

*Financial Statements and Required Supplementary
Information*

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

*Year ended September 30, 2022
with Report of Independent Auditors*



Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Financial Statements

Year ended September 30, 2022

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Report of Independent Auditors

Board of Trustees
Guahan Academy Charter School, Inc.

Opinions

We have audited the accompanying financial statements of the governmental activities and the General Fund of Guahan Academy Charter School, Inc. (the “Academy”), as of and for the year ended September 30, 2022, and the related notes to the financial statements, which collectively comprise the Academy’s basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and the General Fund activities of the Academy at September 30, 2022 and the respective changes in financial position thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States (*Government Auditing Standards*). Our responsibilities under those standards are further described in the Auditor’s Responsibility for the Audit of the Financial Statements section of our report. We are required to be independent of the Academy, and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis of our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Academy’s ability to continue as a going concern for 12 months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibility for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Academy's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Academy's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis on pages 4 through 14 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, which considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and

other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated May 2, 2023 on our consideration of the Academy's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely 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 effectiveness of the Academy's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Academy's internal control over financial reporting and compliance.

Ernst + Young LLP

May 2, 2023

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Management's Discussion and Analysis

We, the Board of Trustees, provide this narrative overview of the financial activities of Guahan Academy Charter School, a component unit of the Government of Guam. The management's discussion and analysis are for Fiscal Year Ending September 30, 2022.

Financial Highlights

GACS' financial statements provide the following:

- Assets at the close of FY2022 exceeded its liabilities by \$2,067,124 (net position).
- P.L. 36-54 provided \$6,200 per student with a cap of 765 totaling \$4,743,000. The total amount of expenditures submitted to DOA amounted to \$4,114,248.43. The amount verified and allotted by DOA was also \$4,114,248.43 which now includes the FY2021's prior year obligation released by the Charter Council on September 2022. The FY2022 unexpended balance from the appropriation is \$628,751.57.
- At the close of fiscal year, GACS has an overage of 3 students from the approved population of 765. Total count for FY2022 is 768 students.

Overview of the Financial Statements

Discussion and analysis are intended to serve as an introduction to the school's basic financial statements. The school's basic financial statements are comprised of two components: 1) government-wide financial statements and, 2) notes to the basic financial statements.

1) Government-Wide Financial Statements

The purpose of government-wide financial statements is to present the financial position and the operating results of the governmental entity as a whole. The statements are expected to provide users with operational accountability information and to enable them to do the following:

- understand the true financial position of the governmental entity, including capital and financial assets and long-term as well as short-term liabilities;
- determine whether the entity is able to continue to provide current service levels and meet its obligations as they become due; and
- determine the operating results of the entity, including the economic cost and the net cost of services, and assess the economy, efficiency, and effectiveness of operations.

The *Statement of Net Position* presents information on the school's assets and liabilities, and deferred inflows of resources (which is the acquisition of net assets by the government for future period) and deferred outflows (which is the outflow of net position which will be recognized in a future period). Net position may, over time, serve as an indicator to measure or gauge the school's financial condition.

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

The *Statement of Activities* presents information on how the school's net position changed during the fiscal year. All the current year's revenue and expenses are reported in this profit and loss statement for some items that will only result in cash flows in future fiscal period.

The following analysis provides a summary of the GACS's net position as of September 30, 2022 and 2021:

**GUAHAN ACADEMY CHARTER SCHOOL
STATEMENT OF NET POSITION
YEARS ENDED SEPTEMBER 30, 2022 and 2021**

	<u>Sep 30, 2022</u>	<u>Sep 30, 2021 (Restated)</u>	<u>\$ Change</u>	<u>% Change</u>
ASSETS				
Current Assets				
Cash	\$ 364,436	\$ 363,462	\$ 974	0.27%
Accounts Receivable	393,249	459,087	-65,838	-14.34%
Other Assets	<u>637,022</u>	<u>1,162,305</u>	<u>-525,283</u>	<u>-45.19%</u>
Total Current Assets	<u>1,394,707</u>	<u>1,984,854</u>	<u>-590,147</u>	<u>-29.73%</u>
Capital Assets				
Equipment, Net	407,216	437,991	-30,775	-7.03%
Property, CIP and Land	<u>1,564,147</u>	<u>1,564,147</u>	---	0.00%
Total Capital Assets	<u>1,971,363</u>	<u>2,002,138</u>	<u>-30,775</u>	<u>-1.54%</u>
TOTAL ASSETS	<u>\$ 3,366,070</u>	<u>\$ 3,986,992</u>	<u>\$ -620,922</u>	<u>-15.57%</u>
LIABILITIES & NET POSITION				
Liabilities				
Current Liabilities				
Current portion of long term debt	\$ ---	\$ 177,500	\$ -177,500	-100.00%
Accounts Payable	1,173,125	1,314,087	-140,962	-10.73%
Accrued Expenses	<u>125,821</u>	<u>96,014</u>	<u>29,807</u>	<u>31.04%</u>
Total Current Liabilities	<u>1,298,946</u>	<u>1,587,601</u>	<u>-288,655</u>	<u>-18.18%</u>
Net Position	<u>2,067,124</u>	<u>2,399,391</u>	<u>-332,267</u>	<u>-13.85%</u>
Total Liabilities and Net Position	<u>\$ 3,366,070</u>	<u>\$ 3,986,992</u>	<u>\$ -620,922</u>	<u>-15.57%</u>

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

- During FY2022, the assets exceeded the liabilities by \$2,067,124, resulting a positive net position balance.
- The Accounts Receivable disclosed a balance of \$393,249. The validated allotment requests of \$390,123 is reflected in FY2023 Cash and other receivables of \$3,126.
- Equipment Net of Depreciation decreased by 7.03% due to prior years and current year adjustments of fixed assets to expense account for the equipment received from the Federal Consolidated Grant, Education Stabilization Fund Grants I and II, and American Rescue Plan Grant. The adjustments are the result of subsequent information indicating that fixed assets received from the federal grants are GDOE's properties.
- FY2022 total Capital Asset is \$1,971,363, an overall decrease of 1.54% from last year.

2) **Notes to Financial Statements**

The notes provide additional information essential to a full understanding of the government-wide financial statements.

