

**CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
CUYAHOGA COUNTY, OHIO**

REGULAR AUDIT

FOR THE YEAR ENDED JUNE 30, 2009



Mary Taylor, CPA
Auditor of State

Board of Trustees
Constellation Schools: Old Brooklyn Community Elementary
5983 West 54th Street
Parma, Ohio 44129

We have reviewed the *Independent Auditor's Report* of the Constellation Schools: Old Brooklyn Community Elementary, Cuyahoga County, prepared by Rea & Associates, Inc., for the audit period July 1, 2008 through June 30, 2009. Based upon this review, we have accepted these reports in lieu of the audit required by Section 117.11, Revised Code. The Auditor of State did not audit the accompanying financial statements and, accordingly, we are unable to express, and do not express an opinion on them.

Our review was made in reference to the applicable sections of legislative criteria, as reflected by the Ohio Constitution, and the Revised Code, policies, procedures and guidelines of the Auditor of State, regulations and grant requirements. The Constellation Schools: Old Brooklyn Community Elementary is responsible for compliance with these laws and regulations.

Mary Taylor

Mary Taylor, CPA
Auditor of State

December 15, 2009

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**CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
CUYAHOGA COUNTY**

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Rea & Associates, Inc.

ACCOUNTANTS AND BUSINESS CONSULTANTS

Focused on Your Future.

November 25, 2009

The Board of Trustees
Constellation Schools: Old Brooklyn Community Elementary
4430 State Road
Cleveland, Ohio 44109

INDEPENDENT AUDITOR'S REPORT

We have audited the accompanying financial statements of the Constellation Schools: Old Brooklyn Community Elementary (the School), as of and for the year ended June 30, 2009, which collectively comprise the School's basic financial statements as listed in the table of contents. These financial statements are the responsibility of the School's management. Our responsibility is to express an opinion on these financial statements based on our audit.

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 respective financial position of Constellation Schools: Old Brooklyn Community Elementary, as of June 30, 2009, and the respective changes in financial position and cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated November 25, 2009 on our consideration of the School's internal control over financial reporting and our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and should be considered in assessing the results of our audit.

The Management's Discussion and Analysis on pages 3 through 7 are not a required part of the basic financial statements but is supplementary information required by the Governmental Accounting Standards Board. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the required supplementary information. However, we did not audit the information and express no opinion on it.

Rea & Associates, Inc.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY

Management's Discussion and Analysis

For the Year Ended June 30, 2009

The discussion and analysis of Constellation Schools: Old Brooklyn Community Elementary (OBCE) financial performance provides an overall review of financial activities for the fiscal year ended June 30, 2009. The intent of this discussion and analysis is to look at the financial performance of OBCE as a whole. Readers should also review the Notes to the Financial Statements and the Financial Statements to enhance their understanding of the financial performance of OBCE.

Financial Highlights

Key financial highlights for 2009 include the following:

- In total, net assets decreased \$258,531, which represents a 21.6% decrease from 2008. This is due primarily to increased debt service related to bonds issued for the refinance and construction of an addition to the land and building occupied by OBCE, and the purchase of additional classroom supplies, textbooks, furniture and equipment due to the opening of three new classrooms for the year. Also, enrollment for the new classrooms was below the normal classroom size for the school.
- Total assets decreased \$266,915, which represents a 2.9% decrease from 2008. This is due mainly to the use of capitalized interest and payment of bond fees from the bond fund and increased depreciation and amortization charges.
- Liabilities decreased \$8,384, which represents a 0.1% decrease from 2008. Slight reductions in vendor payables, deferred revenue, bond fees payable and payroll payables occurred during the year.
- Operating revenues increased by \$408,201, which represents a 25.0% increase from 2008. This increase is a result additional enrollment due to the addition of three new classrooms to the school.
- Expenses increased by \$623,853 which represents a 32.4% increase from 2008. Operating expense increases are due to the increase in enrollment, placing the new building in service and expending a full year of bond interest rather than ½ year for 2008.
- Non-operating revenues increased by \$10,090, which represents a 4.2% increase from 2008. This is due to increased federal grants for the increased enrollment which has been partially offset by more than a \$30,000 reduction in interest earnings.

Using this Financial Report

This report consists of three parts, Management's Discussion and Analysis, the Financial Statements and the Notes to the Financial Statements. The Financial Statements include a Statement of Net Assets, a Statement of Revenues, Expenses and Changes in Net Assets and a Statement of Cash Flows.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY

Management's Discussion and Analysis

For the Year Ended June 30, 2009

Statement of Net Assets

The Statement of Net Assets looks at how well OBCE has performed financially through June 30, 2009. This statement includes all of the assets, liabilities and net assets using the accrual basis of accounting, which is the accounting method used by most private-sector companies. This basis of accounting takes into account all revenues earned and expenses incurred during the year, regardless as to when the cash is received or expended. The following schedule provides a summary Statement of Net Assets for fiscal years ended June 30, 2009 and 2008 for OBCE.

