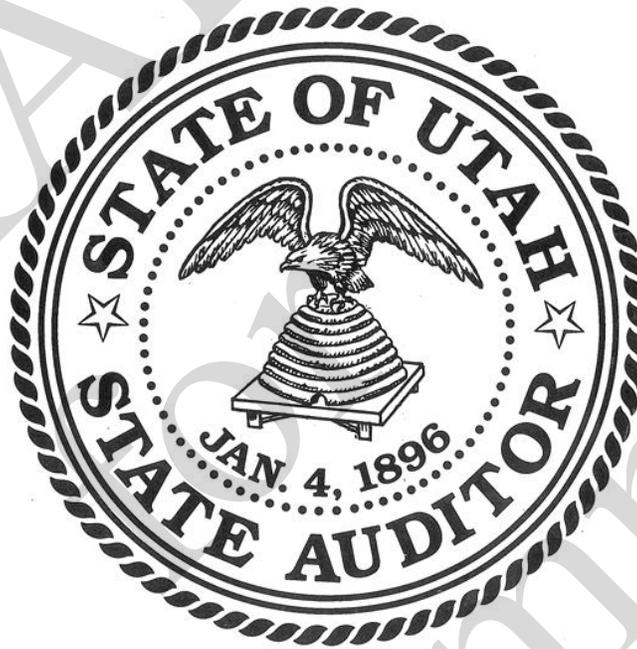


# STATE COMPLIANCE AUDIT GUIDE

(Revised May 1, 2016)



OFFICE OF THE  
UTAH STATE AUDITOR

### REVISION HISTORY

As revisions are made to this *State Compliance Audit Guide*, they will be noted in the table below. Please refer back to the online version often to check for changes.

CHAPTER	SECTION	PAGE	CHANGE(S) MADE	DATE CHANGED

DRAFT for Comment

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### **QUESTIONS AND COMMENTS**

The Office of the Utah State Auditor welcomes questions, comments and suggestions on this *Guide*. Please submit them to Patricia Nelson, Audit Supervisor, Local Government, at [patricianelson@utah.gov](mailto:patricianelson@utah.gov).

## IDENTIFYING COMPLIANCE REQUIREMENTS TO BE TESTED

**NOTE:** This *Guide* is not intended to identify compliance requirements that could be direct and material to the financial statements. This State Compliance Audit does not replace testing of compliance in a financial statement audit. Financial statement compliance requirements not in this guide may include, but not be limited to, compliance with the Utah Money Management Act, compliance with debt or bond requirements, or debt limitations. Therefore, the auditor should use appropriate audit procedures, such as inquiry with management, review of minutes, and other procedures as considered necessary to identify the compliance requirements that should be tested as part of the financial audit. (See AU-C 250, *Consideration of Laws and Regulations in an Audit of Financial Statements*.)

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Comment

## WHICH ENTITIES NEED A STATE COMPLIANCE AUDIT?

Utah Code Annotated (UCA) 51-2a-202 requires the local government entities, local education agencies, and governmental nonprofit organizations listed below to receive a **financial audit** in accordance with *Government Auditing Standards (GAS)*.

**IN ADDITION**, these entities are required to have a **state compliance audit** which should be 1) performed in accordance with the *State Compliance Audit Guide (Guide)*, developed by the Office of the Utah State Auditor (OSA) as directed by UCA 51-2a-301, and 2) completed using the guidance in the AICPA's Clarified Statements on Auditing Standards, AU-C section 935, *Compliance Audits*.

- **Local Government Entities** with total annual revenues or expenses greater than or equal to \$750,000:
  - **Counties**
  - **Municipalities**
  - **Interlocal entities**
  - **Local and special service districts**
- **Local Education Agencies (LEAs)**, *regardless of total annual revenues or expenses*:
  - **School districts**
  - **Operating Charter Schools (including charter schools organized as nonprofits)**.
- **Governmental Nonprofit organizations (GovNPOs)** with total annual revenues or expenses greater than or equal to \$750,000. For the purposes of this *Guide*, GovNPOs are defined as nonprofit organizations in which a local government entity has the controlling interest. The GovNPO is then subject to all applicable statutes of the local government entity with the controlling interest.
- Other local government entities that are not required to have a financial audit under state law, but choose to have a financial audit.

This *Guide* does not apply to:

- **State departments or agencies**
- Local government entities that are **allowed by statute and choose to receive an Agreed-Upon Procedures engagement instead of an audit.**
- **Nonoperating Charter Schools** (Charter schools that have not received MSP funds or federal funds and are not providing educational services during a fiscal year). Nonoperating Charter schools are required to have an Agreed-Upon Procedures engagement (See OSA's *Guide for AUP's for Local Governments* at <http://auditor.utah.gov/local-government-2/training-and-publications/>).
- **Non-governmental Nonprofit Organizations** which are subject instead to reporting requirements under UCA 51-2a-201.5 (see <http://auditor.utah.gov/local-government-2/reporting-requirements/non-profit-organization-reporting/> for applicable reporting requirements)

**A COMPLETE LIST OF  
ALL CURRENT REPORTING REQUIREMENTS BY ENTITY TYPE  
CAN BE FOUND ON THE OSA WEBSITE AT:**

<http://auditor.utah.gov/local-government-2/publications/reporting-requirements/>

# CHAPTER 1: GENERAL AUDIT PROCEDURES TO BE PERFORMED ANNUALLY

## A. COMPLIANCE AUDIT PLANNING PROCEDURES

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
AU-C 935.15 AU-C 315	ALL	<p>1. Obtain an understanding of the entity's internal control over <b>each</b> applicable compliance requirement identified in this Guide. (An example form for completing Section A is provided in Chapter 1 Appendix 1, <i>Identification of Applicable Compliance Areas and Risk Assessment</i>.)</p>		
		<p>a. Document the entity's controls over each applicable compliance requirement, including the person or department performing the control and how the control is documented by the entity.</p> <p><i>The auditor should not focus solely on traditional control activities such as review, approval, reconciliation, etc. Other controls could be adequate training or professional experience.</i></p>		
		<p>b. Document the sources of information used and procedures performed to evaluate the design and implementation of controls.</p> <p><i>AU-C 315.13-14, .A42-.A70 requires the auditor to obtain an understanding of internal controls by performing other procedures in addition to inquiry of the entity's personnel.</i></p>		
		<p>c. Determine whether controls are properly designed and implemented to achieve the control objectives (the auditor is not required to test the <i>effectiveness</i> of internal controls over compliance).</p> <p><i>Describe any deficiency of design or implementation and, if significant, report to those charged with governance.</i></p>		
AU-C 935.16		<p>2. Inquire of management about whether there were findings and recommendations from previous audits, attestation engagements, internal or external monitoring, or other studies that directly relate to the compliance requirements in this Guide and whether the recommendations have been implemented.</p>		
		<p>3. Identify relevant fraud and other risk factors and assess whether the risk factors, individually or in combination, present a risk of material noncompliance with compliance requirements.</p>		
AU-C 935.13		<p>4. Determine and document a materiality level (including the basis on which it was determined) for <b>each</b> applicable compliance requirement identified in this Guide.</p>		
AU-C 935.17		<p>5. Document the assessed risk of material noncompliance for <b>each</b> applicable compliance requirement identified in this Guide.</p>		

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 LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
AU-C 935.18-19		6. If risks of material noncompliance are identified, design and perform further audit procedures in response to the assessed risks of material noncompliance.		