A summary and analysis of the school's revenues and expenses for Year Ending September 30, 2022, are as follows:

- In FY2022, the school's change in net position decreased by \$2,491,784. The major changes are the reduction in revenue by \$838,957. This is mainly due to the \$1,005,804 debt forgiveness recording in FY2021, increase in federal grant revenue by \$412,195 (69%), and the increase in expenses by \$1,652,827 (34%). The increase in expenses is the result of the prior years and current year adjustments of the federal grant fixed assets to In-Kind expense account.
- The total number of students for FY2022 has increased by three, from FY2021 765 to FY2022 768. FY2022's P.L. 36-54 provided \$6,200 per student with a cap of 765 totaling \$4,743,000. The total amount of expenditures submitted to DOA amounted to \$4,114,248. The amount verified and allotted by DOA was also \$4,114,248. This total revenue of \$4,114,248 included the release of FY2021 Prior Year Obligations of \$104,328.
- The overall effect in the net positions resulted in a decrease of \$332,267.

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

**GUAHAN ACADEMY CHARTER SCHOOL
STATEMENT OF ACTIVITIES
YEARS ENDED SEPTEMBER 30, 2022 and 2021**

Statement of Activities	Oct 21 - Sep 22	Oct 20 - Sep 21 (Restated)	\$ Change	% Change
Revenue				
Per Pupil Allocation	\$4,114,248	\$4,353,603	\$ -239,355	-5.50%
In-Kind Contributions	1,075,506	1,086,026	-10,520	-0.97%
Debt Forgiveness	---	1,005,804	-1,005,804	-100.00%
Grant				
Consolidated Grant	33,946	49,412	-15,466	-31.30%
ESF I Grant	83,281	548,507	-465,226	-84.82%
ESF II Grant	885,385	---	885,385	0.00%
ARP	7,502	---	7,502	0.00%
Total Grant	1,010,114	597,919	412,195	68.94%
Fundraising and Others	15,496	10,969	4,527	41.27%
Total Revenue	6,215,364	7,054,321	-838,957	-11.89%
Operating Expenses				
Personnel	2,441,873	2,303,369	138,504	6.01%
Benefits	311,202	332,192	-20,990	-6.32%
Travel	5,643	614	5,029	819.06%
Contractual Services	641,794	297,271	344,523	115.90%
Office Space Rental	953,070	953,070	---	0.00%
Equipment Rental	118,836	131,563	-12,727	-9.67%
Materials and Supplies	407,447	183,849	223,598	121.62%
Books/Online Resources	429,787	199,994	229,793	114.90%
Workmns Com & Gen Liab	14,759	9,721	5,038	51.83%
Loss on Claims	36,822	---	36,822	0.00%
Miscellaneous Expense	175,947	20,324	155,623	765.71%
In-Kind Expense	688,883	199,246	489,637	245.74%
Power	128,545	74,230	54,315	73.17%
Water	54,310	26,515	27,795	104.83%
Telephone/Toll/Wifi/Svc	91,946	86,149	5,797	6.73%
Depreciation Expense	46,767	76,697	-29,930	-39.02%
Total Expenses	6,547,631	4,894,804	1,652,827	33.77%
Change in Net Position	-332,267	2,159,517	-2,491,784	-115.39%
Net Position Beginning of Year, as restated	2,399,391	239,874	2,159,517	900.27%
Net Position End of Year	\$2,067,124	\$2,399,391	\$ -332,267	-13.85%

Guahan Academy Charter School, Inc.
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Management’s Discussion and Analysis, continued

3. Accomplishments

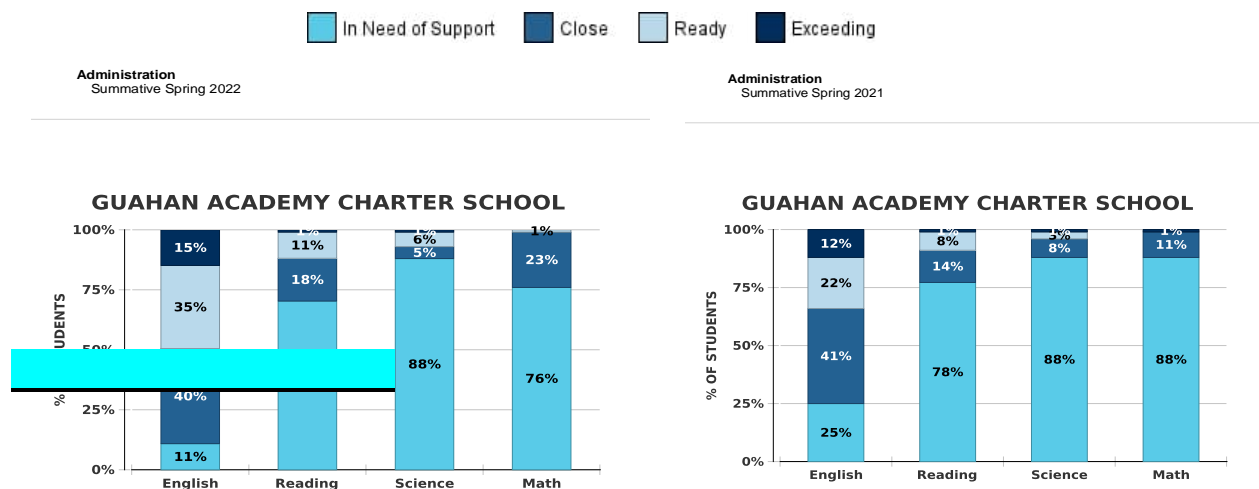
September 30, 2022

Kinder	38
Elementary	281
Middle	226
High School	223
TOTAL	768

When the school year 2021-2022 opened, the primary goal was to bring back all students on campus for 100% face-to-face instruction to address the loss of instructional time caused by COVID-19. The Hardcopy mode of learning was phased out leaving students with two modes of learning, the online and the face-to-face mode of learning. When COVID-19 restrictions were lifted in February 2022, all online students received in-service instruction. Emergency funds such as ESF II and ARP made it possible for GACS to return to campus safely. Policies were updated to comply with DPHSS protocols. Besides the strengthening of the content curriculum, there was an emphasis on providing for social and emotional supports and services to all stakeholders in order to address parents’ and employees’ concerns on over-all health and safety.