	<u>2009</u>	<u>2008</u>
Assets		
Cash	\$418,297	\$419,408
Other Current Assets	780,668	4,292,752
Non-Current Assets	1,844,707	1,824,113
Capital Assets	<u>6,012,734</u>	<u>2,787,048</u>
Total Assets	<u>9,056,406</u>	<u>9,323,321</u>
Liabilities		
Current Liabilities	341,143	349,527
Long-Term Liabilities	<u>7,775,000</u>	<u>7,775,000</u>
Total Liabilities	<u>8,116,143</u>	<u>8,124,527</u>
Net Assets		
Investment in capital assets, net of related debt	687,880	788,178
Restricted for Debt Purposes, net of related debt	162,727	293,886
Unrestricted	<u>89,656</u>	<u>116,730</u>
Total Net Assets	<u><u>\$940,263</u></u>	<u><u>\$1,198,794</u></u>

Net Assets decreased \$258,531, due primarily to increased bond financing debt service, purchase of materials and equipment to set up new classrooms and slight under-enrollment in the new classes. For assets, cash decreased \$1,111; bond escrow accounts (used for construction and debt service) decreased \$3,477,737; due from other governments decreased \$1,359; accounts receivable decreased \$32,988, bond reserve accounts increased \$38,599; deferred charges decreased \$18,005 and net capital assets increased \$3,225,686 from 2008. For liabilities, accounts payable decreased \$3,430; accrued wages and benefits decreased \$4,849 and; deferred revenues decreased \$105 from 2008.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY

Management's Discussion and Analysis

For the Year Ended June 30, 2009

Statement of Revenues, Expenses and Changes in Net Assets

The Statement of Revenues, Expenses and Changes in Net Assets reports operating and non-operating activities for the fiscal year ended June 30, 2009. The following schedule provides a summary of the Statement of Revenues, Expenses and Changes in Net Assets for OBCE for fiscal years ended June 30, 2009 and 2008.

	<u>2009</u>	<u>2008</u>
Revenues		
Foundation and Poverty Based Assistance Revenues	\$1,784,936	\$1,370,290
Other Operating Revenues	254,578	261,023
Total Operating Revenues	<u>2,039,514</u>	<u>1,631,313</u>
Interest Income	17,365	48,710
Federal and State Grants	234,569	193,465
Private Grants and Contributions	487	156
Total Non-Operating Revenues	<u>252,421</u>	<u>242,331</u>
Total Revenues	<u>2,291,935</u>	<u>1,873,644</u>
Expenses		
Salaries	808,768	714,171
Fringe Benefits	227,525	200,896
Purchased Services	611,521	514,802
Materials and Supplies	156,084	107,987
Capital Outlay	28,634	10,647
Depreciation and Amortization	134,460	85,146
Other Expenses	583,474	292,964
Total Expenses	<u>2,550,466</u>	<u>1,926,613</u>
Net Income/(Loss)	<u>(258,531)</u>	<u>(52,969)</u>
Net Assets at Beginning of the Year	<u>1,198,794</u>	<u>1,251,763</u>
Net Assets at End of Year	<u>\$940,263</u>	<u>\$1,198,794</u>

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY

Management's Discussion and Analysis

For the Year Ended June 30, 2009

Net Assets decreased in both fiscal years 2009 and 2008. This is due to the increased use of bond escrow funds for debt service related to bond financing for a building addition in 2008. Increased enrollment also required the purchase of additional classroom furniture, equipment and curriculum. Certain expenditures such as salaries will increase or decrease as the number of classes increase and decrease while other costs, such as facilities, once obligated remain fixed and will result in more efficient financial operations over time.

The most significant change in revenues from 2008 to 2009 is an increase in State Foundation funding due a significant increase in enrollment plus annual base increases by the state of Ohio. Other Operating Revenue increased due to rent increases and services provided to the middle school. Federal and State Grants increased due to the enrollment increase. Interest income decreased \$31,345 or 64.4% from 2008 due to cash reductions in bond escrow accounts and the significant reductions in earnings rates in investment markets.

All categories of expense increased from 2008 to 2009. This is a direct result of increased enrollment, normal annual increases in operating costs plus increased debt service due to bond financing. Salaries and Fringe Benefits increased \$121,226; Purchased Services increased \$96,740; Materials and Supplies increased \$48,097; Capital Outlay increased \$17,987 and depreciation and amortization increased \$49,314. All of these increases are related to the enrollment increase from the prior year. Other Expenses increased \$290,510 primarily due to bond issue debt service and fees.

Capital Assets

As of June 30, 2009, OBCE had \$6,012,734 invested in land, building, building improvements, computers and technology and furniture and equipment, net of depreciation. This is a \$3,225,686 increase over June 30, 2008.

The following schedule provides a summary of Fixed Assets as of June 30, 2009 and 2008 for OBCE.

	<u>2009</u>	<u>2008</u>
Capital Assets (net of depreciation)		
Land	\$80,800	\$80,800
Construction in Progress	0	1,514,279
Building	777,739	801,013
Building Improvements	5,110,361	347,356
Computers and Technology	8,770	2,065
Furniture and Equipment	<u>35,064</u>	<u>41,535</u>
Net Capital Assets	<u><u>\$6,012,734</u></u>	<u><u>\$2,787,048</u></u>

For more information on capital assets see the Notes to the Financial Statements.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY

Management's Discussion and Analysis

For the Year Ended June 30, 2009

Debt Service

On November 12, 2002, OBCE purchased the land and building in which it operates. Financing of the purchase was accomplished through two mortgages. The first mortgage was held by US Bank National Association and the second mortgage was held by G & W Properties.

On January 23, 2008, OBCE refinanced the land and building in which it operates. Additional funds were borrowed to facilitate construction of an addition to meet enrollment demand for the school. Financing of the purchase was accomplished through bonds issued by The Industrial Development Authority of the County of Pima (IDA) as part of a multi-school, multi-property project. Under terms of the bond financing IDA obtained title to the property occupied by OBCE. IDA secured a mortgage on the land, building and improvements from Wells Fargo Bank, National Association. Financing was achieved through the issuance of a series of bonds maturing annually beginning on January 1, 2012 and continuing until January 1, 2038. Interest is at the rate of 6.375% per annum for the bonds maturing between 2012 and 2019 and at a rate of 7.00% per annum for the bonds maturing after 2019. The outstanding principal balance as of June 30, 2009 is \$7,775,000. During August 2008 the mortgage was transferred from Wells Fargo Bank, National Association to US Bank, National Association. For more information on debt service see the Notes to the Financial Statements.