## B. BUDGETARY COMPLIANCE

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Towns: <a href="#">10-5-109</a> Cities: <a href="#">10-6-118</a> Districts: <a href="#">17B-1-614</a> Counties: <a href="#">17-36-15</a> LEAs: <a href="#">53A-19-102</a> Interlocal: <a href="#">11-13-507</a> & <a href="#">11-13-514</a>	ALL	<p>1. Determine that a budget was approved before the start of the budget year and that the budget presented to the public and governing body contained the required financial information. (EXCEPTION – When the entity is proposing a property tax increase, the budget may be approved subsequent to the start of the budget year. See applicable law.)</p> <p>A budget should be prepared for all funds except permanent trusts and fiduciary funds, be in tabular form, and contain the following information:</p> <ul style="list-style-type: none"> <li>• Actual revenues and expenditures from the last completed fiscal period.</li> <li>• Budget estimates for the current fiscal period.</li> <li>• Estimated total revenues and expenditures for the current fiscal period.</li> </ul> <p>NOTE: Although UCA 53A-1a-511(4)(e) exempts Charter Schools from UCA 53A-19-102 which requires LEA's to prepare a budget, Charter Schools <u>are still required</u> by their charter agreements with USOE to prepare and submit a budget to USOE similar to school districts.</p>		
UCA Towns: <a href="#">10-5-115</a> Cities: <a href="#">10-6-123</a> Districts: <a href="#">17B-1-619</a> Counties: <a href="#">17-36-21</a> LEAs: <a href="#">53A-19-106</a> Interlocals: <a href="#">11-13-517</a>	ALL	<p>2. Examine the entity's records and financial reports and determine that total expenditures by fund did not exceed the amounts appropriated in the final adopted budget. (Note: Although various statutes prohibit entities from exceeding budget on a department level, testwork on the fund level is considered adequate. However, if the auditor notes significant budget overages on a department level, this should be reported).</p> <p>(Note: This procedure should be applied to ALL funds required to adopt a budget, not just those required to present a budget to actual statement in the CAFR).</p>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Cities: <a href="#">10-6-147</a> & <a href="#">10-6-148</a> Towns: <a href="#">10-5-129</a> Districts: <a href="#">17B-1-638</a> Counties: <a href="#">17-36-36</a> LEAs: <a href="#">53A-19-108</a> Charters: <a href="#">Education Rule R277-113-4(C)(9)</a> Interlocals: <a href="#">11-13-527</a>	ALL	3. Determine that appropriate financial reports are prepared monthly or quarterly as required, and reviewed by the governing body. Select one monthly or one quarterly financial report, as applicable, and determine that it reconciles to the general ledger (revenues/expenditures) in total by fund. <ul style="list-style-type: none"> <li>1<sup>st</sup> &amp; 2<sup>nd</sup> class cities, towns, districts, interlocal entities, and counties should prepare reports at least quarterly.</li> <li>3<sup>rd</sup> – 5<sup>th</sup> class cities and LEA's (including Charter Schools) should prepare reports monthly.</li> </ul> <p>The auditor should consider the size of the entity when determining if the reports provided to the governing board are appropriate. For example, small entities with limited separation of duties may need to provide their board detailed transactions for review and approval, while larger entities may find reporting by account or department level to be adequate.</p> <p>The reports should be detailed enough for the governing board to make adequate decisions regarding financial matters and should include all funds unless the fund is inactive (which the auditor should verify). County financial reports should include additional specific information – see UCA 17-36-36.</p>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

### C. FUND BALANCE

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Cities: <a href="#">10-6-117</a> (2) Towns: <a href="#">10-5-114</a> (2) Districts: <a href="#">17B-1-613</a> (2) LEA's: <a href="#">53A-19-104</a> (2) Interlocals: <a href="#">11-13-513</a> (2)	ALL	1. <b><u>Deficit Fund Balances</u></b> <p><u>Municipalities, Districts, Interlocals, &amp; Counties:</u>                      For any fund that has a deficit unassigned/unrestricted fund balance in the year under audit, determine whether the entity included in the subsequent budget year an appropriation to retire the deficit of an amount equal to or greater than 5% of the fund's total actual revenue of the year under audit.</p> <p><u>LEA's (except charter schools)</u>                      For any district deficit unassigned/unrestricted balances in the year under audit, determine whether the district included in the subsequent budget year an appropriation to retire the deficit of an amount equal to or greater</p>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
		than 10% of the fund's total actual tax revenue of the year under audit for the district.		
UCA <a href="#">17-36-16- (2)</a>	C	2. <b>Counties:</b> Determine that the entity's unrestricted (committed, assigned, and unassigned) general fund balance did not exceed an amount equal to the greater of: <ul style="list-style-type: none"> <li>a. <i>for a county with a taxable value of \$750 million or more and a population of 100,000 or more</i> – 20% of the total revenues of the general fund for the current fiscal period; or</li> <li>b. <i>for any other county</i> – 50% of the total revenues of the general fund and the total revenues from property taxes for the current fiscal period.</li> </ul>		
UCA Cities: <a href="#">10-6-116-(2)</a> Towns: <a href="#">10-5-113-(2)</a>	M	3. <b>Municipalities:</b> Determine that the entity's unrestricted (committed, assigned, and unassigned) general fund balance did not exceed 25% for cities or 75% for towns of the total revenue of the general fund for the fiscal year under audit.		
UCA Districts: <a href="#">17B-1-612- (2)</a> Interlocals: <a href="#">11-13-512-(2)</a>	D, IL	4. <b>Special and Local Service Districts and Interlocal Entities:</b> Determine that the maximum unrestricted (committed, assigned, and unassigned) general fund balance does not exceed the greater of: <ul style="list-style-type: none"> <li>• 100% of the current year's property tax; <b>or</b></li> <li>• 25% of the total general fund revenues, if the annual general fund budget is greater than \$100,000; <b>or</b></li> <li>• 50% of the total general fund revenues, if the annual general fund budget is equal to or less than \$100,000.</li> </ul>		
UCA <a href="#">53A-19- 103</a>	LEAs, except charter schools	5. <b>School Districts</b> (excluding charter schools): Determine that the undistributed reserve does not exceed 5% of the maintenance and operation expenditure budget (the higher of the budget for the year under audit or the subsequent budget year). An undistributed reserve consists of funds set aside for unexpected and unspecified contingencies and should be part of the committed fund balances. (Note that for the amount to be classified as committed, the school board must commit the funds by resolution before year end.) The reserve should not be used in negotiation or settlement of contract salaries for district employees.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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 LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

### D. JUSTICE COURTS

Information Contacts: Heather Mackenzie-Campbell, Audit Manager, Administrative Office of the Courts, (801) 578-3889  
 Diane Williams, Internal Auditor, Administrative Office of the Courts, (801) 578-3985

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	M, C	1. Obtain a sufficient understanding of the separation of duties over cash receipting functions at the Justice Court. If authorization, access to or custody of assets, and record keeping duties are not separated (limited staff) and no compensating review is performed by an individual without access to monies collected, complete Procedures 2 through 6 below.		
	M, C	2. Select a sample of cases with a full or partial payment receipted during the audit period and determine that the disposition of the fines, fees, and forfeitures were in compliance with the applicable laws (see Chapter 1, Appendix 2, <i>Disposition of Justice Court Fines, Fees, and Forfeitures</i> ).		
See Chapter 1 Appendix 2	M, C	3. <u>Credits</u> : Select a sample of credits issued (CORIS credit detail report) during the audit period. Verify that each credit was authorized by the bail schedule (as specified in the Uniform Fine/Bail Forfeiture Schedule) or ordered by the judge (as specified in the judicial order or a general court order). In addition, review the documented proof of compliance, e.g. completion of community service, completion of alcohol treatment, proof of valid registration, proof of repair of faulty equipment or other judicially specified reason attached to the citation, stored in the case file or scanning system, or filed with the daily accounting records.  Note: The Uniform Fine/Bail Forfeiture Schedule is located at: <a href="http://www.utcourts.gov/resources/rules/ucja/append/c_fineba/">http://www.utcourts.gov/resources/rules/ucja/append/c_fineba/</a>		
See Chapter 1 Appendix 2	M, C	4. <u>A/R Adjustments</u> : Select a sample of accounts receivable (a/r) adjustments (CORIS adjustments to a/r) during the audit period.  Verify each a/r adjustment was entered to correct a clerical error when setting up the amount or the amount is no longer due (dismissed offense based on proof specified in the Uniform Fine/Bail Forfeiture Schedule or dismissed by judge in a judicial order).		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
See Chapter 1 Appendix 2	M, C	<p>5. <u>Dismissed Offenses/Amounts</u>: Select a sample of dismissed offenses that clerks are authorized to dismiss as specified in the Uniform Fine/Bail Forfeiture Schedule (CORIS charge disposition report) during the audit period.</p> <p>Verify that each dismissed offense is appropriate. Review the documented proof provided to the clerk (proof of insurance, proof of drivers license in effect at time of offense, etc. as specified in the bail schedule). The proof of documentation is attached to the citation, stored in the case file or scanning system, or filed with the daily accounting records. Verify that an appropriate reason or explanation was provided in each case.</p> <p>All other dismissed offenses not specified in the Uniform Fine/Bail Forfeiture Schedule and <a href="#">CJA Rule 4-704</a> must be dismissed by written judicial order. Verify that an appropriate reason or explanation was provided in each case.</p>		
See Chapter 1 Appendix 2	M, C	<p>6. <u>Voided Receipts</u>: Select a sample of transaction reversals (CORIS transaction reversals report) during the audit period.</p> <p>Verify that each transaction reversal (void) was initiated by the cashier and approved by a second clerk/employee to compensate for separation of duties weaknesses. Select any reversals initiated and approved by the same clerk/employee with a focus on cash transactions and review for propriety. If a cash receipt, verify the re-receipt. If a cash payment was receipted, then voided at a much later time/date, review for propriety.</p>		
		7. Obtain a response for each audit finding from the presiding judge.		
<b>CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):</b>			<b>Performed by and Date</b>	<b>Workpaper Index</b>

