

PERFORMANCE AUDIT

Nazareth Area School District Northampton County, Pennsylvania

November 2014



Commonwealth of Pennsylvania
Department of the Auditor General

Eugene A. DePasquale • Auditor General



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EUGENE A. DePASQUALE
AUDITOR GENERAL

The Honorable Tom Corbett
Governor
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Mr. Lorin B. Bradley, Board President
Nazareth Area School District
One Education Plaza
Nazareth, Pennsylvania 18064

Dear Governor Corbett and Mr. Bradley:

We conducted a performance audit of the Nazareth Area School District (District) to determine its compliance with certain relevant state laws, regulations, contracts, grant requirements, and administrative procedures (relevant requirements). Our audit covered the period August 17, 2012 through July 8, 2014, except as otherwise indicated in the report. Additionally, compliance specific to state subsidies and reimbursements was determined for the school years ended June 30, 2011 and June 30, 2012. Our audit was conducted pursuant to Section 403 of The Fiscal Code, 72 P.S. § 403, and in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States.

Our audit found that the District complied, in all significant respects, with relevant requirements.

We appreciate the District's cooperation during the conduct of the audit.

Sincerely,

A handwritten signature in black ink, appearing to read "Eugene A. DePasquale".

Eugene A. DePasquale
Auditor General

November 20, 2014

cc: **NAZARETH AREA SCHOOL DISTRICT** Board of School Directors

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Executive Summary

Audit Work

The Pennsylvania Department of the Auditor General conducted a performance audit of the Nazareth Area School District (District) in Northampton County. Our audit sought to answer certain questions regarding the District's compliance with certain relevant state laws, regulations, contracts, grant requirements, and administrative procedures and to determine the status of corrective action taken by the District in response to our prior audit recommendations.

Our audit scope covered the period August 17, 2012 through July 8, 2014, except as otherwise indicated in the audit scope, objectives, and methodology section of the report. Compliance specific to state subsidies and reimbursements was determined for the 2010-11 and 2011-12 school years.

District Background

The District encompasses approximately 48 square miles. According to 2010 federal census data, it serves a resident population of 27,963. According to District officials, the District provided basic educational services to 4,609 pupils through the employment of 335 teachers, 183 full-time and part-time support personnel, and 27 administrators during the 2011-12 school year. The District received \$15.8 million in state funding in the 2011-12 school year.

Audit Conclusion and Results

Our audit found that the District complied, in all significant respects, with certain relevant state laws, regulations, contracts, grant requirements, and administrative procedures. Our audit resulted in no findings or observations.

Status of Prior Audit Findings and

Observations. With regard to the status of our prior audit recommendations to the Nazareth Area School District (District) from an audit released on April 3, 2013, we found that the District had taken appropriate corrective action in implementing our recommendations pertaining to the Pennsylvania Department of Education failing to reimburse the District \$16,520 for driver's education instruction provided to students. Also, with regard to the status of our prior audit recommendations to the District from an audit released on April 3, 2013, we found that the District had taken appropriate corrective action in implementing our recommendations pertaining to an observation that the District financed some of its debt with Interest-Rate Management ("Swap") Agreements (see page 6).

Audit Scope, Objectives, and Methodology

Scope

What is a school performance audit?

School performance audits allow the Pennsylvania Department of the Auditor General to determine whether state funds, including school subsidies, are being used according to the purposes and guidelines that govern the use of those funds. Additionally, our audits examine the appropriateness of certain administrative and operational practices at each local education agency (LEA). The results of these audits are shared with LEA management, the Governor, the Pennsylvania Department of Education, and other concerned entities.

Our audit, conducted under authority of Section 403 of The Fiscal Code, 72 P.S. § 403, is not a substitute for the local annual audit required by the Public School Code of 1949, as amended. We conducted our audit in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States.

Our audit covered the period August 17, 2012 through July 8, 2014, except for the verification of professional employee certification, which was performed for the period July 1, 2013 through June 9 2014.

Regarding state subsidies and reimbursements, our audit covered the 2010-11 and 2011-12 school years.

While all districts have the same school years, some have different fiscal years. Therefore, for the purposes of our audit work and to be consistent with Pennsylvania Department of Education (PDE) reporting guidelines, we use the term *school year* rather than fiscal year throughout this report. A school year covers the period July 1 to June 30.

Objectives

What is the difference between a finding and an observation?

Our performance audits may contain findings and/or observations related to our audit objectives. Findings describe noncompliance with a statute, regulation, policy, contract, grant requirement, or administrative procedure. Observations are reported when we believe corrective action should be taken to remedy a potential problem not rising to the level of noncompliance with specific criteria.

Performance audits draw conclusions based on an evaluation of sufficient, appropriate evidence. Evidence is measured against criteria, such as laws and defined business practices. Our audit focused on assessing the District's compliance with certain relevant state laws, regulations, contracts, grant requirements, and administrative procedures. However, as we conducted our audit procedures, we sought to determine answers to the following questions, which serve as our audit objectives:

- ✓ Were professional employees certified for the positions they held?
- ✓ In areas where the District received state subsidies and reimbursements based on pupil membership (e.g., basic education, special education, and vocational education), did it follow applicable laws and procedures?