Current Financial Issues

OBCE opened in the fall of 1998 as one of the first community schools in the State of Ohio. The school has grown from 30 students, two teaching staff members and expenses of \$181,928 to a total of 245 students, 25 teaching staff members and expenses of \$2,550,466. On March 1, 2006, grades 5 through 8 were split off to form Old Brooklyn Community Middle School. This is providing more flexibility in the curriculum for each student. During this time we purchased our own educational facility and have constructed a substantial addition to accommodate increasing enrollment and allow both schools to cohabit the same property.

During the past year as the nation has experienced a major economic downturn, the Board of Directors, school management and school staff have worked diligently to ensure that the school maintains the high level of educational services and financial integrity that we have always provided. Our goal is to provide a strong educational product for our students and families and to maintain the reputation we have developed during our previous years.

Contacting the School's Financial Management

This financial report is designed to provide our constituents with a general overview of the finances for OBCE and to show accountability for the monies it receives. If you have any questions about this report or need additional information please contact Treasurer/CFO Thomas F. Babb, CPA, by mail at Constellation Schools LLC, 5983 West 54th Street, Parma, Ohio 44129; by e-mail at babb.thomas@constellationschools.com; by calling 440.845.4200; or by faxing 440.845.4201.

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Constellation Schools: Old Brooklyn Community Elementary
Cuyahoga County
Statement of Net Assets
As of June 30, 2009

Assets:

Current Assets:

Cash	\$418,297
Escrow Accounts	768,166
Due from Other Governments	10,182
Accounts Receivable	2,320
<i>Total Current Assets</i>	1,198,965

Non-Current Assets:

Bond Reserve Accounts	1,230,506
Deferred Charges	614,201
Non-Depreciable Capital Assets	80,800
Capital Assets (Net of Accumulated Depreciation)	5,931,934
<i>Total Non-Current Assets</i>	7,857,441

<i>Total Assets</i>	9,056,406
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Liabilities:

Current Liabilities:

Accounts Payable	57,962
Interest Payable	269,206
Deferred Revenue	13,975
<i>Total Current Liabilities</i>	341,143

Long Term Liabilities:

Capital Lease Bond Notes Payable	7,775,000
<i>Total Liabilities</i>	8,116,143

Net Assets:

Investment in capital assets, net of related debt	687,880
Restricted for Debt Purposes, net of related debt	162,727
Unrestricted	89,656
<i>Total Net Assets</i>	\$940,263

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

**Constellation Schools: Old Brooklyn Community Elementary
Cuyahoga County
Statement of Revenues, Expenses and
Changes in Net Assets
For the Fiscal Year Ended June 30, 2009**

Operating Revenues:

Foundation and Poverty Based Assistance Revenues	\$1,784,936
Other Operating Revenues	<u>254,578</u>
<i>Total Operating Revenues</i>	<u>2,039,514</u>

Operating Expenses:

Salaries	808,768
Fringe Benefits	227,525
Purchased Services	611,521
Materials and Supplies	156,084
Capital Outlay	28,634
Depreciation and Amortization	134,460
Other Operating Expenses	<u>45,062</u>
<i>Total Operating Expenses</i>	<u>2,012,054</u>

Operating Income	<u>27,460</u>
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Non-Operating Revenues & Expenses:

Interest Income	17,365
Interest Expense	(538,412)
Federal and State Grants	234,569
Private Grants and Contributions	<u>487</u>
<i>Total Non-Operating Revenues & Expenses</i>	<u>(285,991)</u>

Net Loss	<u>(258,531)</u>
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Net Assets at Beginning of the Year	<u>1,198,794</u>
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Net Assets at End of Year	<u>\$940,263</u>
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The accompanying notes to the financial statements are an integral part of this statement.

**Constellation Schools: Old Brooklyn Community Elementary
Cuyahoga County
Statement of Cash Flows
For the Fiscal Year Ended June 30, 2009**

Increase (Decrease) in Cash:

Cash Flows from Operating Activities:

Cash Received from State of Ohio	\$1,784,936
Cash Payments to Suppliers for Goods and Services	(1,072,904)
Cash Payments to Employees for Services	(812,968)
Other Operating Revenues	287,461
Net Cash Provided by Operating Activities	<u>186,525</u>

Cash Flows from Noncapital Financing Activities:

Private Grants and Contributions Received	487
Federal and State Grants Received	235,928
Net Cash Provided by Noncapital Financing Activities	<u>236,415</u>

Cash Flows from Capital and Related Financing Activities:

Payments for Capital Acquisitions	(3,342,141)
Decrease in Escrow Funds	3,477,736
Increase in Bond Reserve Accounts	(38,599)
Bond Interest Payments	(538,412)
Net Cash Used for Capital and Related Financing Activities	<u>(441,416)</u>

Cash Flows from Investing Activities:

Interest	17,365
Net Cash Provided by Investing Activities	<u>17,365</u>

Net Decrease in Cash	(1,111)
Cash at Beginning of Year	<u>419,408</u>
Cash at End of Year	<u><u>\$418,297</u></u>

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

**Constellation Schools: Old Brooklyn Community Elementary
Cuyahoga County
Statement of Cash Flows
For the Fiscal Year Ended June 30, 2009
(Continued)**

**Reconciliation of Operating Income to Net
Cash Provided by Operating Activities:**

Operating Income	\$27,460
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**Adjustments to Reconcile Operating Income to
Net Cash Provided by Operating Activities:**

Depreciation and Amortization	134,460
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Changes in Assets and Liabilities:

Decrease in Accounts Receivable	32,988
(Decrease) in Accounts Payable	(3,429)
(Decrease) in Accrued Wages and Benefits	(4,849)
(Decrease) in Deferred Revenue	(105)

Total Adjustments	159,065
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Net Cash Provided by Operating Activities	\$186,525
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The accompanying notes to the financial statements are an integral part of this statement.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
- A Community School -
Cuyahoga County