### E. UTAH RETIREMENT SYSTEMS

The procedures in this section should be performed if the governmental entity participates in any of the following systems of the Utah Retirement Systems (URS) or if the employer is paying the member contribution or a portion of it into the system:

- Noncontributory Retirement System
- Contributory Retirement System
- Public Safety Retirement System
- Firefighters' Retirement System
- Tier 2 Public Employees Contributory Retirement System
- Tier 2 Public Safety and Firefighters Contributory Retirement System

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This testwork is performed to support the annual financial statement audit of URS. **Any errors or noncompliance noted should also be reported to the URS Director of Finance, Kim Kellersberger, at Kim.Kellersberger@urs.org**

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">49-11-801</a> , also <a href="#">IRS Rev. Rul. 2006-43</a>	ALL	<p>1. For entities participating in a URS Contributory System where the entity is paying any portion of the member (employee) required contribution, determine whether the entity's governing board authorized the payment of that portion through a formal action of the board. (Note: This action could have occurred in previous years.) Ensure that the authorization covers the year under audit.</p> <p>Example: The member/employee contribution rate in the URS Contributory System is 6%, so if an employer is paying 4.5% of the 6% required contribution for its employees, IRS rules require the governing body to approve the payment of the 4.5% through a formal action.</p>		
See Suggested Audit Procedures	ALL	<p>2. Select a sample of newly hired employees from the payroll register and determine that eligible employees were immediately and accurately enrolled in the Utah Retirement Systems unless the employee qualifies to be exempt from retirement coverage.</p> <p>Eligibility rules vary by retirement system:</p> <ul style="list-style-type: none"> <li>• Tier 1 Public Employees Noncontributory Retirement System (<a href="#">UCA 49-13-201</a>)</li> <li>• Tier 1 Public Employees Contributory Retirement System (<a href="#">UCA 49-12-201</a>)</li> <li>• Tier 1 Public Safety Noncontributory Retirement System (<a href="#">UCA 49-15-201</a>)</li> <li>• Tier 1 Public Safety Contributory Retirement System (<a href="#">UCA 49-14-201</a>)</li> <li>• Tier 1 Firefighters Retirement System (<a href="#">UCA 49-16-201</a>)</li> <li>• Tier 2 Public Employees Contributory Retirement System (<a href="#">UCA 49-22-201</a>)</li> <li>• Tier 2 Public Safety and Firefighter Contributory Retirement System (<a href="#">UCA 49-23-201</a>)</li> </ul>		
	ALL	<p>3. Select a sample of employees on leave of absence and determine that the employer maintained accurate records relating to leave of absence and notified the retirement office of the beginning and ending dates of leave.</p>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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**F. RESTRICTED TAXES**

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	C, M, D, IL	1. Determine the type and amount of restricted taxes and other related revenue (i.e. Liquor Tax Distribution and B&C Road Funding) received by the entity.  <b>See Chapter 1 Appendix 3 for a listing of possible restricted tax types and other related restricted revenue.</b>		
	C, M, D, IL	2. If the total of all restricted taxes and other related revenue is significant to the entity (greater than 1/3 performance materiality), perform the following: <ul style="list-style-type: none"> <li>a. Determine that the various restricted taxes/other related revenue are accounted for in separate restricted accounts.</li> <li>b. Select a representative sample of expenditures made from restricted sources and determine whether the expenditures were made only for purposes authorized by law.</li> </ul>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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## G. SCHOOL DISTRICT TAX LEVIES

The objective of this testwork is to ensure property tax and related fee revenue are allocated to the appropriate school district fund and expended as allowed by state law.

### TYPES AND ALLOCATION OF TAX LEVIES:

Districts can levy taxes based on different available tax rates. All districts must levy the basic rate in order to qualify for receipt of the state contribution toward the basic program. Receipts of property taxes should be allocated to each assigned district fund based on current-year property tax rates.

Available Tax Levy	Required vs. Optional	Ceiling Rate	District Fund to Which Funds s/b Allocated	Allowable Expenditures	UCA Reference
<b>Basic</b> – the local-state shared portion	Required	0.001736 (Minimum)	General Fund	Unrestricted – To be used for each district’s operation and maintenance of schools.	<a href="#">53A-17a-135</a> ; <a href="#">59-2-902</a> , <a href="#">905</a> , <a href="#">906</a> & <a href="#">924</a>
<b>Voted Local</b> – State and local funds received by a district under the Voted Local Program	Optional	0.002	General Fund	Unrestricted – May be budgeted and expended with the general fund as authorized by the local school board.	<a href="#">53A-17a-133</a> ; <a href="#">59-2-904</a>
<b>Board Local</b> – State and local funds received by a district under the Board Local Program	Optional	0.0018 or 0.0025	General Fund	Unrestricted – May be budgeted and expended with the general fund as authorized by the local school board.	<a href="#">53A-17a-134</a> & <a href="#">164</a> ; <a href="#">59-2-904</a>
<b>Capital Local</b>	Optional (except for school districts in a first-class county who must impose a Capital Local levy of at least .0006)	0.003	Capital Projects Fund	Restricted – Used for capital outlay and debt service. A portion of this levy may be used for Capital Operation and Maintenance. Subject to enrollment (0.0024 < 2,500, or 0.0002 ≥ 2,500 enrolled).	<a href="#">53A-16-113</a> & <a href="#">53A-16-107</a>
<b>Debt Service</b>	Required if General Obligation Bonds outstanding	Voter approval	Debt Service Fund	Restricted – used to satisfy debt service requirements of issued general obligation bonds.	<a href="#">11-14-310</a> ; <a href="#">53A-17a-145</a>