- ✓ In areas where the District received state subsidies and reimbursements based on payroll (e.g., Social Security and retirement), did it follow applicable laws and procedures?
- ✓ Did the District, and any contracted vendors, ensure that current bus drivers were properly qualified, and did they have written policies and procedures governing the hiring of new bus drivers?
- ✓ Were votes made by the District's Board of School Directors free from apparent conflicts of interest?
- ✓ Did the District have sufficient internal controls to ensure that the membership data it reported to PDE through the Pennsylvania Information Management System was complete, accurate, valid, and reliable?
- ✓ Were there any declining fund balances that may pose a risk to the District's fiscal viability?
- ✓ Did the District take appropriate steps to ensure school safety?
- ✓ Did the District have a properly executed and updated Memorandum of Understanding with local law enforcement?
- ✓ Were there any other areas of concern reported by independent auditors, citizens, or other interested parties?
- ✓ Did the District take appropriate corrective action to address recommendations made in our prior audit?

Methodology

Government Auditing Standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our results and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our results and conclusions based on our audit objectives.

The District's management is responsible for establishing and maintaining effective internal controls to provide reasonable assurance that the District is in compliance with certain relevant state laws, regulations, contracts, grant

What are internal controls?

Internal controls are processes designed by management to provide reasonable assurance of achieving objectives in areas such as:

- Effectiveness and efficiency of operations.
- Relevance and reliability of operational and financial information.
- Compliance with certain relevant state laws, regulations, contracts, grant requirements, and administrative procedures.

requirements, and administrative procedures (relevant requirements). In conducting our audit, we obtained an understanding of the District's internal controls, including any information technology controls, as they relate to the District's compliance with relevant requirements that we consider to be significant within the context of our audit objectives. We assessed whether those controls were properly designed and implemented. Any deficiencies in internal controls that were identified during the conduct of our audit and determined to be significant within the context of our audit objectives are included in this report.

In order to properly plan our audit and to guide us in possible audit areas, we performed analytical procedures in the areas of state subsidies and reimbursements, pupil transportation, pupil membership, and comparative financial information.

Our audit examined the following:

- Records pertaining to pupil transportation, pupil membership, bus driver qualifications, professional employee certification, state ethics compliance, financial stability, reimbursement applications, tuition receipts, and deposited state funds.
- Items such as board meeting minutes and policies and procedures.

Additionally, we interviewed select administrators and support personnel associated with the District's operations.

To determine the status of our audit recommendations made in a prior audit report released on April 3, 2013, we reviewed the District's response to PDE dated May 14, 2013. We then performed additional audit procedures targeting the previously reported matters.

Findings and Observations

For the audited period, our audit of the Nazareth Area School District resulted in no findings or observations.

Status of Prior Audit Findings and Observations

Our prior audit of the Nazareth Area School District (District) released on April 3, 2013, resulted in one (1) finding and one (1) observation. The finding pertained to the Pennsylvania Department of Education (PDE) failing to reimburse the District \$16,520 for driver's education instruction provided to students. The observation pertained to the District financing some of its debt with Interest-Rate Management ("Swap") Agreements. As part of our current audit, we determined the status of corrective action taken by the District to implement our prior audit recommendations. We analyzed the District's written response provided to PDE, performed audit procedures, and interviewed District personnel regarding the prior finding and observation. We found that PDE or the District did implement recommendations related to PDE's failure to reimburse the District \$16,520 for driver's education instruction provided to students and to the District's financing some of its debt with Interest-Rate Management ("Swap") Agreements.

Auditor General Performance Audit Report Released on April 3, 2013

Finding: **Pennsylvania Department of Education Has Failed to Reimburse the School District \$16,520 for Driver's Education**

Finding Summary: Our prior audit of the District's driver education records for the 2009-10 and 2010-11 school years found the District was eligible for driver's education reimbursement of \$9,135 and \$7,385, respectively.

Recommendations: Our audit finding recommended that PDE should:

Adjust the District's allocations to resolve the net underpayment of \$16,520 to the District.

Current Status: During our current audit, we found that the District did receive the driver's education reimbursement monies they were entitled to on June 26, 2014.

Observation: **The District Financed Some of Its Debt with Interest-Rate Management ("Swap") Agreements**

Observation Summary: Our prior audit of the District found that the District entered into a swap agreement related to its issuance of \$25,000,000, Series of 2007 variable-rate general obligation bonds.

Recommendations:

Our audit observation recommended that the District should:

1. Avoid entering into any new future swap agreements.
2. Terminate its swap agreement as soon as it is fiscally responsible to do so, and refinance if necessary with conventional fixed-rate bonds.

Current Status:

During our current audit, we found that the District did implement our recommendation to avoid entering into any new future swap agreements. However, regarding our second recommendation, according to the District, it was not necessary to terminate the current swap agreement, as the current agreement is performing well and the District's administration monitors this monthly with their financial advisor and provides monthly updates to the District's Board of School Directors.

Distribution List

This report was initially distributed to the Superintendent of the District, the Board of School Directors, our website at www.auditorgen.state.pa.us, and the following stakeholders:

The Honorable Tom Corbett
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The Honorable Carolyn Dumaesq
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This report is a matter of public record and is available online at www.auditorgen.state.pa.us. Media questions about the report can be directed to the Pennsylvania Department of the Auditor General, Office of Communications, 231 Finance Building, Harrisburg, PA 17120; via email to: news@auditorgen.state.pa.us.