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

I. Description of the School and Reporting Entity

Constellation Schools: Old Brooklyn Community Elementary (OBCE), known previously as Old Brooklyn Montessori School (OBMS) and Old Brooklyn Community School, is a nonprofit corporation established on February 3, 1997 pursuant to Ohio Revised Code Chapters 3314 and 1702 to maintain and provide a school exclusively for any educational, literary, scientific and related teaching service that qualifies as an exempt organization under § 501(c)(3) of the Internal Revenue Code. On December 19, 1997, OBCE (under the name Archwood Montessori School) received a determination letter confirming tax-exempt status with the Internal Revenue Service under section 501(c)(3) of the Internal Revenue Code. Management is not aware of any course of action or series of events that have occurred that might adversely affect the tax-exempt status of OBCE. OBCE, which is part of Ohio's education program, is independent of any school district. OBCE may sue and be sued, acquire facilities as needed, and contract for any services necessary for the operation of OBCE.

OBCE (as OBMS) was approved for operation under a contract between the Governing Authority of OBCE (as OBMS) and the Ohio Department of Education (the Sponsor) for a period of five years commencing in the fall of 1998. The contract was renewed in 2003 for a two-year period commencing July 1, 2003. On October 16, 2003 OBCE (as OBMS) entered into a contract with Lucas County Educational Service Center (LCESC) to have LCESC replace the Ohio Department of Education as their sponsor. On June 12, 2006, the name of the school was changed to Old Brooklyn Community School. The contract with LCESC was renewed effective November 2, 2006. Under the terms of the contract LCESC will provide sponsorship services for a fee. See Note XIII for further discussion of the sponsor services. OBCE entered into an agreement with Constellation Schools (CS) to provide management services for the fiscal year. See Note XIII for further discussion of this management agreement. On March 27, 2007 the school name was changed to Constellation Schools: Old Brooklyn Community Elementary.

OBCE operates under 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 qualification of teachers. The Board of Directors controls the instructional facility for OBCE, which is staffed by twenty-five certificated full time teaching personnel who provide services to 245 students. During 2009, the board members for OBCE also serve as the board for Constellation Schools: Old Brooklyn Community Middle.

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
- A Community School -
Cuyahoga County

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

II. Summary of Significant Accounting Policies

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

1. Basis of Presentation

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

2. Measurement Focus and 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 Statement of Net Assets. Operating statements present increases (e.g., revenues) and decreases (e.g., expenses) in net total assets.

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. OBCE prepares financial statements using the accrual basis of accounting. Revenues resulting from exchange transactions, in which each party gives and receives essentially equal value, is recorded when the exchange takes place. Revenues resulting from non-exchange transactions, in which OBCE receives value without directly giving equal value in return, such as grants and entitlements, are recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
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NOTES TO THE FINANCIAL STATEMENTS
FOR THE YEAR ENDED JUNE 30, 2009

requirements include timing requirements, which specify the fiscal year when the resources are required to be used or the fiscal year when the use is first permitted; matching requirements, in which OBCE must provide local resources to be used for a specified purpose; and expenditure requirements, in which resources are provided to OBCE on a reimbursement basis. Expenses are recognized at the time they are incurred.

3. Cash

All monies received by OBCE are deposited in demand deposit accounts.

4. Budgetary Process

Pursuant to Ohio Revised Code Chapter 5705.391 OBCE prepares and adopts an annual budget which includes estimated revenues and expenditures for the fiscal year and a five year forecast of revenues and expenditures. OBCE will from time to time adopt budget revisions as necessary.

5. Due From Other Governments and Accounts Receivable

Monies due OBCE for the year ended June 30, 2009 are recorded as Due From Other Governments and as Accounts Receivable. A current asset for the receivable amount is recorded at the time of the event causing the monies to be due.

6. Capital Assets and Depreciation

Capital assets are capitalized at cost and updated for additions and retirements during the year. Donated fixed assets are recorded at their fair market values as of the dates received. All items with a useful life of one year or greater and a value of \$500 or more 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.

All capital assets are depreciated except for land. Depreciation of buildings, building improvements, computers, technology and furniture and equipment is computed using the straight line method over their estimated useful lives. Improvements to fixed assets are depreciated over the remaining useful lives of the related fixed assets or less. Estimated useful lives are as follows:

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- A Community School -
Cuyahoga County

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

Capital Asset Classification	Years
Building	40
Building Improvements	10 to 40
Computers and Technology	3
Furniture and Equipment	10

7. Intergovernmental Revenues

OBCE currently participates in the State Foundation Program and the State Poverty Based Assistance Program.. Revenues received from these programs are recognized as operating revenues in the accounting period in which all eligibility requirements have been met. OBCE also participates in Federal Entitlement Programs, the Federal Lunch Reimbursement Program and various State Grant Programs. State and Federal Grants and Entitlements are recognized as non-operating revenues in the accounting period in which all eligibility requirements have been met. Amounts awarded under the above named programs for the 2009 school year totaled \$2,019,505.

8. Private Grants and Contributions

OBCE received grants and contributions from private sources to support the schools programs. Private grants and contributions are recognized as non-operating revenues in the accounting period in which they are received. Amounts received for the 2009 school year totaled \$487.

9. Compensated Absences

Vacation is taken in a manner which corresponds with the school calendar; therefore, OBCE does not accrue vacation time as a liability.

Sick leave benefits are earned at the rate of one and one-quarter day per month and can be accrued up to a maximum of one hundred twenty days. OBCE will accept the transfer of sick days from another school district up to the maximum accrual amount. No financial accrual for sick time is made since unused sick time is not paid to employees upon employment termination.