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
See table above	LEAs, except charter schools	1. Determine that property taxes and related fees were calculated and allocated to the proper levy/fund based on the current-year tax rate and that the various restricted taxes are accounted for in separate restricted accounts.		
See table above	LEAs, except charter schools	2. <b>ALLOWABILITY</b> – Select a representative sample of expenditures made from restricted tax and related fee sources and determine whether the expenditures were made only for purposes authorized.		
See table above	LEAs, except charter schools	a. <b>Debt Service</b> – Verify that these funds have been used only to pay general obligation debt service principal and interest along with paying agent fees and refunding costs.		
See table above	LEAs, except charter schools	b. <b>Capital Local</b> – Verify these funds were used only for capital outlay (defined as items that are capital in nature such as land, buildings, improvements, equipment, and other capital assets) and debt service and maintenance projects, with exceptions as noted below. <ul style="list-style-type: none"> <li>• The local school board of a district with an enrollment of 2,500 or more may use the proceeds of a maximum of 0.0002 per dollar of taxable value of the local school board’s annual capital outlay levy for the maintenance of school facilities in the district.                             <p style="margin-left: 40px;"><u>Maintenance of Effort</u>: A district that uses the .0002 tax rate option shall 1) maintain the same level of expenditure for maintenance in the current year as it did in the preceding year, plus the annual average percentage increase applied to the general fund budget for the current year, and 2) identify the expenditure of capital outlay funds for the expansion of a maintenance program by a project number to ensure that the funds are expended in the manner intended in accordance with UCA <a href="#">53A-16-107(2)</a>.</p> </li> <li>• A local school board of a district with an enrollment of fewer than 2,500 students may use the proceeds of a maximum of .0024 per dollar of taxable value of the local school board’s annual capital outlay for expenditures made within the accounting function classification, Operation and Maintenance of Plant Services, excluding expenditures for mobile phone service and vehicle operation and maintenance.</li> </ul> <p>In both instances above, the local school board shall notify the public of the board’s use of the capital outlay levy proceeds for general fund purposes prior to the board’s budget hearing and at a budget hearing.</p>		

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 LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
See table above	LEAs, except charter schools	3. <b>Debt Service Levy:</b> If the revenues from the debt service levy exceeded the expenses of the debt service fund, ensure the excess remains in the fund and is available for future debt service. EXCEPTION: If the general obligation bond debt was fully retired during the year, any excess may be transferred to the capital projects fund.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

### H. OPEN AND PUBLIC MEETINGS ACT

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">52-4-104</a>	ALL	1. Through inquiry with officials of the entity and observation of meeting agendas, certificates or other relevant evidence, determine that the presiding officer of a governing body ensured that members of the governing body were provided with annual training on the requirements of open and public meetings.		
		2. Select and obtain the agenda and meeting minutes for two public meetings held during the year under audit and perform the following:		
UCA <a href="#">52-4-202 (1)&amp;(3)</a>	ALL	a. Determine that the entity gave proper notice of the meeting at least 24 hours before each meeting by posting the notice on the Utah Public Notice Website.		
UCA <a href="#">52-4-202 (6)(a)</a>	ALL	b. Determine that the agenda was reasonably specific to enable lay persons to understand the topics to be discussed.		
UCA <a href="#">52-4-202 (6)(c)</a>	ALL	c. Determine that the public body did not take any final actions on a topic in the meeting unless the topic was listed under an agenda item.		
UCA <a href="#">52-4-203 (4)(e)</a>	C, M, and LEAs	d. Determine that within three days of the meeting minutes being approved, the minutes were posted to the Utah Public Notice Website. (Exception: Charter schools are required only to <u>make the meeting minutes available</u> to the public within three days of being approved.).		

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Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">52-4-204(2)-(4)</a>	ALL	e. If a portion of the meeting was closed to the public, determine that 1) before the meeting was closed, the reason for holding the closed meeting was documented in the meeting minutes and a roll call vote was taken, 2) the reason for closing the meeting was permitted under UCA 52-4-205, and 3) an audio recording of the closed meeting was made, or in the case of meetings closed to discuss issues noted in UCA 52-4-205(1)(a)(i)(f) or (2), the presiding person had executed a sworn statement that the sole purpose of the closed meeting was to discuss those issues.		
UCA Towns: <a href="#">10-5-106</a> thru <a href="#">108</a> Cities: <a href="#">10-6-110</a> , <a href="#">113</a> , <a href="#">135</a> Districts: <a href="#">17B-1-605</a> thru <a href="#">607</a> , <a href="#">609</a> Counties: <a href="#">17-36-9</a> , <a href="#">10.1</a> , <a href="#">12</a> LEAs: <a href="#">53A-19-101</a> thru <a href="#">102</a> Interlocals: <a href="#">11-13-509</a>	ALL (except charter schools)	3. Ensure that the entity provided the required notice for its original and final budget adoption hearing by reviewing the certified copy of the notice.  a. Municipalities, counties, and districts are required to provide a 7-day notice. b. LEAs are required to provide a 10-day notice. (NOTE: Per UCA <a href="#">53A-1a-511(4)(f)</a> , charter schools are exempt from any notice requirements)		
UCA <a href="#">52-4-201</a>	ALL	4. Determine if the governing board regularly holds “work meetings” before its regularly scheduled board meetings. If so, select two meetings and determine that notice and minutes requirements in step 2 were met if a quorum was present.		
<b>CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):</b>			<b>Performed by and Date</b>	<b>Workpaper Index</b>

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I. TREASURER'S BOND

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index																																	
UCA <a href="#">51-7-15</a>	ALL	<p>Determine if the Treasurer is properly bonded in accordance with Utah Administrative Code <a href="#">R628-4-4</a> for the Money Management Council.</p> <table border="1" data-bbox="326 520 1198 940"> <thead> <tr> <th data-bbox="326 520 678 611">Budget</th> <th data-bbox="678 520 967 611">Percent For Bond</th> <th data-bbox="967 520 1198 611">Minimum Bond</th> </tr> </thead> <tbody> <tr> <td data-bbox="326 611 678 653">0 to 10,000</td> <td data-bbox="678 611 967 653">N/A</td> <td data-bbox="967 611 1198 653">0</td> </tr> <tr> <td data-bbox="326 653 678 688">10,001 to 100,000</td> <td data-bbox="678 653 967 688">9% but not less than</td> <td data-bbox="967 653 1198 688">5,000</td> </tr> <tr> <td data-bbox="326 688 678 724">100,001 to 500,000</td> <td data-bbox="678 688 967 724">8% but not less than</td> <td data-bbox="967 688 1198 724">9,000</td> </tr> <tr> <td data-bbox="326 724 678 760">500,001 to 1,000,000</td> <td data-bbox="678 724 967 760">7% but not less than</td> <td data-bbox="967 724 1198 760">40,000</td> </tr> <tr> <td data-bbox="326 760 678 795">1,000,001 to 5,000,000</td> <td data-bbox="678 760 967 795">6% but not less than</td> <td data-bbox="967 760 1198 795">70,000</td> </tr> <tr> <td data-bbox="326 795 678 831">5,000,001 to 10,000,000</td> <td data-bbox="678 795 967 831">5% but not less than</td> <td data-bbox="967 795 1198 831">300,000</td> </tr> <tr> <td data-bbox="326 831 678 867">10,000,001 to 25,000,000</td> <td data-bbox="678 831 967 867">4% but not less than</td> <td data-bbox="967 831 1198 867">500,000</td> </tr> <tr> <td data-bbox="326 867 678 903">25,000,001 to 50,000,000</td> <td data-bbox="678 867 967 903">3% but not less than</td> <td data-bbox="967 867 1198 903">1,000,000</td> </tr> <tr> <td data-bbox="326 903 678 938">50,000,001 to 500,000,000</td> <td data-bbox="678 903 967 938">2% but not less than</td> <td data-bbox="967 903 1198 938">1,500,000</td> </tr> <tr> <td data-bbox="326 938 678 974">over 500,000,000</td> <td data-bbox="678 938 967 974"></td> <td data-bbox="967 938 1198 974">10,000,000</td> </tr> </tbody> </table> <p>The basis used should be <u>all budgeted gross revenue for the previous fiscal year</u>. Budgeted gross revenue includes all funds collected or handled by the public treasurer.</p> <p>Bonds must be issued by a corporate surety licensed to do business in the State of Utah and rated XII or better by the latest issue of Best's Rating Guide. Bonds should be effective as of the date the treasurer assumes the duties of the office or is sworn in.</p>	Budget	Percent For Bond	Minimum Bond	0 to 10,000	N/A	0	10,001 to 100,000	9% but not less than	5,000	100,001 to 500,000	8% but not less than	9,000	500,001 to 1,000,000	7% but not less than	40,000	1,000,001 to 5,000,000	6% but not less than	70,000	5,000,001 to 10,000,000	5% but not less than	300,000	10,000,001 to 25,000,000	4% but not less than	500,000	25,000,001 to 50,000,000	3% but not less than	1,000,000	50,000,001 to 500,000,000	2% but not less than	1,500,000	over 500,000,000		10,000,000		
Budget	Percent For Bond	Minimum Bond																																			
0 to 10,000	N/A	0																																			
10,001 to 100,000	9% but not less than	5,000																																			
100,001 to 500,000	8% but not less than	9,000																																			
500,001 to 1,000,000	7% but not less than	40,000																																			
1,000,001 to 5,000,000	6% but not less than	70,000																																			
5,000,001 to 10,000,000	5% but not less than	300,000																																			
10,000,001 to 25,000,000	4% but not less than	500,000																																			
25,000,001 to 50,000,000	3% but not less than	1,000,000																																			
50,000,001 to 500,000,000	2% but not less than	1,500,000																																			
over 500,000,000		10,000,000																																			

