

**THE ETHICAL COMMUNITY CHARTER SCHOOL
AUDITORS MANAGEMENT REPORT
ON ADMINISTRATIVE FINDINGS
FINANCIAL COMPLIANCE AND PERFORMANCE
FOR THE YEAR ENDED JUNE 30, 2022**

**XI. AUDITORS MANAGEMENT REPORT ON ADMINISTRATION FINDINGS
FINANCIAL, COMPLIANCE AND PERFORMANCE**

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REPORT OF INDEPENDENT AUDITORS

The Honorable Chairman and
Members of the Board of Trustees
Ethical Community Charter School
County of Hudson
Jersey City, New Jersey

I have audited, in accordance with generally accepted audit standards and Government Auditing Standards issued by the Comptroller General of the United States, the basic financial statements of the Board of Trustees of the Ethical Community Charter School, in the County of Hudson, for the year ended June 30, 2022 and have issued my report thereon dated March 8, 2023.

As part of my audit, I performed procedures required by the New Jersey Department of Education, and the findings and results thereof are disclosed on the following pages, as listed in the accompanying table of contents.

This report is intended for the information of the Ethical Community Charter School Board of Trustees' management and the New Jersey Department of Education. However, this report is a matter of public record and its distribution is not limited.

Licensed Public School Accountant No. 20CS00206400



Gerald D. Longo
Certified Public Accountant

March 8, 2023

ADMINISTRATIVE FINDINGS – FINANCIAL, COMPLIANCE AND PERFORMANCE

GENERAL COMMENTS

Scope of Audit

The audit covered the financial transactions of the Board Secretary/School Business Administrator and the Treasurer of School Moneys, the activities of the Board of Trustees, and the records of the various funds under the auspices of the Board of Trustees.

Administrative Practices and Procedures

Insurance

Insurance coverage was carried in various amounts as detailed on Exhibit J-20, Insurance Schedule contained in the Charter School's ACFR.

Official Bonds (N.J.S.A. 18A:17-26, 18A:17-32, 18A:13-13)

<u>Position</u>	<u>Amount</u>
Board Secretary/School Business Administrator, Treasurer	\$150,000

P.L.2020,c.44

My audit procedures included an inquiry and subsequent review of health benefit data required per N.J.S.A.18A:16-13.3 (Chapter 44) submitted for the year on audit.

The bill includes a provision that permits charter school employers to not implement Chapter 44 unless they have a collective negotiation agreement with any of their employees in place on or after the law's effective date. The Charter School did not have a collective negotiation agreement in place on June 30, 2022, and therefore, is not required to implement Chapter 44.

Financial Planning, Accounting and Reporting

Examination of Claims

An examination of claims paid during the period under review did not indicate any discrepancies with respect to signatures, certification or supporting documentation.

Payroll Accounts

The net salaries of all employees of the School were deposited in the Payroll Account. Employees payroll deductions and employees share of fringe benefits were deposited in the Payroll Agency Account.

All payrolls were approved by the President of the Board and the Board Secretary/Business Administrator.

Salary withholdings were promptly remitted to the proper agencies, including health benefit withholding due to the general fund.

Payrolls were delivered to the Secretary of the Board who then deposited with warrants in separate bank accounts for net payroll and withholdings.

Reserve for Encumbrances and Accounts Payable

A review of outstanding issued purchase orders was made as of June 30 for proper classification of orders as reserve for encumbrances and accounts payable. No exceptions were noted during my review.

Classification of Expenditures

The coding of expenditures was tested for proper classification in accordance with the *N.J.A.C. 6A:23A-16.2(f)* as part of my test of transactions of randomly selected expenditure items. I also reviewed the coding of all expenditures included in my compliance and single audit testing procedures, if applicable. In addition to randomly selecting a test sample, my sample selection specifically targeted administrative coding classifications to determine overall reliability and compliance with *N.J.A.C. 6A:23A-8.3*. Overall compliance was noted.

a) General Classification Findings

No exceptions or discrepancies were noted in the general classification of expenditures.

b) Administrative Classification Findings

No exceptions or discrepancies were noted in the administrative classification of expenditures.

Board Secretary's Records

In planning and performing my audit of the financial statements of the Charter School, I considered the condition of the Board Secretary's records for the purpose of expressing my opinion on the financial statements and not to provide specific assurance on the condition of the records. Based on these procedures, I have the following comments.

Treasurer's Records

In planning and performing my audit of the financial statements of the Charter School, I considered the condition of the Treasurer's Records for the purpose of expressing my opinion on the financial statements and not to provide specific assurance on the condition of the records. Based on these procedures, I have no comments.