10. Use of Estimates

The preparation of financial statements in conformity with generally accepted accounting principles requires management to make estimates and assumptions

CONSTELLATION SCHOOLS: OLD BROOKLYN COMMUNITY ELEMENTARY
- A Community School -
Cuyahoga County

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

that affect the amounts reported in the financial statements and accompanying notes. Actual results may differ from these estimates.

11. Deferred Revenue

Deferred revenue arises when assets are recognized before revenue recognition criteria have been satisfied. The deferred revenue for OBCE consists of materials fees received in the current year which pertains to the next school year.

12. Deferred Charges

Deferred charges have been recorded on the Statement of Net Assets to recognize financing fees related to the bond financing arrangement discussed in note VII. These charges are amortized over the term of the bonds using the straight-line method, which approximates the effective interest method.

III. Deposits

At fiscal year end June 30, 2009, the carrying amount of OBCE's deposits totaled \$418,297 and its bank balance was \$312,898. Based on the criteria described in GASB Statement No. 40, "Deposit and Investment Risk Disclosure," as of June 30, 2009, \$62,898 of OBCE's bank balance was exposed to custodial risk as discussed below, while \$250,000 was covered by the Federal Depository Insurance Corporation.

Escrow and reserve accounts held in trust on behalf of OBCE and the Industrial Development Authority of the County of Pima, Arizona totaled \$1,998,672 at fiscal year end June 30, 2009. The escrow and reserve accounts are invested in the First American US Treasury Money Market Fund and are 100% backed by the full faith and credit of the United States government.

Custodial credit risk is the risk that in the event of bank failure, OBCE will not be able to recover the deposits. All bank deposits are collateralized with eligible securities in amounts equal to at least 105% of the carrying value of the deposits. Such collateral, as permitted by the Ohio Revised Code, is held in single financial institution collateral pools at the Federal Reserve Banks or at member banks of the federal reserve system, in the name of the respective depository bank and pledged as a pool of collateral against all of the public deposits it holds or as specific collateral held at the Federal Reserve Bank in the name of OBCE.

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

IV. Capital Assets

A summary of capital assets at June 30, 2009 follows:

	Balance 6/30/08	Additions	Deletions	Balance 6/30/09
Capital Assets Not Being Depreciated				
Land	\$80,800	\$0	\$0	\$80,800
Construction in Progress	1,514,279	3,314,248	(4,828,527)	0
Total Capital Assets Not Being Depreciated	1,595,079	3,314,248	(4,828,527)	80,800
Capital Assets Being Depreciated				
Building	930,959	0	0	930,959
Building Improvements	430,103	4,836,707	(31,669)	5,235,141
Computers and Technology	175,076	10,457	(105,880)	79,653
Furniture and Equipment	117,500	5,650	0	123,150
Total Capital Assets Being Depreciated	1,653,638	4,852,814	(137,549)	6,368,903
Less Accumulated Depreciation				
Building	(129,946)	(23,274)	0	(153,220)
Building Improvements	(82,747)	(73,702)	31,669	(124,780)
Computers and Technology	(173,011)	(3,752)	105,880	(70,883)
Furniture and Equipment	(75,965)	(12,121)	0	(88,086)
Total Accumulated Depreciation:	(461,669)	(112,849)	137,549	(436,969)
Capital Assets Being Depreciated, Net of Accumulated Depreciation	1,191,969	4,739,965	0	5,931,934
Total Capital Assets, Net of Accumulated Depreciation	\$2,787,048	\$8,054,213	(\$4,828,527)	\$6,012,734

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V. Purchased Services

Purchased Services include the following:

Instruction	\$66,133
Pupil Support Services	52,313
Staff Development & Support	15,489
Administrative	279,565
Occupancy Costs	128,767
Transportation	1,271
Food Services	65,702
Extracurricular Activities	<u>2,281</u>
Total Purchased Services	<u><u>\$611,521</u></u>

VI. Dawning School Building Purchase

On July 1, 2002, OBCE moved its operations to the former Dawning School located at 4430 State Road, Cleveland, which it purchased on November 12, 2002. The purchase price of \$950,000 and other purchase costs totaling \$61,759 have been capitalized and are being depreciated over a forty year period. All operations of OBCE are located at this site.

In order to finance a multi-million dollar expansion project, OBCE sold the building and land which it occupies to The Industrial Development Authority of the County of Pima (IDA) on January 23, 2008 as part of a bond financing deal. OBCE leases the property from IDA under a capitalized lease arrangement (see Note VII). The original purchase price, other purchase costs and building improvements continue to be recognized as capital assets and are being depreciated over their remaining useful life. Loan fees, previously capitalized under the original mortgage, have been expensed net of accumulated depreciation.

VII. Capital Lease Bond Notes Payable

On January 23, 2008 OBCE closed a multi-school, multi-property bond financing arrangement with the Industrial Development Authority of the County of Pima (IDA). Under terms of the bond agreement IDA acquired the property owned by OBCE for the remaining mortgage balance carried by OBCE at the time. In addition IDA is financing a multi-million dollar building expansion to meet increasing demand for enrollment. The property is leased back to OBCE through annual lease renewals through January 2038.

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IDA secured a mortgage on the land, building and improvements from Wells Fargo Bank, National Association which was transferred to US Bank, National Association in August 2008. Financing was achieved through the issuance of a series of bonds maturing annually beginning on January 1, 2012 and continuing until January 1, 2038. Interest is at the rate of 6.375% per annum for the bonds maturing between 2012 and 2019 and at a rate of 7.00% per annum for the bonds maturing after 2019. The outstanding principal balance as of June 30, 2009 is \$7,775,000 and interest payable due July 1, 2009 is \$269,206. Interest expense during 2009 totaled \$538,412. Changes in the Capital Lease Bond Notes Payable during the year consist of the following:

	<u>6/30/08</u>	<u>Additions</u>	<u>Deletions</u>	<u>6/30/09</u>	<u>Due In One Year</u>
Lease Revenue					
Bonds	<u>\$7,775,000</u>	<u>\$0</u>	<u>\$0</u>	<u>\$7,775,000</u>	<u>\$0</u>

These lease obligations meet the criteria of a capital lease as defined by Financial Accounting Standards Board Statement Number 13, "Accounting for Leases" and has been recorded in the financial statements. Land, Building, Other Purchase Costs, and Building Improvements in existence at the date of the property sale continue to be recognized as capital assets and are being depreciated over their remaining useful life. Construction was completed during the year and Construction in Progress totaling \$4,828,527 was transferred to the building improvements capital account. Bond Issuance costs, finance fees and underwriters discount totaling \$646,527 are recorded as deferred charges and are being amortized over the life of the bonds using the straight-line method. Accumulated amortization as of June 30, 2009 was \$32,326.