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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**J. UTAH PUBLIC FINANCE WEBSITE**

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">63A-3-405</a>	ALL w/ annual revenues or expenses over \$1million	1. Determine whether the entity has uploaded the proper data to the Utah Public Finance Website (aka Transparency Website) at <a href="http://www.transparent.utah.gov">http://www.transparent.utah.gov</a> as listed below: - Quarterly Revenue & Expenses (due 30 days after 1 <sup>st</sup> , 2 <sup>nd</sup> , and 3 <sup>rd</sup> quarter end; as soon as possible after 4 <sup>th</sup> quarter end) - Annual Payroll Data (due 90 days after year end) - C,M,D,IL <i>only</i> – Annual Balance Sheet Data (due 180 days after year end)		
		2. Determine that the data submitted to the Transparency Website for the period under audit agrees to the general ledger by performing the following procedures: ----- a. Download a list of all revenue and expenditures/expense transactions for the entity from the Transparency Website as follows (NOTE: THE COST OF EACH DOWNLOAD IS \$1. THE FILE WILL BE SENT TO THE EMAIL YOU PROVIDE): <ul style="list-style-type: none"> <li>• On the HOME page, select “Download Full Transparency List by Year” (2nd option under the Resources &amp; Links section, partway down the right side of page).</li> <li>• Select the appropriate data for download:                             <ul style="list-style-type: none"> <li>○ Level – type of local government</li> <li>○ Year – applicable fiscal year</li> <li>○ Type – Expense and/or Revenue</li> </ul> </li> <li>• Select the relevant entity.</li> </ul> <p>[MORE EXPLANATION NEEDED. I was given a “You need permission to access” prompt.]</p>		
		b. Obtain a <b>download/report</b> of the revenue and expenditure/expense transactions recorded on the entity’s general ledger for the year. <b>Summarize</b> all transactions applicable to <b>[-or- coinciding with]</b> the Transparency Website <b>quarterly uploads</b> by total revenue and total expense/expenditures, including a summary of the number of transactions for each. <p>[MORE EXPLANATION NEEDED? If they’ve never downloaded a file, they may not know until they get into the system what this step means]</p>		

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Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
		<p>c. Complete the OSA online form, <i>Transparency Compliance Reporting</i>, at <a href="http://goo.gl/forms/NxuG7VU4Kp">http://goo.gl/forms/NxuG7VU4Kp</a>, which requires you to provide the total revenue and expenditures/expenses listed on both the general ledger and the Transparency Website, including the number of transactions. Differences will be investigated by the OSA.</p> <p>[Will the CPA have to create an account? (if yes, add step or explanation)... or will they already have created an account to get onto the Transparency website?]</p>		

DRAFT for Comment

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## CHAPTER 2: GENERAL AUDIT PROCEDURES TO BE PERFORMED AT LEAST EVERY THIRD YEAR

This chapter of the *State Compliance Audit Guide* identifies compliance testwork that auditors can generally rotate. (Not all of the compliance requirements apply to all entity types.) Auditors should divide the applicable requirements approximately in third and test a third of them with each audit, budgeting a similar amount of tests for each audit cycle unless the risk of noncompliance warrants testing of these requirements every year.

NOTE: This chapter does not apply to Governmental NPOs (GovNPOs). Charter schools structured as NPOs are not considered GovNPOs for the purposes of this *Guide* and are, therefore, subject to this chapter.

**Auditors should not rotate/omit a specific compliance test if the prior audit identified noncompliance or if evidence supports an elevated risk of noncompliance for the current audit.**

### A. CASH MANAGEMENT

Information Contact: Ann Pedroza, 801-538-1883, Secretary to the Utah Money Management Council

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">51-7-15(3)</a>	ALL	1. Entities are required to file a written report with the Money Management Council (Council) on or before January 31 and July 31 of each year. This report, entitled the "Deposit and Investment Report Form," provided by the Council (see <a href="http://utah.gov/treasurer/documents/utah-state-treasurer-deposit-investment.pdf">http://utah.gov/treasurer/documents/utah-state-treasurer-deposit-investment.pdf</a> ), contains information about the deposits and investments of that entity during the preceding six months ending December 31 and June 30, respectively. The Council uses this form to determine if the entity is in compliance with the Money Management Act.  Review the entity's fiscal year end report and determine that the report agrees to financial institution statement year-end closing balances ('bank' balances NOT 'book' balances) and includes all accounts (both deposit and investment) held by the entity.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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## **B. ENTERPRISE FUND TRANSFERS, REIMBURSEMENTS, LOANS, AND SERVICES**

This *Guide* focuses on state compliance issues and generally does not include audit steps regarding appropriate accounting treatment. However, as concerns are raised about the appropriate accounting treatment for certain transactions, the OSA includes the treatment in this *Guide*. As such, we have included this section relating to Enterprise Funds. The auditor should consider this guidance when conducting an audit of governmental entities.

### **Background**

The treatment of enterprise fund transfers, reimbursements, loans, and services is subject to the following two provisions: **(1) Utah Code Annotated (UCA) and (2) Accounting standards**. Therefore, requirements not specifically stated in UCA but required by accounting standards must be followed.

Unlike a private business, which is accounted for as a single entity and has an accounting system designed to measure profitability, governmental accounting systems are designed to measure **accountability**. To measure accountability, a governmental unit is accounted for through several separate funds. A fund is defined as a fiscal and accounting entity with a self-balancing set of accounts, segregated for the purpose of carrying on specific activities for attaining certain objectives in accordance with **regulations, restrictions, or limitations**. Therefore, a governmental unit is a combination of several distinctly different fiscal and accounting entities, each having a separate set of accounts and functioning independently. (GASB Codification 1300.101)

An enterprise fund is a separate distinct fiscal entity designed to account for the restricted activity of the fund. The restriction imposed on enterprise fund proceeds is created through an implied agreement with rate payers when the government imposes a fee. The implied agreement is that the government will use the fee for enterprise fund activities and nothing else.

### **Public Notice and Hearing Requirements**

State laws for local governments require that when there are "...allocations or transfers from an enterprise fund to another fund that are not reasonable allocations of costs between the enterprise fund and the other fund, the governing body shall..." publish public notice and hold a public hearing to disclose the transfer. Essentially, if resources (cash, goods, or services) are transferred out of an enterprise fund and equivalent resources are not received in return (meaning no cash is exchanged or no overhead is allocated), the entity must publish notice and hold a public hearing regarding the transaction. For counties, the original or subsequently amended budget hearings and notices are sufficient to comply with this requirement. **For all other local governments, information specific to the transfer vs. the budget public hearing must be mailed or transmitted separately to each enterprise fund customer.**

### **Accounting Treatment**

In order to complete accounting entries for enterprise fund transfers, reimbursements, loans, or services, the amount/value of the goods or services provided to another fund must be determined. The value of the services provided by a utility enterprise fund to another fund should be estimated or calculated at the same rates charged to other similar customers of the fund. Conversely, the value of services provided by the general fund to oversee the utility enterprise funds (HR functions, accounting, legal, etc.) should be based on reasonable estimates/allocations of those costs. Both the costs of the services provided by the utility enterprise fund to other funds as well as the overhead type costs incurred to oversee the utility enterprise fund should be recorded, even if cash was not exchanged between funds.