Elementary and Secondary Education Act (E.S.E.A.) as amended by Every Student Succeeds Act (ESSA)

The E.S.E.A. financial exhibits are contained within the Special Revenue Section of the ACFR. This section of the ACFR documents the financial position pertaining to the projects under the various applicable programs of the Elementary and Secondary Education Act as amended and reauthorized.

The study of compliance for E.S.E.A. indicated no areas of non compliance and/or questionable costs.

Other Special Federal and/or State Projects

The school's other Special and/or State Projects were approved as listed on Schedule A and Schedule B located in the ACFR.

My audit of the federal and state funds on a test basis indicated that obligations and expenditures were incurred during the fiscal year or project period for which the project was approved.

The financial exhibits are contained within the Special Revenue Section of the ACFR. This section of the ACFR documents the financial position pertaining to the aforementioned special projects.

The study of compliance for the special projects indicated no areas of non compliance except for the following:

Finding #2022-001

Time and activity reports of employees charged to the Educational Stabilization Fund during the year were not available as required by Uniform Guidance 2 C.F.R.200.302.

Recommendation

The charter school should ensure that federally funded employee salaries have a completed semi-annual or monthly time and activity certification in accordance with Uniform Guidance C.F.R.200.302. In addition, the reports must be signed by the employee and a supervisory official.

Management Response

The charter school is implementing procedures to ensure that moving forward all federally funded positions will complete the required paperwork.

T.P.A.F. Reimbursement

My audit procedures included a test of the biweekly reimbursements filed with the Department of Education for the Ethical Community Charter School employees who are members of the Teachers Pension and Annuity Fund. No exceptions were noted.

T.P.A.F. Reimbursement to the State for Federal Salary Expenditures

For the fiscal year ended June 30, 2022, the Charter School did not have any TPAF/FICA payments made by the State on-behalf of the Charter School for any employees whose salaries are identified as being paid from federal funds.

School Purchasing Programs

Contracts and Agreements Requiring Advertisement for Bids

N.J.S.A. 18A:18A-1 et seq. (Public School Contracts Law), the associated rules and related information on the statute, and school contracts in general is available on the NJ Local Agency Procurement Laws webpage: <https://www.state.nj.us/dca/divisions/dlgs/programs/lpcl.html>.

Current statute is posted on the New Jersey Legislature (<http://www.njleg.state.nj.us/>) website.

The bid thresholds in accordance with N.J.S.A. 18A:18A-2 and 18A:18A-3(a) are \$44,000 (with a Qualified Purchasing Agent) and \$32,000 (without a Qualified Purchasing Agent), respectively. The law regulating bidding for public school student transportation contracts under N.J.S.A. 18A:39-3 is \$20,200 for 2021-22.

N.J.S.A. 18A:18A-4 states, "Every contract for the provision or performance of any goods or services, the cost of which in the aggregate exceeds the bid threshold, shall be awarded only by resolution of the Charter School to the lowest responsible bidder after public advertising for bids and bidding therefor, except as is provided otherwise in this chapter or specifically by any other law.

The Charter School has the responsibility of determining whether the expenditures in any category will exceed the statutory thresholds within the fiscal year. Where question arises as to whether any contract or agreement might result in violation of the statute, the solicitor's opinion should be sought before a commitment is made.

Inasmuch as the system of records did not provide for an accumulation of payments for categories for the performance of any work or the furnishing or hiring of any materials or supplies; the results of such an accumulation could not reasonably be ascertained. Disbursements were reviewed, however, to determine whether any clear-cut violations existed.

The results of my examination indicated that no individual payments, contracts or agreements were made "for the performance of any work or the furnishing or hiring of any materials or supplies," in excess of the statutory thresholds where there had been no advertising for bids in accordance with the provisions of N.J.S.A. 18A:18A-4, amended.

Resolutions were adopted authorizing the awarding of contracts or agreements for "Professional Services" per N.J.S.A. 18A:18A-5.

The system of records did not provide for an accumulation of purchases for which the Charter School used contracts entered into by the State Department of Purchase and Property pursuant to Ch. 114, P.L. 1977, therefore, the extent of such purchases could not reasonably be ascertained. My audit did reveal however, that the Charter School did make purchases under State contracts and cooperative purchasing agreements.

SCHOOL FOOD SERVICE

Public Health Emergency

In accordance with the Governor's Declaration of Emergency pertaining to the public health emergency all Public, Charter, Non-Public schools were ordered to close effective as of March 18, 2020 for an undetermined period to limit the spread of the virus. As a result, School Food Authorities (SFA) were required to institute alternate procedures to provide meals to eligible students during the period of school closures. Governor Murphy's emergency declaration ended June 4, 2021; however, the United States Department of Agriculture's federal waiver continued through June 30, 2022. Food Service Agencies operated under this federal waiver.