Academic Assessment Summary as of SY 2021-2022

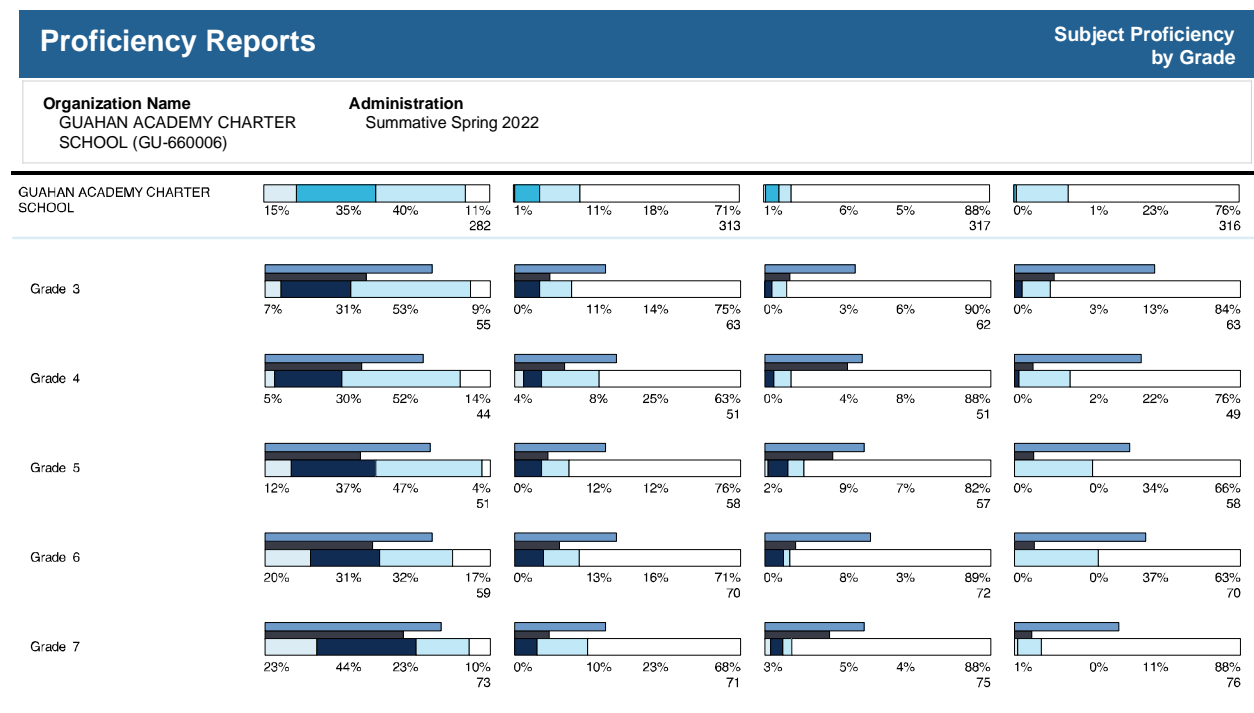
GACS participated in taking the ACT Aspire from March 28, 2022 – May 20, 2022, and were able to test grades 3 to grades 7 and PreACT for grades 8th – 11th. Approximately 300 students took the assessment. The test was administered on campus with the use of school-issued electronic devices. The assessment results for Spring 2022 manifests a significant improvement compared to the results for Spring 2021. Both Spring 2021 and Spring 2022 assessment results are shown to identify the improvement on student achievement.



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Management’s Discussion and Analysis, continued

In the English subtest, there was a 14% decrease of students who are in the need of support category. One percent more in the “close”; 35% are now “ready” compared to 22% in the previous year; and 3% increase of students who are now in the “exceeding” level. In the Reading subtest, there is a 7% decrease in the “need of support” level. Four percent increase in the “close”; 3% more are “ready”; and 3% more are in the “exceeding level”. In Math, students who are in “need of support” decreased by 12%. There is 12% more students in the “close” level. Generally, despite the learning interruptions caused by COVID-19, district wide assessment scores significantly improved.



Accreditation

Guahan Academy Charter School was presented a Certificate of Accreditation on June 30, 2020 for a full five (5) year term by the North Central Association Commission on Accreditation and School Improvement, the Northwest Accreditation Commission, and the Southern Association of Colleges and Schools Council on Accreditation and School Improvement. In the school-wide action plan, the goal on student achievement was fulfilled as reflected by the district wide assessment results. School improvement was also fulfilled as the following objectives were met:

- a. Development of the compensation schedule that allows for professional growth
- b. Data driven Professional Development opportunities
- c. Renovation of classroom floors and administrative offices to streamline workflow and school operations

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

GACS continue its journey through the self-study process by meeting weekly by teams.

Graduation

2021 - 2022 Graduation:

Sixteen (16), seniors out of the 29 enrolled in SY 21-22 met the required credits and were able to participate the graduation ceremony on June 10th, 2021 held at RIHGA Royal Laguna Resort. Among the sixteen (16) who received their diplomas, five (5) pursued higher education; three (3) are employed; five (5) stayed at home assisting family members; and the remaining three (3), we are unable to contact. The thirteen (13) grade 12 students who did not graduate were all offered the opportunity to register in the Summer Program to earn credits. Four of them took summer classes and 1 more aside from the 4 re-enrolled for SY 22-23. The two officially withdrew and transferred back to the GDOE school system and the six did not return to school when they turned 18 years of age.

Narrative Overview

Organization and Nature of Operations

The Guahan Academy Charter School, Inc., (GACS) is a nonprofit public benefit corporation, and is not organized for the private gain of any person. It is organized for the basic purpose to do all things reasonable and proper in the operation of a public charter school within the Territory of Guam pursuant to the provisions of Public Law 29-140, the Guam Academy Charter Schools Act of 2009. Said corporation is organized exclusively for charitable religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations within the meaning of Section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code. Pursuant to 18 GCA §281702 and §281703, this Corporation is organized under and governed by the provisions of the Guam Business Corporation Act (enacted as Guam Public Law 29-144 and as thereafter amended or codified).

This non-profit corporation is established for the purpose of operating an academy charter school which operates independently from the Guam Public School System for the purposes specifically set forth in the Guam Charter School Law, 17 GCA §12102. GACS is established to implement the National Institute for Direct Instruction (NIFDI) School-Wide Reform Model. It shall have those powers set forth in 17 GCA Section §12107 and all lawful powers necessary or convenient to carry out any such purpose, and all rights, privileges and authorities granted by or consistent with any applicable law, unless and only to the extent expressly restricted by its Articles or Bylaws.

GACS is governed by a Board of Trustees. The Board of Trustees consists of not less than five (5) members and not more than nine (9) members. At least one member must be a parent or guardian of a student attending GACS and one member must be from the general public. In compliance with the charter law and GACS governing corporate documents, the head of the school, both Chief Executive Officer and the Principal of GACS are non-voting members.