**Nonreciprocal interfund activity** is the internal counterpart to nonexchange transactions and includes interfund transfers and interfund reimbursements. (GASB Codification 1800.102)

- **Interfund transfers** – flows of assets (such as cash, goods or services) without equivalent flows of assets in return and without a requirement for repayment.

Example 1: A transfer of cash from a utility enterprise fund to the general fund or other funds for **activities unrelated** to the utility enterprise fund. Sometimes these transfers are referred to as **subsidy transfers**.

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<u>General Fund</u>		
Cash	\$xx,xxx	
Other Financing Sources – Transfer In		\$xx,xxx
<u>Enterprise Fund</u>		
Nonoperating Expenses - Transfer Out	\$xx,xxx	
Cash		\$xx,xxx

Example 2: Services provided by a utility enterprise fund (water, electricity, or garbage) for general government fund activities **without payment of cash or a requirement for payment.**

<u>General Fund</u>		
Utilities Expenditures	\$xx,xxx	
Other Financing Sources – Transfer In		\$xx,xxx
<u>Enterprise Fund</u>		
Nonoperating Expenses - Transfer Out	\$xx,xxx	
Charges for Services		\$xx,xxx

(NOTE: For both examples above, local governments other than counties are required by statute to perform additional public notice procedures of the transfer.)

- **Interfund reimbursements** – repayments from the funds responsible for particular expenditures or expenses to the funds that initially paid for them. For example, the general fund may pay a bill for an enterprise fund for which the enterprise fund then reimburses the general fund. Also, **allocations of overhead** (e.g. accounting, payroll, and human resource services) **are properly treated as an interfund reimbursement** rather than as interfund services. Note that for interfund reimbursements, neither fund recognizes revenue.

<u>General Fund</u>		
Cash or Due from Other Funds – Enterprise Fund	\$xx,xxx	
Expenditure		\$xx,xxx
<u>Enterprise Fund</u>		
Expense	\$xx,xxx	
Cash or Due to Other Funds – General Fund		\$xx,xxx

**Reciprocal interfund activity** is the internal counterpart to exchange and exchange-like transactions and includes interfund loans and interfund services provided and used (GASB Codification 1800.102.a).

- **Interfund services provided and used** – sales and purchases of goods and services between funds for a price approximating their external exchange value. Interfund services provided and used should be reported as revenues in seller funds and expenditures or expenses in purchaser funds. For example, the enterprise fund may provide water, electricity, or garbage services for city offices or parks accounted for in the general fund.

<u>General Fund</u>		
Utilities Expenditure	\$xx,xxx	
Cash or Due to Enterprise fund		\$xx,xxx
<u>Enterprise Fund</u>		
Cash or Due from General Fund	\$xx,xxx	
Charges for Services		\$xx,xxx

- **Interfund loans** – amounts provided with a requirement for repayment. Interfund loans should be reported as interfund receivables in lender funds and interfund payables in borrower funds.

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**Materiality**

All accounting standards are subject to the principle of materiality. Therefore, if a government determines that amounts related to financial reporting requirements are not material, then the requirement is not applicable. However, the determination of materiality must be based upon an evaluation/estimate of relevant factors. A simple guess or “gut feeling” is not a sufficient evaluation.

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
GASB Codification 1800.102	C, M, D, IL	<p>1. <b><u>Services Provided by an Enterprise Fund to Other Funds</u></b></p> <p>a. Determine that services provided by an enterprise fund (water, electricity, etc.) to the general fund or other funds have been quantified or estimated and that the rates used are the same as those charged to other customers of the fund.</p> <p>b. Determine that the services provided by the enterprise fund to other funds were properly recorded as a:</p> <ul style="list-style-type: none"> <li>• <b>Nonreciprocal interfund transfer</b> if no cash was exchanged or is not expected to be exchanged, or</li> <li>• <b>Reciprocal interfund services provided/used transaction</b> if cash was exchanged.</li> </ul>		
UCA Towns: <a href="#">10-5-114</a> Cities: <a href="#">10-6-117</a> Districts: <a href="#">17B-1-638</a> Counties: <a href="#">17-36-36</a> Interlocals: 11-13-524	C, M, D, IL	<p>2. <b><u>General Fund Overhead Allocations to Other Funds</u></b></p> <p>Determine that:</p> <p>a. General fund overhead costs (HR, accounting, legal services, etc.) allocated to other funds are based on a reasonable methodology.</p> <p>b. The overhead allocation amount was included in the original or amended budget of the other fund as an expenditure/expense.</p> <p>c. The allocation of the overhead was properly recorded as an <b>interfund reimbursement transaction</b> (reduction of general fund expenditures and increase of expenditures/expense) in the other fund.</p> <p>d. If no cash was exchanged or expected to be exchanged, in addition to the reduction/increase in expenditure/expense in each fund, an <b>interfund transfer</b> was recorded (‘transfer out’ in the general fund and a ‘transfer in’ in the other fund).</p>		
UCA Towns: <a href="#">10-5-107</a> Cities: <a href="#">10-6-135</a> Districts: <a href="#">17B-1-629</a> Counties: <a href="#">17-36-32</a> Interlocals: <a href="#">11-13-524 (3)(d)</a>	C, M, D, IL	<p>3. <b><u>Interfund Transfers from an Enterprise Fund (subsidy transfers or services provided without payment) – Public Notice and Hearing Requirements</u></b></p> <p>a. <i>For counties:</i> Determine whether the county included the interfund transfers in an original budget or in a subsequent budget amendment approved by the governing body for the fiscal year under audit. If the county did not, proceed to step b.</p> <p><i>For all other local government entities, proceed to step b:</i></p> <p>b. For the applicable entities noted in a. above, determine that the governing body held a public hearing and provided written notice</p>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
		<p>of the:</p> <ul style="list-style-type: none"> <li>• Date, time, and place of hearing.</li> <li>• Purpose of the hearing.</li> <li>• The enterprise fund from which the cash or goods would be transferred.</li> <li>• The fund to which the cash or goods would be transferred.</li> <li>• The amount/value of cash or goods transferred.</li> </ul> <p>Determine that the notice was:</p> <ul style="list-style-type: none"> <li>• Mailed or transmitted to each enterprise fund customer.</li> <li>• Distributed at least seven days before the hearing.</li> <li>• A separate notification from the customers' utility bill.</li> </ul> <p><b>Exception:</b> <i>An entity may determine that the amount of the services provided without payment by the enterprise fund to the general fund is less than or equal to the amount of general fund overhead to be allocated to the enterprise fund. In this case, there would be an equivalent flow of resources between funds and the additional public notice and hearing requirements would not be applicable. The entity should still, however, determine and record the flow of those resources.</i></p>		
<p>UCA                      Towns: <a href="#">10-5-120</a>                      Cities: <a href="#">10-6-132</a>                      Districts: <a href="#">17B-1-626</a>                      Counties: <a href="#">17-36-30</a>                      Interlocals: <a href="#">11-13-523</a></p>	<p>C, M,                      D, IL</p>	<p>4. <b>Interfund Loans</b> – For enterprise funds loaned to another fund:                      [Note – not applicable to loans from the general fund to any other fund or short-term advances from a cash and investment pool to individual funds that are repaid by the end of the fiscal year.]</p> <p>a. Determine that the loan was in writing and contained the following terms and conditions:</p> <ul style="list-style-type: none"> <li>• Effective date of the loan.</li> <li>• Name of the fund loaning the money.</li> <li>• Name of the fund receiving the money.</li> <li>• Amount of the loan.</li> <li>• Term of and repayment schedule of the loan (not to exceed 10 years).</li> <li>• Interest rate of the loan (if less than one year, the interest rate cannot be less than the rate offered by the PTIF, if greater than one year the rate cannot be less than the greater of the PTIF rate or the rate of a US Treasury note of a comparable term).</li> <li>• Method of calculating interest applicable to the loan.</li> <li>• Procedures for applying interest and paying interest.</li> </ul> <p>b. Determine that the governing body held a public hearing and provided written notice within at least 7 days of the hearing regarding the:</p> <ul style="list-style-type: none"> <li>• Date, time, and place of the hearing,</li> <li>• Purpose of the hearing, and</li> </ul>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
		<ul style="list-style-type: none"> <li>The proposed terms and conditions of the interfund loan.</li> </ul> <p><b>Notice and hearing requirements outlined in b. above are satisfied if the loan is included in an original or subsequently amended budget.</b></p> <p>c. Determine that the governing body authorized the loan by ordinance or resolution at a public meeting.</p>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