The Bond Indenture requires OBCE to meet certain covenants. As of June 30, 2009 OBCE did not meet the required debt service coverage ratio (DSCR) of 1.15 to 1.00, however the debt service coverage ratio did exceed 1.00. Unless waived by the owners of a majority of the principal amount of bonds outstanding, the school will be required to hire a management consultant to make recommendations with respect to increasing revenues, decreasing expenses or other financial matters of the school which are relevant to increasing the DSCR to at least 1.15 to 1.00. The consultant would be required to be retained until the school has achieved a DSCR for at least two consecutive fiscal quarters. A waiver of this required is currently being pursued.

As part of the agreements for the leases, monies were deposited into several escrow accounts with Wells Fargo Bank, N.A. as Bond Trustee and subsequently transferred to US Bank, N.A. Payments for construction and financing activities have been paid from these accounts through June 30, 2009. Lease payments were made by OBCE to cover bond interest and administrative fees and to make deposits into reserve accounts. Funds

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were deposited from initial bond proceeds into an Operating Reserve and a Reserve Fund for future operating and debt service needs. A Supplemental Reserve, to be used for future debt service, is funded by payments of an additional 8% of the base lease payment for the full bond term. Lease payments made during 2009 to fund interest, reserves and bond expenses totaled \$422,132. The balances of escrow and reserve accounts as of June 30, 2009 are as follows:

Project Fund	\$151,310
Bond Fund	602,344
Expense Fund	<u>14,512</u>
Total Bond Escrow Accounts	<u>\$768,166</u>
Reserve Fund	\$775,428
Supplemental Reserve	65,041
Operating Reserve	<u>390,037</u>
Total Bond Reserve Accounts	<u>\$1,230,506</u>

The assets refinanced and acquired through the capital lease as of June 30, 2009 are as follows:

Land	\$80,800
Building	930,959
Building Improvements	5,235,141
Bond Finance Fees	<u>646,527</u>
Sub-Total	6,893,427
Accumulated Depreciation/Amortization	<u>(310,326)</u>
Net Book Value	<u>\$6,583,101</u>

Future minimum lease payments for principal and interest (does not include reserves and management expenses) under the capital lease are as follows:

Year	Principal	Interest	Total
2010	\$0	\$538,412	\$538,412
2011	0	538,412	538,412
2012	93,256	538,412	631,668
2013	99,578	532,467	632,045
2014	105,901	526,118	632,019
2015 - 2019	635,403	2,520,861	3,156,264
2020 - 2024	878,817	2,279,565	3,158,382

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	2025 - 2029	1,231,292	1,926,174	3,157,466
	2030 - 2034	1,727,602	1,430,274	3,157,876
	2035 - 2038	<u>3,003,151</u>	<u>655,778</u>	<u>3,658,929</u>
Total		<u>\$7,775,000</u>	<u>\$11,486,473</u>	<u>\$19,261,473</u>

VIII. Sub Lease

OBCE sub-leases space to Constellation Schools: Old Brooklyn Community Middle (OBCM). Under the terms of the sub-lease OBCM made monthly lease payments of \$11,666.67. OBCE charged OBCM a total of \$140,000 during the year. As of June 30, 2009 all lease payments were collected from OBCM.

IX. Risk Management

1. Property and Liability Insurance

OBCE 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 2009, OBCE contracted with Indiana Insurance Company for all of its' insurance.

General property and liability is covered at \$10,000,000 single occurrence limit and \$11,000,000 aggregated. Hired and Non-Owned Vehicles are covered at \$1,000,000 combined single limit of liability. Other coverage includes Employee Crime, School Leaders Errors & Omissions, Sexual Abuse and Misconduct, Electronic Data Processing and Business Interruption. Settled claims have not exceeded this coverage in any of the past three years, nor has there been any significant reduction in insurance coverage from the prior year.

2. Workers' Compensation

OBCE makes premium payments to the Ohio Worker's Compensation System for employee injury coverage. There have been five claims filed by OBCE employees with the Ohio Worker's Compensation System between January 1, 2003 and June 30, 2009. The total payments made for these claims have been \$4,217. In the opinion of management, these claims will not have a material adverse effect on the overall financial position of OBCE as June 30, 2009.

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3. Employee Medical, Dental, and Life Benefits

OBCE provides medical, dental and life insurance benefits to all full time employees. Employees participate in premium payments through pretax payroll deductions. Total insurance benefits paid by OBCE for the fiscal year is \$81,435.

X. Defined Benefit Pension Plans

1. State Teachers Retirement System

OBCE 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 comprehensive annual financial report that may be obtained by writing to STRS Ohio, 275 E. Broad St., Columbus, Ohio 43215-3371, by calling toll-free 1-888-227-7877, or by visiting the STRS website at www.strsoh.org.