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

The Charter granted to GACS by the Guam Academy Charter Schools Council, initially was a five (5) year period. This is extended to a total of six (6) years in reference to Public law 35-30 signed by the Governor on July 19, 2019, amending the charter law to read:

Guam Code Annotated, Title 17, Chapter 12, Guam Charter Schools Act of 2009, Section 12113 (b), A Charter may be renewed an unlimited number of times, each time for a six (6) year period, unless revoked as authorized in §12114 of the charter law. The charter may be renewed for an unlimited number of times, each for a six (6) year period. Public law 35-30 signed by the Governor on July 19, 2019.

GACS is subject to independent oversight by the Guam Academy Charter Schools Council (the Council). The Council is tasked with monitoring GACS' operations, compliance with applicable laws and the provisions of the Charter granted, the progress of meeting student academic achievement expectations specified in the Charter, and compliance with annual reporting requirements.

Vision Statement

GACS students will become respectful, responsible and resourceful.

Mission Statement

At Guahan Academy Charter School, our mission is to empower our students with proven educational practices and social supports to be productive citizens in the community.

Economic Dependency

For the Fiscal Year Ending September 30, 2022, GACS received approximately 66% of its annual revenue from the Guam Department of Administration. Any further significant reduction in the level of funding will adversely affect GACS' operations and activities. Charter schools release of its allocations are now placed under the Council's approval and DOA's verification of the funds. GACS saw a budget increase from FY2021 \$6,000 per child to FY2022 \$6,200 per child.

The Council will review GACS once every six years to determine whether the Charter should be revoked for material violations of laws and the terms of its agreement or if GACS fails to meet the goals and student academic achievement expectations.

Concentration of Credit Risk

GACS continues to bank with an FDIC banking institution and at times exceeds cash balances of \$250,000.

Donated Use of Operating Premises

The Guahan Academy Charter School, Inc. conducts its operations provided at fair rental market value at Tiyan, Guam as discussed below.

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

Operations conducted at Tiyan Guam location are provided under a Memorandum of Agreement (MOA) with the Government of Guam. Pursuant to Public Law 30-37, the Government of Guam and Core Tech International Corporation entered into a lease agreement with an option to purchase dated June 23, 2009, for certain land, buildings and structures located in Tiyan, Guam.

On September 15, 2011, Public Law 31-76 amended Public Law 30-37 and allowed continued use of the Tiyan Campus for interim school facilities and other use for government operations. On December 30, 2013, the Government of Guam executed the Option to Purchase the Tiyan Campus. On August 9, 2013, the Government of Guam entered into Memorandum of Agreement with GACS permitting it to use Buildings C and D of the Tiyan Campus for no rental cost. The term of GACS' use of the premises is for a one-year period commencing August 6, 2013 with two annual extensions of one year each for a maximum term of no more than three consecutive years from August 6, 2013 and ending June 30, 2016. Additional extensions were granted at the discretion of the Government of Guam. The current MOA is set to expire on June 30, 2023.

In 2019, the Governor, GACS, and GDOE began the discussion on the use of Building E of the Tiyan Campus. This resulted in the execution of a Memorandum of Agreement (MOA) for the use of the same by GACS in 2020 until June 30, 2021. On May 28, 2021, the governor has deemed it appropriate to allow continued use of Building E to GACS and I Kumision, and executed a Third Amended MOA Lease to expire no later than June 30, 2023.

A letter of request to extend the MOA for Buildings C, D, and E, has been submitted to the Governor's office on March 2023 and results shall be reflected in FY 2023.

Management of the Guahan Academy Charter School, continues to record the estimated fair rental market value of Buildings C, D, & E. In FY2022, the amount recorded is \$79,422.50 per month or \$953,070 per year for Buildings C, D, & E.

Retirement Savings Plan

The reduction of FY2018 appropriations caused management to put on suspension the employer contribution of the retirement plan. To date, the suspension is still in effect.

Risk Management

GACS maintains commercial insurance to provide for claims arising from various risks. To date there are no material losses.

Long-Term Debt and Accounts Payable

FY2021 outstanding vendor payables of \$385,970 and FY2021's Notes Payable of \$177,500 were settled in FY2022, leaving a balance in FY2021's outstanding vendor payables of \$928,117. The FY2022 DOA release of outstanding prior year obligations allotment requests of \$104,328 will

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Management's Discussion and Analysis, continued

support the settlement of the FY2021 outstanding vendor payables. Total FY2022 outstanding payables, with its current of \$223,877, amounted to \$1,173,125.

Subsequent Events

GACS has resolved the third major vendor liability through payment settlement. The settlement discussion of another major vendor liability is resolved in January 2023. This matter will be reflected in FY2023.

GACS was allocated federal grants under the Guam Department of Education - Education Stabilization Fund (ESF II) in the amount of \$2,075,882 and ARP in the amount of \$4,061,749, continue until FY2023. The FY2022 balances are \$1,190,497 and \$4,054,247 respectively and will be reflected in FY2023.

The Guam Legislature passed P.L. 35-29, P.L. 35-36, 35-99, 36-54 and now FY23 36-107 mandating the increase of Guam Charter schools per pupil cost (Sec 20) and authorization for payment of prior years' obligations (Sec 21), as follows:

CHAPTER XIII
ADMINISTRATIVE PROVISIONS
PART II – GENERAL ADMINISTRATIVE PROVISIONS

Section 20. Increase of Guam Charter Schools Per Pupil Cost. *I Maga'hâgan Guâhan* is authorized to expend Nine Hundred Sixty-two Thousand Five Hundred Dollars (**\$962,500**) from the unappropriated excess General Fund revenues of Fiscal Year 2022 to pay an additional Five Hundred Dollars (**\$500**) per pupil pursuant to Section 3, Part II of Chapter II of this Act. This Section shall only be effective should the provision in Section 6(a) of Chapter I of this Act not be fulfilled.

Section 21. Authorization for Payment of Prior Years' Obligations. Appropriations made in this Act may be expended for the payment of prior years' obligations; provided, that it does not negatively impact the current operational needs of the department or agency requesting such prior years' payment, and that five (5) days prior to payment, written notice is given to the Speaker of *I Liheslaturan Guâhan* with the total amount, funding source, and the prior years' obligation to be paid for by the department or agency.

Capital Improvements

The proposed facility expansion plan is still intended to consolidate the organization's facilities, minimize costs and expand enrollment capacity. The project would include a permanent campus to provide school facilities for up to 1,000 students, administration and support staff offices.

Guahan Academy Charter School, Inc.
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Management's Discussion and Analysis, continued

Economic Outlook

As per P.L. 36-107, Fiscal Year 2023 budget, GACS was again granted an enrollment of 765 students with an increase of \$800 per student. Total allocation for FY2023 General Fund appropriations is now \$7,000 per enrollee.