### C. STATEMENT OF TAXES CHARGED, COLLECTED AND DISBURSED – CURRENT AND PRIOR YEARS

Information Contact: Jennifer Condie, Assistant Division Director, Property Taxes, Tax Commission, (801) 297-3636

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA <a href="#">59-2-913</a>	C	1. Determine if the Statement of Taxes Charged, Collected, and Disbursed - Current and Prior Years (also called the Treasurer's Settlement Statement) that was submitted to the Tax Commission as form PT-750, agrees to applicable county records and is complete.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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## D. TAX LEVY REVENUE RECOGNITION

### Background

We have noted instances where governmental entities do not recognize revenue for taxes imposed by the government because the funds do not flow through the entity. GASB 36, paragraph 2, requires that the entity that imposes a tax recognize the tax revenue.

### Common Revenue Recognition Errors

#### Redevelopment Agencies (RDA)

When a county collects tax increment it distributes the increment directly to an RDA. However, the RDA is not the taxing entity; rather, the taxing entity is the public entity (school district, local or special district, municipality, county, etc.) that authorized the RDA to receive the increment. Therefore, that public entity should record the property tax revenue and a corresponding expenditure to the RDA.

If the RDA is a blended component unit and reported as a special revenue fund of the primary government, GASB 54, paragraph 30, requires the proceeds to be reported as revenue in the RDA special revenue fund.

#### Local Option Sales Taxes for Transportation

Utah Code 59-12-2208 allows a county, city, or town legislative body to impose a sales tax for transportation. One of the allowable uses of the tax is for a "system of public transit." Some local governments have elected to have the State Treasurer directly deposit these funds with the local transit authority rather than having the funds flow through the county, city, or town and then to the transit authority. Regardless of the flow of funds, because the tax is imposed by the county, city, or town, these funds should be recognized as a revenue and expenditure on the financial statements of the entity that imposed the tax.

#### Capital Equalization

School districts in first class counties impose a tax rate of .000600 for capital equalization. Tax revenue generated by this levy is allocated to the school districts based on student enrollment. The tax imposed by the school district is revenue and the difference between actual receipts and revenue is recorded as other local revenue or an expenditure.

Legal Ref.	Appli- cable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
GASB Codification N50.125	ALL	1. Determine whether the entity shares a portion of its property tax revenue (tax increment) with an RDA. If tax increment is provided to an RDA, determine whether the increment is included in the entity's property tax revenue.		
GASB Codification N50.125	ALL	2. Determine whether the entity imposes a local option sales tax for a "system of public transit." If the tax is imposed, determine whether the amount is included in the entity's sales tax revenue.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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### E. IMPACT FEES

When considering materiality for the auditor’s testing of the impact fee schedule, a potential user may include those who pay the impact fee. Those who pay the impact fee may be concerned about amounts typically considered immaterial in comparison to total impact fees or the total project. Due to audit efficiency considerations, the OSA does not expect the auditor to test the impact fee schedule to the level of materiality of each individual who pays the impact fee.

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
<a href="#">UCA 11-36A-601</a>	C, M, D, IL	1. Determine that the entity prepared a schedule identifying impact fee funds and that: <ul style="list-style-type: none"> <li>a. The schedule detailed the year in which they were received, the project from which the funds were collected, the capital projects for which the funds are budgeted, and the projected schedule for expenditure.</li> <li>b. Disbursements reported on the schedule agree to the entity's accounting records.</li> <li>c. Receipts reported on the schedule are reasonable.</li> </ul>		
<a href="#">UCA 11-36A-602 (1)</a>	C, M, D, IL	2. Determine that impact fee proceeds disbursed in the current year were used only for public facilities identified in the capital facilities plan and for the specific public facility type for which the fee was collected.		
<a href="#">UCA 11-36A-602 (2)</a>	C, M, D, IL	3. Determine that the impact fee proceeds were used in a timely manner and that reasons for holding fees longer than six years were appropriate and documented.		
<a href="#">UCA 11-36A-603</a>	C, M, D, IL	4. Determine that the entity has appropriately refunded any unused impact fees.		
<a href="#">UCA 11-36A-601(5)(d)</a>	C, M, D, IL	5. Determine that the entity submitted the impact fee schedule to the OSA by searching the OSA website at <a href="https://secure.utah.gov/auditor-search/?p=public">https://secure.utah.gov/auditor-search/?p=public</a> .		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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## F. SCHOOL FEES

The objective of these procedures is to ensure that fees are not being charged in the public school system for kindergarten through sixth grade students for activities occurring during the regular school day. Secondary schools (grades 7-12) may impose fees if authorized by the Legislature and local boards consistent with local board policies and state law and used in a manner consistent with their original design.

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
<a href="#">R277-407</a>	LEA	1. For schools selected for testwork for the LEA's agreed-upon procedures engagement for aggregate student membership (see the <i>Guide for Agreed-Upon Procedures Engagements for Local Education Agencies and Community-Based Organizations</i> , issued by the Office of the Utah State Auditor), review such items as the registration packet, board minutes, LEA's webpage, parental letters, fee schedule, donation requests, and accounting records, etc. to gain an understanding of fees or charges for individual students and assess an appropriate risk level.		
<a href="#">R277-407</a>	LEA	2. Select a representative sample of fees/charges collected, focusing on months during the beginning of a school year when fees are more likely to be collected.  Determine whether the fees collected complied with the following:		
<a href="#">R277-407</a> and UCA <a href="#">53A-12-102 (1-2)</a>	LEA	a. <b>Fees for Regular School Day Activities:</b>  <u>Elementary Schools</u> – The school did not charge school fees of any kind for activities that took place during the regular school day, including materials, textbooks, supplies, snacks, drinks, or for any class or activity, including assemblies and field trips. Additionally, students were not required to bring items from home, unless the student was replacing supplies provided by the school which were lost, wasted, or damaged by the student through careless or irresponsible behavior.  <u>Secondary Schools</u> – Fees charged for secondary school activities were 1) approved by the local school board in a public meeting and were allowable by statute, 2) listed on the fee schedule, and 3) subject to waiver compliant with <a href="#">R277-407-6</a> . NOTE: Textbook fees may be charged in grades 7–12 and students may be required to provide their own student supplies subject to the provisions of <a href="#">R277-407-6</a> .		
<a href="#">R277-407</a>	LEA	b. <b>Fees for Activities Occurring Outside of Regular School Day</b> – Participation was voluntary and the fee was 1) approved by the local school board in a public meeting, 2) listed on the fee schedule, and 3) subject to waiver compliant with <a href="#">R277-407-6</a> .		