New members have a choice of three retirement plan options. In addition to the Defined Benefit (DB) Plan, new members are offered a Defined Contribution (DC) Plan and a Combined Plan. The DC Plan allows members to allocate all their member contributions and employer contributions equal to 10.5% of earned compensation among various investment choices. The Combined Plan offers features of the DC Plan and the DB Plan. In the Combined Plan, member contributions are allocated to investment choices by the member, and employer contributions are used to fund a defined benefit payment at a reduced level from the regular DB Plan. Contributions into the DC Plan and the Combined Plan are credited to member accounts as employers submit their payroll information to STRS Ohio, generally on a biweekly basis. DC and Combined Plan members will transfer to the DB plan during their fifth year of membership unless they permanently select the DC or Combined Plan.

The DB Plan benefits are established under Chapter 3307 of the Ohio Revised Code. Any member may retire who has (i) five years of service credit and attained age 60; (ii) 25 years of service credit and attained age 55; or (iii) 30 years of service credit regardless of age. The annual retirement allowance, payable for life, is the greater of the "formula benefit" or the "money-purchase benefit" calculation. Under the "formula benefit," the retirement allowance is based on years of credited service and final average salary, which is the average of the members' three highest salary years. The annual allowance is calculated by using a base percentage of 2.2% multiplied by the total number of years of service

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credit (including Ohio-valued purchased credit) times the final average salary. The 31st year of earned Ohio service credit is calculated at 2.5%. An additional one-tenth of a percent is added to the calculation for every year of earned Ohio service over 31 years until 100% of the final average salary is reached. For members with 35 or more years of Ohio contributing service, the first 30 years will be calculated at 2.5% instead of 2.2%. Under the “money-purchase benefit” calculation, a member’s lifetime contributions plus interest at specified rates are matched by an equal amount from other STRS Ohio funds. The total is then divided by an actuarially determined annuity factor to determine the maximum annual retirement allowance. Benefits are increased annually by 3% of the original base amount for DB Plan participants.

DC Plan benefits are established under Sections 3307.80 to 3307.89 of the Ohio Revised Code. For members who select the DC Plan, all member contributions and employer contributions at a rate of 10.5% are placed in an investment account. The member determines how to allocate the member and employer money among various investment choices. 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. Employer contributions into members’ accounts are vested after the first anniversary of the first day of paid service. Members in the DC Plan who become disabled are entitled only to their account balance. If a member dies before retirement benefits begin, the members’ designated beneficiary is entitled to receive the member’s account balance.

Member contributions in the Combined Plan are allocated by the member, and employer contributions are used to fund a defined benefit payment. A members’ defined benefit is determined by multiplying 1% of the members’ final average salary by the members’ years of service credit. The defined portion of the Combined Plan is payable to a member on or after age 60. The defined contribution portion of the account may be taken as a lump sum or converted to a lifetime monthly annuity at age 50.

A retiree of STRS Ohio or another Ohio public retirement system is eligible for reemployment following the elapse of two months from the date of retirement. Contributions are made by the reemployed member and employer during reemployment. Upon termination of reemployment or age 65, whichever comes later, the retiree is eligible for an annuity benefit or equivalent lump-sum payment in addition to the original retirement allowance. A reemployed retiree may alternatively receive a refund of only member contributions with interest before age 65, once employment is terminated.

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The DB and Combined Plan offer access to health coverage to eligible retirees who participated in the plans and their eligible dependents. Coverage under the current program includes hospitalization, physicians' fees, prescription drugs and partial reimbursement of monthly Medicare Part B premiums. By Ohio law, health care benefits are not guaranteed.

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 members who die before retirement may qualify for survivor benefits. A death benefit of \$1,000 is payable to the beneficiary of each deceased retired member who participated in the DB Plan. Death benefit coverage up to \$2,000 can be purchased by participants in the DB, DC or Combined Plans. Various other benefits are available to members' beneficiaries.

Chapter 3307 of the Ohio Revised Code provides statutory authority for member and employer contributions. Contribution rates are established by the State Teachers Retirement Board, upon recommendation of its consulting actuary, not to exceed statutory maximum rates of 10% for members and 14% for employers. Contribution requirements and the contributions actually made for the fiscal year ended June 30, 2008 (the latest year available), were 10% of covered payroll for members and 14% for employers. The amount required to fund pension obligations during the year is 13%.

OBCE's required contributions for pension obligations for the fiscal years ended June 30, 2009, 2008 and 2007 were \$87,358, \$83,532 and \$83,560, respectively; 100% has been contributed for fiscal years 2009, 2008 and 2007. Member and employer contributions actually made for DB, DC and Combined Plan participants will be provided upon written request.

2. School Employees Retirement System

OBCE contributes to the School Employees Retirement System of Ohio (SERS), a cost-sharing, multiple-employer defined benefit pension plan. SERS provides retirement, disability and survivor 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 can be obtained by contacting SERS, 300 E. Broad Street, Suite 100, Columbus, Ohio 43215-3746 or by calling toll free 1-800-878-5853. It is also posted on SERS' website at www.ohsers.org under Employers/Audit Resources.

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Plan members are required to contribute 10% of their annual covered salary and OBCE 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. OBCE's contributions to SERS for the fiscal years ended June 30, 2009, 2008 and 2007 were \$11,820, \$10,027 and \$8,844, respectively; 100% has been contributed for fiscal years 2009, 2008 and 2007.

XI. Post-Employment Benefits Other than Pension Benefits

1. State Teachers Retirement System

Ohio law authorizes STRS Ohio to offer a cost-sharing, multiple employer health care plans. STRS Ohio provides access to health care coverage to eligible retirees who participated in the Defined Benefit or Combined Plans. Coverage under the current program includes hospitalization, physicians' fees, prescription drugs and reimbursement of monthly Medicare Part B premiums.

Pursuant to Section 3307 of the Ohio Revised Code, the Retirement Board has discretionary authority over how much, if any, of the associated health care costs will be absorbed by STRS Ohio. All benefit recipients, for the most recent year, pay a portion of the health care costs in the form of a monthly premium.