As a result, School Food Authorities (SFAs) were required to provide meals in accordance with the regulations governing the National School Nutrition Seamless Summer Option (SSO). SFAs could also choose to participate in the National School Lunch Program utilizing standard counting and claiming practices.

SFAs were authorized to solicit and award emergency noncompetitive procurements and contracts with Food Service Management Companies in accordance with 2 CFR 200.320 and N.J.S.A.18A:18A-7. The SFAs were also authorized to submit contract modifications to their existing Cost Reimbursable or Fixed Price contracts as necessary to ensure the feeding of all children throughout the age of 18, as well as persons over 18 with disabilities as defined in the regulations.

SFAs were notified of the requirement to maintain and report separate meal count records and financial records of all applicable costs incurred in providing meals to all students during the emergency.

The school food service program was not selected as a major federal and/or State program. However, the program expenditures exceeded \$100,000 in federal and/or State support. Accordingly, I inquired of school management, or appropriate school food service personnel, as to whether the School Food Authority (SFA) had any Child Nutrition Program reimbursement overclaims or underclaims. Exceptions were not noted.

I also inquired of school management, or appropriate school food service personnel, as to whether the SFA's expenditures of school food service revenues were limited to allowable direct and indirect costs. Exceptions were not noted.

The SFA did undergo a School Nutrition Program Procurement Review and there were several minor recommendations. The Charter School's Corrective Action Plan was approved and corrective actions were implemented at the time of this report.

Finding #2022-002

The charter school was unable to have two months of reimbursement claims certified in a timely manner and reimbursed during the period it was implementing the corrective action plan from the School Nutrition Program Procurement Review.

Recommendation

It is recommended that the charter school submit its reimbursement claim requests in a timely manner.

Management Response

Corrective actions from the review have been implemented and management has in place procedures to submit reimbursement claims in timely manner at the time of this report.

Non-program foods were not purchased, prepared, sold, or offered for sale.

Net cash resources did not exceed three months average expenditures.

The SFA did not submit a Non-competitive Emergency Procurement contract due to the public health emergency pandemic.

I inquired of management about the public health emergency procedures that the charter school instituted to provide meals to all students, maintenance of all applicable production records; meal counts; noncompetitive procurements; modification of existing contracts and applicable financial records. Exceptions were not noted.

The SFA does utilize a food service management company (FSMC). The FSMC did not receive a loan in accordance with the Payroll Protection Plan.

Enrollment Counts and Submissions to the Department

My audit procedures included a test for information reported on October 15, 2021, and the last day of school for on-roll, special education, bilingual and low-income. No exceptions were noted.

The Charter School maintained work papers on the prescribed state forms or their equivalent. In addition, the Charter School maintained written procedures that appear to be adequate for the recording of student enrollment data.

Facilities and Capital Assets

A review of the capital assets were performed and no exceptions were noted.

Student Body Activities

Student activities during the fiscal year ended June 30, 2022 were reviewed. No exceptions were noted.

Testing for Lead of All Drinking Water in Educational Facilities

The Charter School adhered to all the requirements of N.J.A.C. 26-1.2 and 12.4 related to the testing for lead of all drinking water in educational facilities.

The Charter School submitted the annual Statement of Assurance to the Department of Education, pursuant to N.J.A.C. 6A:26-12.4(g)

Follow-up on Prior Year Findings

A review of prior year findings noted that findings had been corrected.

ACKNOWLEDGEMENT

I received the complete cooperation of all the officials of the school and I greatly appreciate the courtesies extended to me.

Respectfully submitted,

A handwritten signature in black ink, reading "Gerald D. Longo". The signature is written in a cursive style with a large initial "G" and "L".

Gerald D. Longo
Certified Public Accountant
Licensed Public School Accountant No. 20CS00206400

The Ethical Community Charter School
 APPLICATION FOR CHARTER SCHOOL AID
 ENROLLMENT COUNT AS OF OCTOBER 15, 2021