As per P.L. 36-107, Ch XIII, Part II, Sec 20, I'Maga'hagan Guahan is authorized to expend from the unappropriated excess General Fund revenues of FY2022 to pay an additional \$500 per pupil, as follows:

CHAPTER I

GENERAL PROVISIONS

**Section 6. Revenue Collections in Excess of Federal Income Tax
Collections - Section 30 Funds.**

(a) Notwithstanding any other provision of law, funds in excess of the adopted revenue levels enumerated in Section 2(I)(B) of this Chapter, in the amount of Nine Hundred Sixty-two Thousand Five Hundred Dollars (**\$962,500**), shall be appropriated to the Guam Charter Schools Council Fund for the purpose of increasing the per pupil cost by Five Hundred Dollars (\$500.00) per pupil.

GACS, like all Guam schools, is fortunate to participate in several federal grants under the CARES ACT. These grant monies are helping the school in the procurement of supplies and materials to address distance learning, loss of instructional time, health and safety of faculty, staff, and students, and their social emotional needs.

Currently, GACS is occupying the three Tiyan Buildings C, D, and E. The MOAs are to expire June 2023. GACS is looking forward for the renewal of lease for another 4 years.

Request for Information

This report is designed to provide an overview of the school's finances for those with an interest in the area. Questions concerning any of the information found in this report or requests for additional information should be directed to the Office of the Chief Executive Officer, Guahan Academy Charter School, Post Office Box CS, Hagatna, Guam 96932.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Governmental Funds Balance Sheet/Statement of Net Position

September 30, 2022

	<u>General Fund</u>	<u>Adjustments</u>	<u>Statement of Net Position</u>
Assets:			
Cash	\$ 364,436	\$ ---	\$ 364,436
Accounts receivable	393,249	---	393,249
Other assets	637,022	---	637,022
Property and equipment, net	<u>---</u>	<u>1,971,363</u>	<u>1,971,363</u>
Total assets	<u>\$ 1,394,707</u>	<u>1,971,363</u>	<u>3,366,070</u>
Liabilities and Fund Balance/Net Position:			
Accounts payable and accrued expenses	\$ <u>1,298,946</u>	<u>---</u>	<u>1,298,946</u>
Total liabilities	<u>1,298,946</u>	<u>---</u>	<u>1,298,946</u>
Fund balance: unassigned	<u>95,761</u>	(<u>95,761</u>)	
Total liabilities and fund balances	<u>\$ 1,394,707</u>		
Net position:			
Net investment in capital assets		1,971,363	1,971,363
Unrestricted		<u>95,761</u>	<u>95,761</u>
Total net position		<u>\$ 2,067,124</u>	<u>\$ 2,067,124</u>

See accompanying notes.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Statement of Governmental Fund Revenues, Expenditures and
Changes in Fund Balance/Statement of Activities

Year ended September 30, 2022

	General Fund	Adjustments	Statement of Activities
Revenues:			
Per pupil allocations	\$ 4,114,248	\$ ---	\$ 4,114,248
In-kind contributions	---	1,075,506	1,075,506
Grants	994,122	15,992	1,010,114
Other	<u>15,496</u>	<u>---</u>	<u>15,496</u>
Total revenues	<u>5,123,866</u>	<u>1,091,498</u>	<u>6,215,364</u>
Operating expenses:			
Total operating expenses	<u>5,425,358</u>	<u>1,122,273</u>	<u>6,547,631</u>
Deficiency of revenues under expenditures	(301,492)	301,492	---
Change in net position		(332,267)	(332,267)
Fund balance/net position:			
Beginning of year, as restated	<u>397,253</u>	<u>2,002,138</u>	<u>2,399,391</u>
End of year	<u>\$ 95,761</u>	<u>\$ 1,971,363</u>	<u>\$ 2,067,124</u>

See accompanying notes.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements

Year ended September 30, 2022

1. Organization

Guahan Academy Charter School, Inc. (the Academy or GACS), a component unit of the Government of Guam, is currently organized for the basic purpose to do all things reasonable and proper in the operation of a nonprofit charter school within the Territory of Guam pursuant to the provisions of Public Law 29-140, the Guam Academy Charter Schools Act of 2009. Said corporation is organized exclusively for charitable, religious, educational and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations within the meaning of Section 501(c) (3) of the Internal Revenue Code, or corresponding section of any future federal tax code. Pursuant to 18 GCS §281702 and §281703, this Corporation is organized under and governed by the provisions of the Guam Business Corporation Act (enacted as Guam Public Law 29-144 and as thereafter amended or codified).

This non-profit corporation is established for the purpose of operating an academy charter school which operates independently from the Guam Public School System for the purposes specifically set forth in 17 GCA §12102. The Guahan Academy Charter School, Inc. is established as a model for the implementation of the National Institute for Direct Instruction (NIFDI) School-Wide Reform Model. It shall have those powers set forth in 17 GCA Section §12107 and all lawful powers necessary or convenient to carry out any such purpose, and all rights, privileges and authorities granted by or consistent with any applicable law, unless and only to the extent expressly restricted by its Articles or Bylaws.

GACS is governed by a Board of Trustees. The Trustees are elected or selected pursuant to the Charter granted by GACS. The Board of Trustees consists of not less than five (5) members and not more than nine (9) members. At least one member must be a parent or guardian of a student attending GACS and one member must be from the general public. The principal of GACS is a non-voting member.

The Charter granted to GACS is for a six (6) year period, unless revoked as authorized in § 12114 of the Charter. The Charter may be renewed an unlimited number of times, each for a six (6) year period and is due for renewal in June 2024.

GACS is subject to independent oversight by Guam Academy Charter School Council (the Council). The Council is tasked with monitoring GACS's operations, compliance with applicable laws and the provisions of the charter granted; the progress of meeting student academic achievement expectations specified in the charter; and compliance with annual reporting requirements.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies

The accompanying basic financial statements of the Academy have been prepared in accordance with accounting principles generally accepted in the United States of America (GAAP). The Governmental Accounting Standards Board (GASB) is the recognized standard-setting body for establishing governmental accounting and financial reporting principles.