Under Ohio law funding for post-employment health care may be deducted from employer contributions. Of the 14% employer contribution rate, 1% of covered payroll was allocated to post-employment health care. The 14% employer contribution rate is the maximum rate established under Ohio law. For the fiscal years ended June 30, 2009, 2008 and 2007 OBCE's contributions to post-employment health care were \$7,237, \$6,425 and \$6,428, respectively; 100% has been contributed for fiscal years 2009, 2008 and 2007.

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2. School Employees Retirement System

In addition to a cost-sharing multiple-employer defined benefit pension plan the School Employees Retirement System of Ohio administers two post-employment benefit plans. The Medicare B Plan reimburses Medicare Part B premiums paid by eligible retirees and beneficiaries as set forth in Ohio Revised Code 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 Part B Fund. For fiscal year 2009 the actuarially required allocation is .75%. For the fiscal years ended June 30, 2009, 2008 and 2007 OBCE contributions to Medicare Part B were \$633, \$487 and \$430, respectively; 100% has been contributed for fiscal years 2009, 2008 and 2007.

Ohio Revised Code 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 Ohio Revised Code provides a statutory authority to fund SERS' postemployment benefits through employee contributions. Active members do not make contributions to the postemployment 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.

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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. For the fiscal years ended June 30, 2009, 2008 and 2007 OBCE contributions to the Health Care Plan, including the surcharge were \$11,627, \$6,083 and \$5,927, respectively; 30.21% has been contributed for fiscal year 2009 and 100% for fiscal years 2008 and 2007. \$8,115 representing the unpaid surcharge due for fiscal year 2009 is recorded as a liability within the respective funds.

XII. Contingencies

1. Grants

OBCE received financial assistance from Federal and State agencies in the form of grants. The disbursement of funds received under these programs 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 OBCE. However, in the opinion of management, any such disallowed claims will not have a material adverse effect on the overall financial position of OBCE at June 30, 2009.

2. Enrollment FTE

The Ohio Department of Education conducts reviews of enrollment and full-time equivalency (FTE) calculations made by the schools. These reviews are conducted to ensure the schools are reporting accurate student enrollment data to the State, upon which state foundation funding is calculated. The conclusions of this review could result in state funding being adjusted. As of the date of this report adjustments to the state funding received during fiscal year 2009 are reflected in the financial statements.

XIII. Sponsorship and Management Agreements

OBCE entered into an agreement with Lucas County Educational Service Center (LCESC) to provide sponsorship and oversight services as required by law. The agreement, effective October 16, 2003 was renewed effective November 2, 2006. Sponsorship fees are calculated as 1.5% of the Foundation payments received by OBCE, from the State of Ohio. The total amount due LCESC from OBCE for fiscal year 2009 was \$26,774, all of which was paid prior to June 30, 2009.

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OBCE entered into an agreement with Constellation Schools (CS) to provide legal, financial, business and educational management services for fiscal year 2009. The agreement was for a period of one year, effective July 1, 2008. Management fees are calculated as 5.5% of the Fiscal Year 2009 Foundation payment received by OBCE from the State of Ohio plus a fixed fee of \$125,000. The total amount due CS from OBCE for the fiscal year ending June 30, 2009 was \$223,171 all of which was paid prior to June 30, 2009.

XIV. Restricted for Debt Purposes, Net of Related Debt

Restricted for debt purposes, net of related debt represents the combination of Escrow Accounts and Bond Reserve Accounts, net of the outstanding portion of Bonds Payable used to finance these assets. The Project Fund, which is included in Escrow Accounts, is being held for final construction purposes and will be liquidated during the next six months. The Bond Fund and the Expense Fund, which are included in Escrow Accounts, along with the Bond Reserve Accounts, which are being held for bond financing reserve requirements, will be funded until January 1, 2038.

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Rea & Associates, Inc.

ACCOUNTANTS AND BUSINESS CONSULTANTS

Focused on Your Future.

November 25, 2009

To the Board of Trustees
Constellation Schools: Old Brooklyn Community Elementary
4430 State Road
Cleveland, OH 44109

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING STANDARDS

We have audited the financial statements of Constellation Schools: Old Brooklyn Community Elementary as of and for the year ended June 30, 2009, which collectively comprise the School's basic financial statements and have issued our report thereon dated November 25, 2009. 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.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Constellation Schools: Old Brooklyn Community Elementary'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 an opinion on the internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the School'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 the normal course of 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 entity's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles such that there is more than a remote likelihood that a misstatement of the entity's financial statements that is more than inconsequential will not be prevented or detected by the entity's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the entity's internal control.

Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above. However, we noted other matters involving the internal control over financial reporting, which we have reported to management of Constellation Schools: Old Brooklyn Community Elementary in a separate letter dated November 25, 2009.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Constellation Schools: Old Brooklyn Community Elementary's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, 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 or other matters that are required to be reported under *Government Auditing Standards*.

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

Hea & Associates, Inc.



**INDEPENDENT ACCOUNTANTS' REPORT
ON APPLYING AGREED-UPON PROCEDURES**

Constellation Schools: Old Brooklyn Community Elementary
4430 State Road
Cleveland, OH 44109

November 25, 2009

To the Board of Trustees:

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

Accordingly, we have performed the procedures enumerated below, which were agreed to by the Board, solely to assist the Board in evaluating whether Constellation Schools: Old Brooklyn Community Elementary (the District) 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 at its meeting on October 20, 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 shall include 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;
- (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;
- (10) A requirement that the district administration semiannually provide the president of the district board 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.

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 Trustees and is not intended to be and should not be used by anyone other than these specified parties.

Rea & Associates, Inc.



Mary Taylor, CPA
Auditor of State

OLD BROOKLYN COMMUNITY ELEMENTARY
CUYAHOGA 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
DECEMBER 31, 2009