Grades	<u>1</u>		<u>2</u>		<u>2a</u>		<u>2b</u>		<u>2c</u>		<u>3</u>			<u>3a</u>		<u>3b</u>		<u>4</u>		<u>4a</u>	
	Submission to DOE reported On Roll	Reported on workpapers	Errors	50% Verification required 10/15/21	Verified signed registration forms	Errors	Verified # days enrolled	Errors	to DOE Reported Special Ed/ Bilingual	Verified documentation	Errors	Verified # days Service Provided	Errors	Low Income	Verified documentation	Errors					
Pre Kindergarten																					
Kindergarten	44	22	0	22	22	0	22	0	1	1	0	1	0	9	9	0					
One	43	22	0	22	22	0	22	0	2	2	0	2	0	9	9	0					
Two	44	22	0	22	22	0	22	0	2	2	0	2	0	11	11	0					
Three	35	18	0	18	18	0	18	0	2	2	0	2	0	10	10	0					
Four	43	22	0	22	22	0	22	0	4	4	0	4	0	15	15	0					
Five	41	21	0	21	21	0	21	0	1	1	0	1	0	13	13	0					
Six	37	19	0	19	19	0	19	0	1	1	0	1	0	11	11	0					
Seven	33	17	0	17	17	0	17	0	4	4	0	4	0	8	8	0					
Eight	44	22	0	22	22	0	22	0	4	4	0	4	0	10	10	0					
Nine																					
Ten																					
Eleven																					
Twelve																					
Total	364	185	0	185	185	0	185	0	21	21	0	21	0	96	96	0					
Percentage			0.0%			0%		0%			0%		0%			0%					

The Ethical Community Charter School
 APPLICATION FOR CHARTER SCHOOL AID
 ENROLLMENT COUNT AS OF THE LAST DAY OF SCHOOL

<u>1</u>		<u>2</u>		<u>2a</u>		<u>2b</u>		<u>2c</u>		<u>3</u>		<u>3a</u>		<u>3b</u>		<u>4</u>		<u>4a</u>	
Grades	Submission to DOE reported On Roll	Reported on workpapers Errors		50% Verification required 6/30/22	Verified signed registration forms	Errors	Verified # days enrolled	Errors	Submission to DOE Reported Special Ed/ Bilingual	Verified documentation	Errors	Verified # days Service Provided	Errors	Low Income	Verified documentation	Errors			
	Pre Kindergarten	44	22	0	22	22	0	22	0	1	1	0	1	0	8	8	0		
Kindergarten	43	21	0	21	21	0	21	0	2	2	0	2	0	8	8	0			
One	44	22	0	22	22	0	22	0	1	1	0	1	0	10	10	0			
Two	35	17	0	17	17	0	17	0	2	2	0	2	0	9	9	0			
Three	43	21	0	21	21	0	21	0	4	4	0	4	0	14	14	0			
Four	41	20	0	20	20	0	20	0	1	1	0	1	0	12	12	0			
Five	37	18	0	18	18	0	18	0	1	1	0	1	0	11	11	0			
Six	33	16	0	16	16	0	16	0	4	4	0	4	0	7	7	0			
Seven	44	22	0	22	22	0	22	0	3	3	0	3	0	10	10	0			
Eight																			
Nine																			
Ten																			
Eleven																			
Twelve																			
Total	364	179	0	179	179	0	179	0	19	19	0	19	0	89	89	0			
Percentage			0.0%			0%		0%			0%		0%			0%			

**ETHICAL COMMUNITY CHARTER SCHOOL
NET CASH RESOURCE SCHEDULE
Net cash resources did/did not exceed three months of expenditures
Proprietary Funds - Food Service
FYE June 30, 2022**

NOT APPLICABLE

**THE ETHICAL COMMUNITY CHARTER SCHOOL
AUDIT SYNOPSIS RECOMMENDATIONS
FOR THE FISCAL YEAR ENDED JUNE 30, 2022**

It is recommended that:

1. Administrative Practices and Procedures

NONE

2. Financial Planning, Accounting and Reporting

Finding #2022-001

Time and activity reports of employees charged to the Educational Stabilization Fund during the year were not available as required by Uniform Guidance 2 C.F.R.200.302.

Recommendation

The charter school should ensure that federally funded employee salaries have a completed semi-annual or monthly time and activity certification in accordance with Uniform Guidance C.F.R.200.302. In addition, the reports must be signed by the employee and a supervisory official.

3. School Purchasing Program

NONE

4. School Food Service

Finding #2022-002

The charter school was unable to have two months of reimbursement claims certified in a timely manner and reimbursed during the period it was implementing the corrective action plan from the School Nutrition Program Procurement Review.

Recommendation

It is recommended that the charter school submit its reimbursement claim requests in a timely manner.

5. Student Body Activities

NONE

6. Charter School Enrollment System

NONE

7. Facilities and Capital Assets

NONE

8. Miscellaneous

NONE

9. Status of Prior Year's Findings Recommendations

A review of prior year findings noted that findings had been corrected.