Government-wide and Fund Financial Statements

The Statement of Net Position presents the Academy's non-fiduciary assets and deferred outflows of resources, and liabilities and deferred inflows of resources, with the difference reported as net position. Net position is reported in three categories:

- Net investment in capital assets consist of capital assets, net of accumulated depreciation, plus construction or improvement of those assets.
- Restricted net position results when constraints placed on net position use are either externally imposed by creditors, grantors, contributors, and the like, or imposed by law through enabling legislation.
- Unrestricted net position consists of net position, which does not meet the definition of the two preceding categories. Unrestricted net position often is designated, to indicate that management does not consider them to be available for general operations. They often have restrictions that are imposed by management, but can be removed or modified.

The Statement of Activities presents a comparison between direct expenses and program revenues for each program or function of the Academy's governmental activities. Direct expenses are those that are specifically associated with a service, program or department and therefore clearly identifiable to a particular function.

Program revenues include per pupil allocation from Government of Guam and other grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues which are not classified as program revenues are presented as general revenues, with certain limited exceptions. The comparison of direct expenses with program revenues identifies the extent to which each governmental program is self-financing or draws from the general revenues of the Academy.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Fund Financial Statements

The Academy uses one governmental fund to report on its financial position and results of operations. The operations of this fund are accounted for with a set of self-balancing accounts that comprise its assets, liabilities, fund equity, revenues and expenditures.

Separate financial statements are provided for governmental funds. The Academy presents a balance sheet and a statement of revenues, expenditures and changes in fund balances for its governmental fund. The ending fund balance on the balance sheet is then reconciled to the ending governmental net position.

Adjustments required to reconcile total governmental fund balance to net position of governmental activities in the Statement of Net Position are as follows:

Fund balance - governmental funds	\$ 95,761
Add:	
Land	1,564,147
Depreciable capital assets, net	<u>407,216</u>
Net position - governmental activities	<u>\$2,067,124</u>

Adjustments required to reconcile net change in total governmental fund balance to change in net position of governmental activities in the statements of activities for the year ended September 30, 2022 are as follows:

Net change in fund balances – governmental funds	\$(301,492)
Capital outlays are reported as expenditures in governmental funds. However, in the statement of activities, the cost of capital assets is allocated over their estimated useful lives as depreciation expense. These amounts consist of:	
Capital outlays, net	15,992
Depreciation expense	<u>(46,767)</u>
Change in net position of governmental activities	<u>\$(332,267)</u>

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Measurement Focus/Government-wide and Fund Financial Statements

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of cash flows. Grants and similar items are recognized as revenues as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements account for the general governmental activities of the Academy and are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as they become susceptible to accrual; generally, when they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the Academy considers revenues to be available if they are collected within 60 days of the end of the current fiscal period.

Revenues are reported as increases in unrestricted net assets unless their use is limited by donor-imposed restrictions. Expenses are reported as decreases in unrestricted net assets. Gains and losses on assets and liabilities are reported as increases or decreases in unrestricted net assets unless their use is restricted by explicit donor stipulation or by law.

Budget

An annual appropriated budget has not been formally adopted on a legal basis or a basis consistent with GAAP. Accordingly, a budget to actual presentation is not required or presented.

Cash and Cash Equivalents

Custodial credit risk is the risk that in the event of a bank failure, the Academy's deposits may not be returned to it. Such deposits are not covered by depository insurance and are either uncollateralized or collateralized with securities held by the pledging financial institution or held by the pledging financial institution but not in the depositor-government's name. The Academy does not have a deposit policy for custodial credit risk.

For purposes of the balance sheet/statement of net position, cash and cash equivalents is defined as cash on hand and cash held in demand accounts. As of September 30, 2022, the carrying amount of cash and cash equivalents was \$364,436 and the corresponding bank balance was \$507,227. All of the bank balances are maintained in a financial institution subject to Federal Deposit Insurance Corporation (FDIC) insurance. As of September 30, 2022, \$257,227 of the bank balance exceeds the FDIC deposit insurance limit of \$250,000.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Receivables

Accounts receivable primarily represents due from the Government of Guam as of September 30, 2022. Management believes that all receivables are fully collectible, therefore, no provision for uncollectible accounts is recorded. As of September 30, 2022, the amounts due from the Government of Guam for reimbursable operating costs incurred and billed totaled \$390,123.

Deposit

As of September 30, 2022, deposits totaling \$613,372 were held in trust with an attorney for purpose of resolving certain obligations.

Capital Assets

Property and equipment are recorded at cost less accumulated depreciation. Depreciation of all property and equipment is computed on a straight-line basis over the estimated services lives of the assets. Improvements are capitalized and depreciated over the remaining useful lives of the related capital assets. Donated assets are valued at their fair value on the date of gift.

Estimated useful lives for depreciable assets are as follows:

Furniture, fixtures and equipment	3 - 8 years
Office and computer equipment	3 years
Music instrument and sports equipment	3 years

Property and equipment purchased or acquired with original cost of \$500 or more are reported at historical cost or estimated historical cost. Contributed assets are reported at fair market value as of the date received. Additions, improvements and other capital outlays that significantly extend the useful life of assets are capitalized. The cost of normal repairs and maintenance that do not add to the asset value or materially extend useful lives are not capitalized. When capital assets are disposed of, the cost and applicable accumulated depreciation are removed from the respective accounts, and the resulting gain or loss is recorded in the Statement of Changes in Net Position.

Revenue Recognition

Revenue from per pupil allocations and supplemental special needs funds is recognized during the School's operating cycle, which starts in August and ends in June. GACS receives financial support in monthly allotments from the General Fund of the Government of Guam via the Guam Department of Administration to finance administrative and general expenses on a reimbursable basis. Such expenses mainly consist of salaries and wages, contractual wages, supplies and materials and utilities.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Revenue Recognition, continued

Pursuant to Guam Public Law 36-54, the per pupil cost was \$6,200 for the fiscal year ending September 30, 2022. Student enrollment is not to exceed 765 students during School Year 2021-2022.

GACS receives approximately 66% of its annual general fund revenue from the Government of Guam under a 6-year charter agreement. Under the charter agreement, the Council will review GACS once every six years, beginning on the date on which the charter is granted or renewed, to determine whether the charter should be revoked for material violations of laws and the terms of its agreement or if GACS fails to meet the goals and student academic achievement expectations. A significant reduction in the level of this support, if this were to occur, may have an adverse effect on GACS's operations and activities.

In-Kind Contributions

GACS records free use of Buildings C, D, & E and certain collateral equipment as in-kind contributions based on the estimated fair market value of the premises and collateral equipment.

Fund Raising and Donations

GACS participates in various fundraising activities during the year. Revenues received from these fundraising activities are recognized as fundraising income. In addition, GACS receives cash donations from private individuals and businesses that are recognized as donations when received.

