Mosaica Education, Inc during fiscal year 2009 were \$791,873.

At June 30, 2009, the Academy had payables to Mosaica Education, Inc. in the amount of \$80,796. The following is a schedule of payables to Mosaica Education, Inc.

	Amount
Payroll	<u>\$35,860</u>
Management Fees	39,977
Miscellaneous	<u>4,959</u>
Total June 30, 2009	<u><u>\$80,796</u></u>

**FOUNDATION ACADEMY
RICHLAND COUNTY**

**NOTES TO THE BASIC FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009
(Continued)**

Note 17 – Sponsor

The Academy was approved for operation under a contract with the Ohio Council of Community Schools (the Sponsor) for a period of five academic years continuing through June 30, 2012. As part of this contract, the Sponsor is entitled to a maximum of three percent of state foundation and other state aid. There is a reduction in the fee as enrollment among all schools sponsored by the Ohio Council of Community Schools and managed by Mosaica Education, Inc. reaches certain benchmarks. Total amount due and paid for fiscal year 2009 was \$23,919.

Note 18 – Subsequent Events

An amended and restated Management Agreement was signed and approved by the Academy's Board of Directors effective July 1, 2009. The amended agreement effective July 1, 2009, established a schedule of payment by the Academy to Mosaica Education, Inc for the \$300,000 start-up fee amended from the originally agreed upon amount in the March 29, 2007 Management Agreement. The amended agreement states that the start-up fee is a promissory note to be repaid with 2.5% interest starting January 1, 2010 and amortized through December 15, 2019 with regular equal monthly payments to be made on the first day of each month, starting with the first month after the start date. Upon any termination or expiration of this agreement by either party for any reason, the entire unpaid principle balance together with all accrued interest of the start-up note shall become due and payable by the Academy to Mosaica Education, Inc.

On December 29, 2009, the Academy entered into a secured promissory note agreement with Mansfield Tyger All Sports Booster Club for the purchase of a school building in the amount of \$270,000 at 7% interest paid quarterly for 10 years. The first payment is to be made on the first day of the quarter immediately following the completion of the renovations, remodeling and abatements of the building. The parties anticipate work to be completed on or around May 2010 and have agreed on payments to commence July 1, 2010. However, an amended and restated agreement will be prepared if the actual timing of repairs are different than scheduled.

The Academy also entered into a Post-Closing Occupancy Lease on December 29, 2009 with the Mansfield Tyger All Sports Booster Club with the agreement that the Club will lease the gymnasium and building's main atrium for bingo operations twice a week. Rent was agreed upon at \$300 per night with minimum monthly rent of \$2,400 payable in advance on the first of the month. The lease is for the period of December 29, 2009 for 18 months with an automatic six month renewal as long as the parties are in agreement. The first 200 nights of bingo usage shall be at no cost to the Tenant.

The Academy entered into a \$175,000 draw note with term conversion on January 12, 2010 with Mechanics Bank for the renovation, remodeling and abatement of the building purchased on December 29, 2009. Interest is fixed at 6% for 30 months. The agreement states that the Academy will pay monthly interest only during the 6 month draw period and monthly principal and interest payments thereafter.

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Mary Taylor, CPA

Auditor of State

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

Foundation Academy
Richland County
75 N. Walnut St.
Mansfield, Ohio 44902

To the Board of Directors:

We have audited the basic financial statements of the Foundation Academy, Richland County, Ohio, (the Academy) as of and for the year ended June 30, 2009, and have issued our report thereon dated February 23, 2010. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in the Comptroller General of the United States' *Government Auditing Standards*.

Internal Control Over Financial Reporting

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

A control deficiency exists when the design or operation of a control does not allow management or employees, in performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the Academy's ability to initiate, authorize, record, process, or report financial data reliably in accordance with its applicable accounting basis, such that there is more than a remote likelihood that the Academy's internal control will not prevent or detect a more-than-inconsequential financial statement misstatement.

A material weakness is a significant deficiency, or combination of significant deficiencies resulting in more than a remote likelihood that the Academy's internal control will not prevent or detect a material financial statement misstatement.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all internal control deficiencies that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider material weaknesses, as defined above.

We noted certain matters that we reported to the Academy's management in a separate letter dated February 23, 2010.

Compliance and Other Matters

As part of reasonably assuring whether the Academy's financial statements are free of material misstatement, we tested its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could directly and materially affect the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and accordingly, we do not express an opinion. The results of our tests disclosed no instances of noncompliance or other matters we must report under *Government Auditing Standards*.

We did note a certain noncompliance or other matter that we reported to the Academy's management in a separate letter dated February 23, 2010.

We intend this report solely for the information and use of the management, Board of Directors and the Ohio Council of Community Schools. We intend it for no one other than these specified parties.

A handwritten signature in black ink that reads "Mary Taylor". The signature is written in a cursive, flowing style.

Mary Taylor, CPA
Auditor of State

February 23, 2010



Mary Taylor, CPA

Auditor of State

Independent Accountants' Report on Applying Agreed-Upon Procedures

Foundation Academy
Richland County
75 N. Walnut Street
Mansfield, Ohio 44902

To the Board of Directors:

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

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

1. We noted the Board adopted an anti-harassment policy on December 17, 2007.
2. We read the policy, noting it included the following requirements from Ohio Rev. Code Section 3313.666(B):
 - (1) A statement prohibiting harassment, intimidation, or bullying of any student on school property or at school-sponsored events;
 - (2) A definition of harassment, intimidation, or bullying that includes the definition in division (A) of Ohio Rev. Code Section 3313.666;
 - (3) A procedure for reporting prohibited incidents;
 - (4) A requirement that school personnel report prohibited incidents of which they are aware to the school principal or other administrator designated by the principal;
 - (5) A requirement that parents or guardians of any student involved in a prohibited incident be notified and, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended, have access to any written reports pertaining to the prohibited incident;

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- (6) A procedure for documenting any prohibited incident that is reported;
 - (7) A procedure for responding to and investigating any reported incident;
 - (8) A strategy for protecting a victim from additional harassment, intimidation, or bullying, and from retaliation following a report;
 - (9) A disciplinary procedure for any student guilty of harassment, intimidation, or bullying, which shall not infringe on any student's rights under the first amendment to the Constitution of the United States;
3. We read the policy, noting it did not include the following requirement from Ohio Rev. Code Section 3313.666 (B):
- (1) A requirement that the Academy administration semiannually provide the president of the Board of Directors a written summary of all reported incidents and post the summary on its web site, if the district has a web site, to the extent permitted by section 3319.321 of the Revised Code and the "Family Educational Rights and Privacy Act of 1974," 88 Stat. 571, 20 U.S.C. 1232q, as amended.

Officials' Response:

The Academy's Board and its management are researching the relevant ORC Statute and anticipate formalizing an amendment to require semiannual reporting of incidents to the Board of Directors.

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

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



Mary Taylor, CPA
Auditor of State

February 23, 2010



Mary Taylor, CPA
Auditor of State

FOUNDATION ACADEMY

RICHLAND 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
MARCH 30, 2010