Operating and Non-Operating Revenue and Expenses

Operating revenues and expenses generally result directly from GACS ongoing operations. Non-operating revenues and expenses result from capital and financing activities, costs and related recoveries from natural disasters, and certain other non-recurring income and expenses.

Income Taxes

The Academy is exempt from Guam income taxes under Section 501(c) (3) of the Guam Territorial Income Tax Laws.

Compensated Absences

Annual and sick leave is recognized as an expense and a corresponding liability as earned by employees. Regular full-time employees are entitled to eight days of sick leave and two days of vacation leave per benefit period. The benefit period is the first day of work in August to September 30th. Accrued leave does not carry over from year-to-year. Any unused leave will not be paid to the employee.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Fund Balance

Governmental fund balances are classified as follows:

- Restricted - includes fund balance amounts that are constrained for specific purposes which are externally imposed by providers, such as creditors or amounts constrained due to constitutional provisions or enabling legislation.
- Assigned - includes fund balance amounts that are intended to be used for specific purposes that are neither considered restricted or committed.
- Unassigned includes negative fund balances in other governmental funds.

Restricted/committed amounts are spent first when both restricted and unrestricted fund balance is available unless there are legal documents/contracts that prohibit doing this. In addition, committed, then assigned, and lastly unassigned amounts of unrestricted fund balance are expended in that order.

A formal minimum fund balance policy has not been adopted.

Estimates

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of financial statements and the reported amounts of revenues and expenditures/expenses during the reporting period. Actual results may differ from those estimates.

Upcoming Accounting Pronouncements

In May 2019, GASB issued Statement No. 91, *Conduit debt obligations*. The primary objectives of this statement are to provide a single method reporting conduit debt obligations by issuers and eliminate diversity in practice associated with (1) commitments extended by issuers, (2) arrangements associated with conduit debt obligations, and (3) related note disclosures. This statement achieves those objectives by clarifying the existing definition of a conduit obligation; establishing that a conduit debt obligation is not a liability of the issuer; establishing standards for accounting and financial reporting of additional commitments and voluntary commitments extended by issuers and arrangements associated with conduit debt obligations; and improving required note disclosures. GASB Statement No. 91 will be effective for fiscal year ending September 30, 2023.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Upcoming Accounting Pronouncements, continued

In March 2020, GASB issued Statement No. 94, *Public-Private and Public-Public Partnerships and Availability Payment Arrangements*. The primary objective of this Statement is to improve financial reporting by addressing issues related to public-private and public-public partnership arrangements (PPPs). As used in this Statement, a PPP is an arrangement in which a government (the transferor) contracts with an operator (a governmental or nongovernmental entity) to provide public services by conveying control of the right to operate or use a nonfinancial asset, such as infrastructure or other capital asset (the underlying PPP asset), for a period of time in an exchange or exchange-like transaction. Some PPPs meet the definition of a service concession arrangement (SCA), which the Board defines in this Statement as a PPP in which (1) the operator collects and is compensated by fees from third parties; (2) the transferor determines or has the ability to modify or approve which services the operator is required to provide, to whom the operator is required to provide the services, and the prices or rates that can be charged for the services; and (3) the transferor is entitled to significant residual interest in the service utility of the underlying PPP asset at the end of the arrangement. GASB Statement No. 94 will be effective for fiscal year ending September 30, 2023.

In May 2020, GASB issued Statement No. 96, *Subscription-Based Information Technology Arrangements*. This Statement provides guidance on the accounting and financial reporting for subscription-based information technology arrangements (SBITAs) for government end users (governments). This Statement (1) defines a SBITA; (2) establishes that a SBITA results in a right-to-use subscription asset—an intangible asset—and a corresponding subscription liability; (3) provides the capitalization criteria for outlays other than subscription payments, including implementation costs of a SBITA; and (4) requires note disclosures regarding a SBITA. To the extent relevant, the standards for SBITAs are based on the standards established in Statement No. 87, *Leases*, as amended. GASB Statement No. 96 will be effective for fiscal year ending September 30, 2023.

In April 2022, GASB issued Statement No. 99, *Omnibus 2022*. The requirements of this Statement will enhance comparability in the application of accounting and financial reporting requirements and will improve the consistency of authoritative literature. Consistent authoritative literature enables governments and other stakeholders to locate and apply the correct accounting and financial reporting provisions, which improves the consistency with which such provisions are applied more easily. The comparability of financial statements also will improve as a result of this Statement. Better consistency and comparability improve the usefulness of information for users of local government financial statements. GASB Statement No. 99 will be effective for fiscal year ending September 30, 2023.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

2. Summary of Significant Accounting Policies, continued

Upcoming Accounting Pronouncements, continued

In June 2022, GASB issues Statement No. 100, *Accounting Changes and Error Corrections – An Amendment of GASB Statement No. 62*. The primary objective of this Statement is to enhance accounting and financial reporting requirements for accounting changes and error corrections to provide more understandable, reliable, relevant, consistent and comparable information for making decisions or assessing accountability. The requirements of this Statement will improve the clarity of the accounting and financial reporting requirements for accounting changes and error corrections, which will result in greater consistency in application in practice. In turn, more understandable, reliable, relevant, consistent, and comparable information will be provided to financial statement users for making decisions or assessing accountability. In addition, the display and note disclosure requirements will result in more consistent, decision useful, understandable, and comprehensive information for users about accounting changes and error corrections. GASB Statement No. 100 will be effective for fiscal year ending September 30, 2024.

In June 2022, GASB issued Statement No. 101, *Compensated Absences*. The objective of this Statement is to better meet the information needs of financial statement users by updating the recognition and measurement guidance for compensated absences. That objective is achieved by aligning the recognition and measurement guidance under a unified model and by amending certain previously required disclosures. The unified recognition and measurement model in this Statement will result in a liability for compensated absences that more appropriately reflects when a government incurs an obligation. In addition, the model can be applied consistently to any type of compensated absence and will eliminate potential comparability issues between governments that offer different types of leave. The model also will result in a more robust estimate of the amount of compensated absences that a government will pay or settle, which will enhance the relevance and reliability of information about the liability for compensated absences. GASB Statement No. 101 will be effective for fiscal years ending September 30, 2025.

The Academy is currently evaluating the effects the above upcoming accounting pronouncements might have on its financial statements.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

3. Capital Assets

Capital asset activity for the year ended September 30, 2022, was as follows:

	Beginning Balance October 1, 2021 (Restated)	<u>Additions</u>	Transfers and <u>Deletions</u>	<u>Ending Balance September 30, 2022</u>
Depreciable capital assets:				
Computer and transportation equipment	\$ 35,935	\$ ---	\$ ---	\$ 35,935
Music instrument and sports equipment	39,397	11,094	---	50,491
Furniture, fixtures and equipment	<u>592,915</u>	<u>4,898</u>	<u>---</u>	<u>597,813</u>
	668,247	15,992	---	684,239
Less accumulated depreciation	(<u>230,256</u>)	(<u>46,767</u>)	<u>---</u>	(<u>277,023</u>)
	437,991	(30,775)	---	407,216
Land	<u>1,564,147</u>	<u>---</u>	<u>---</u>	<u>1,564,147</u>
	<u>\$2,002,138</u>	<u>\$(30,775)</u>	<u>\$---</u>	<u>\$1,971,363</u>

4. Donated Use of Operating Premises

The Guahan Academy Charter School, Inc. conducts its operations provided at below market cost at Tiyan, Guam as discussed below.

Operations conducted at Tiyan Guam location are provided under a Memorandum of Agreement (MOA) with the Government of Guam. Pursuant to Public Law 30-37, the Government of Guam and Core Tech International Corporation entered into a lease agreement with an option to purchase dated June 23, 2009, for certain land, buildings and structures located in Tiyan, Guam. On September 15, 2011, Public Law 31-76 amended Public Law 30-37 and allowed continued use of the Tiyan Campus for interim school facilities and other use for government operations. On December 30, 2013, the Government of Guam executed the Option to Purchase the Tiyan Campus.

On August 9, 2013, the Government of Guam entered into Memorandum of Agreement with GACS permitting it to use Buildings C and D of the Tiyan Campus at no cost. The original term of GACS' use of the premises is for a one year period commencing August 6, 2013 with two annual extensions of one year each for a maximum term of no more than three consecutive years from August 6, 2013 and ending June 30, 2016. Additional extensions were granted at the discretion of the Government of Guam. The current MOA is set to expire on June 30, 2023.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

4. Donated Use of Operating Premises, continued

The extensions are subject to the following conditions: a) GACS continues to hold a duly issued charter from the Guam Academy Charter Schools Council; and b) there has been no default of the MOA within a ninety-day notice. The office of the Governor of the Government of Guam estimates the fair rental market value of the premises and collateral equipment at \$953,070 per year based on comparable rents in the immediate area, which is recorded as a component of in-kind contributions in the accompanying statement of governmental fund revenues, expenditures and changes in fund balance/statement of activities. In 2020, this value increased due to the inclusion of Building E in the calculation. The MOA allows GACS free use of certain collateral equipment, the current fair market value of which was previously considered immaterial to the accompanying financial statements. In fiscal year 2019, the Government of Guam provided data sufficient to record the value and GACS has accordingly recorded such in the 2022 financial statements. Additionally, the MOA requires that should GACS vacate the Tiyan premises, it must incur certain expenses to restore those premises. GACS, as of September 30, 2022, has estimated that \$89,000 is the attendant cost of vacating the Tiyan premises but given GACS current financial situation, it is not currently possible to predict if such costs will be incurred and therefore, given the materiality of this balance, it has not been recorded as an expense and as a liability in the accompanying financial statements.

5. Retirement Savings Plan

A defined contribution retirement savings plan was implemented which allows employees to contribute up to \$17,500 of the employees' annual compensation to the plan. Eligible employees are full-time employees who have completed one month of service and part-time who have completed one year of service, or 1,000 hours. Employees at the age of 50, or who will attain the age of 50 before the end of the calendar year may make additional deferrals at a maximum of \$5,500 in excess of elective deferrals. GACS may contribute to the plan an amount equal to 6% of the employee's compensation. For the year ended September 30, 2022, contributions ceased due to funding availability.

6. Risk Management

The Academy is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. The Academy has elected to purchase commercial insurance coverage from independent third parties for the risks of loss to which it is exposed. Settled claims from these risks have not exceeded commercial insurance coverage for the past three years.

7. Commitments and Contingencies

Commitments

For the year ended September 30, 2022, unreported amounts related to leave earned but unpaid amounted to \$25,769.

Guahan Academy Charter School, Inc.
(A Non-Profit Organization)

Notes to Financial Statements, continued

7. Commitments and Contingencies, continued

Contingencies

The accompanying financial statements have been prepared on a going concern basis, which contemplates the realization of assets and the satisfaction of liabilities in the normal course of business. Negotiations to resolve a liability with another vendor are ongoing and GACS has set aside cash to fund what they believe will be the potential final settlement amount. However, resolution of this matter has yet to occur and the ultimate settlement may be outside of the balance of cash that has been provided for settlement. Any adjustments to reflect actual settlement of this liability will occur at the time resolution occurs. There is no certainty that this matter will be resolved without potential litigation and it is not possible to predict the ultimate outcome of this matter.

Dependency of Government of Guam

GACS earns substantially all its non-contribution related revenues 66% (for the year ended September 30, 2022) from a per pupil revenue assessment from the Government of Guam. Substantial changes in per pupil reimbursements will have an adverse impact on GACS ability to operate due to its funding dependency on the Government of Guam.

8. Beginning Balance Adjustments

Adjustment to the beginning balance of net position amounting to \$236,161 pertains to the correction of capitalization of depreciable capital assets not owned by the Academy. Restated balances at September 30, 2022 are as follows:

	Depreciable Capital	
	<u>Assets, Net</u>	<u>Net Position</u>
Beginning of year	\$ 674,152	\$2,635,552
Adjustment	(<u>236,161</u>)	(<u>236,161</u>)
Beginning of year, as restated	\$ <u>437,991</u>	\$ <u>2,399,391</u>

9. Subsequent Events

The Academy has evaluated subsequent events through May 2, 2023, which is the date the financial statements were available to be issued

Report of Independent Auditors 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*

Board of Trustees
Guahan Academy Charter School, Inc.

We have audited, in accordance with the 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, the financial statements of the governmental activities and the General Fund of the Guahan Academy Charter School, Inc. (the Academy) as of and for the year ended September 30, 2022 and 2021, and the related notes to the financial statements, which collectively comprise the Academy's basic financial statements, and have issued our report thereon dated May 2, 2023.

Report on Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the Academy's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Academy's internal control. Accordingly, we do not express an opinion on the effectiveness of the Academy's internal control.

A *deficiency in internal control* 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 and correct misstatements, on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that were not identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Academy'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 financial statements. 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*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Ernst + Young LLP

May 2, 2023