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Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
<a href="#">R277-407</a>	LEA	<p>c. <b>Donations or Contributions</b> – Donations or contributions were solicited and accepted in accordance with LEA policies and IRS regulations, and all requests clearly stated that donations and contributions were voluntary.</p> <p>NOTE: A donation is considered a fee if a student is required to make a donation in order to participate in an activity.</p>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

### G. SPECIAL AND LOCAL SERVICE DISTRICT BOARD MEMBERS

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
<a href="#">UCA 17B-1-311</a>	D	1. Through inquiry of management and scanning payroll or personnel records, determine that no member of the board is also an employee of the district at the same time.		
<a href="#">UCA 17B-1-312</a>	D	2. Through inquiry with officials of the entity and observation of certificates or other relevant evidence, determine that each member of a board of trustees of a district, within one year after taking office or election to a new term, completed training developed by the Office of the Utah State Auditor in cooperation with the Utah Association of Special Districts.		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index

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## CHAPTER 3: AUDIT PROCEDURES FOR MINIMUM SCHOOL PROGRAM FUNDS RECEIVED FROM THE OFFICE OF THE STATE BOARD OF EDUCATION (Local Education Agencies)

(NOTE: This chapter does not apply when MSP funding is less than \$750,000)

This part of the *State Compliance Audit Guide* identifies compliance testwork relating to State funds received from the Utah Office of the State Board of Education (OSBE) for the Minimum School Program. This chapter provides a source of information for auditors to understand and document the OSBE programs' objectives, procedures, and compliance requirements relevant to the audit, as well as audit objectives and suggested audit procedures for determining compliance with these requirements. In the following text, "LEA" means Local Education Agency and refers to school districts and charter schools, including charter schools organized as nonprofits.

### IN DETERMINING HOW THE LEA ENSURES COMPLIANCE, CONSIDER THE FOLLOWING:

- Accounting system capable of recording appropriations or budgets and comparing them to actual results
- Reconciling appropriation or budget totals to totals recorded in the accounting system
- Policies and Procedures Manuals
- Knowledge and Training of personnel
- Legislative and Management Monitoring
- Management's identification of changes in laws and regulations
- Management's communication of changes in laws and regulations to employees

### A. MINIMUM SCHOOL PROGRAM PROCEDURES (Report as a "Major Program" in the Compliance Report)

The objective of the Minimum School Program (MSP) is to provide reasonably equal educational opportunities for all children in the State of Utah regardless of where they live or their economic status. This *Guide* applies to school year 2015-2016.

MSP funds are allocated to LEAs by the School Finance Section of the OSBE based on formulas provided by the Minimum School Finance Act and State Board of Education administrative rules. The largest share of funds use allocations based on average daily membership and fall enrollment. Some allocations are based on fixed or competitive grant applications.

The MSP provides funding for most educational activities. The MSP programs in which LEAs most commonly participated are listed in Chapter 3, Appendix 1. Full descriptions for these programs can be found at the following website:

<http://www.schools.utah.gov/finance/Minimum-School-Program/MSP-Descriptions.aspx>

#### Classification of MSP Programs:

For state compliance audit purposes, the school programs within the MSP can be divided into two groups: general and restricted.

**"General" school programs** have few specific compliance requirements and are intended for general educational purposes.

“**Restricted**” special population, other MSP, and one time programs are those programs or grants within the MSP that are to be used for those specific purposes or populations as outlined in Utah statute or Board Administrative Rules. **These programs are to be evaluated for risk and tested for compliance on a rotating basis.**

**This Guide does not detail all audit procedures necessary to test for compliance. We have included in this Guide detailed steps for those procedures we feel are most significant. Other procedures in this Guide are broad in nature and may require the auditor to determine the applicable program requirements and the appropriate audit procedures to test for compliance with those requirements.**

Information contacts: Jaime Barrett, OSBE School Finance Section, 801-538-7667  
 Von Hortin, OSBE School Finance Section, 801-538-7670

Document below the control procedures which address each of the MSP compliance requirements tested below:	Performed by and Date	Workpaper Index

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<b>PROCEDURES FOR <u>ALL</u> MSP PROGRAMS:</b>		
	1. Trace the flow of funding for each individual Minimum School Program (MSP) to the final disposition as follows: <ul style="list-style-type: none"> <li>a. Trace the LEA’s reconciliation of program activities from reports prepared by the OSBE (monthly allotments, recipient reports, and LEA summary reports) to the LEA’s records and reports (general ledger, program revenue and expenditure reports, claims for reimbursement, financial statements, Annual Program Report, and Annual Financial Report).</li> </ul>		
	<ul style="list-style-type: none"> <li>b. Verify that program balances agree with prior-year and current-year ending balances on reports prepared by the LEA. (For each program, the LEA’s reconciliation should include beginning receivable or unearned revenue balance, receipts, expenditures, adjustments, and ending receivable or unspent program balance.) The Illustrative State and Federal Revenue Reconciliation worksheet could be used. <b>(See Chapter 3, Appendix 2)</b></li> </ul>		
UCA 53A	<p>2. <b>MSP Schedule</b> – Complete the MSP Schedule in the format provided in Chapter 3, <b>Appendix 1</b> of this Guide. The completed schedule should identify the classification (general vs. restricted) of school programs within the MSP, the most recent year each significant restricted program was selected for compliance testing by the independent auditor, and the percent of restricted school programs tested. This schedule will be used in identifying and documenting the programs selected for testwork.</p> <p>(NOTE: This schedule is also required to be submitted to the OSBE by November 30, in the Excel format outlined in Chapter 3, <b>Appendix 1</b>).</p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<b>PROCEDURES FOR <u>GENERAL SCHOOL</u> MSP PROGRAMS:</b>		
	<p>3. <b>For <u>All</u> General School Programs:</b></p> <p>a. Document the LEA's internal control over compliance with the applicable requirements of the general school programs, including, but not limited to allowable activities, allowable costs, equipment management, procurement, and reporting.</p>		
	<p>b. Select samples of costs charged to these general school programs and test for compliance or document your consideration of how audit procedures performed in other areas support an opinion on whether the LEA complied in all material respects with the applicable compliance requirements of the MSP.</p> <p>NOTE: The auditor is reminded of the requirement to consider the LEA's internal control over compliance and obtain sufficient appropriate audit evidence to form an opinion and report on whether the LEA complied in all material respects with the applicable compliance requirements of the MSP. The auditor should also consider indications of abuse.</p>		
UCA <a href="#">53A-1a-513</a> (4)(e)	<p>4. <b>Charter School <u>Local Replacement Funds</u> [<u>"Levy Offset" on Schedule</u>] –</b> Verify that at least 10% of this program is used for facilities-related costs. (Note: the remaining 90% is unrestricted for general education expenditures.)</p>		
	<p>5. <b><u>Capital Outlay Foundation</u> –</b></p>		
UCA <a href="#">53A-17a-153</a> and Admin Rule <a href="#">R277-110</a>	<p>6. <b>Educator Salary Adjustments Funds</b> – These funds are appropriated by the Utah Legislature to give an on-going salary adjustment to each qualifying educator (\$4,200) and school administrator (\$2,500) employed by the LEA.</p> <p>a. Select a sample of persons whose salary has been charged to this program and verify that these employees are currently employed in a qualifying position and that they have received a satisfactory rating or above on their most recent evaluation.</p> <p>b. Review the amount of the adjustment paid to the persons sampled. Also, review employer-paid benefits charged to the programs for allowability.</p> <p>NOTE: A qualifying educator means a person employed by an LEA who holds a license and a position as a classroom teacher, speech pathologist, librarian or media specialist, preschool teacher, mentor teacher, teacher specialist or teacher leader, guidance counselor, audiologist, psychologist, or social worker. A qualifying school administrator means persons employed by the LEA who are "licensed educators, which hold an Administrative/Supervisory area of concentration, who serve as formal leaders at each school site. Duties include items such as school safety, budget, building operations and maintenance, teacher quality, student achievement, parent and community relations, core instruction, and extracurricular activities. Principals, assistant principals and administrative interns are included in this definition" (see CACTUS Educator Categories – 5/2/2014 at the following site:  <a href="http://www.schools.utah.gov/CURR/main/Codes-Approval.aspx">http://www.schools.utah.gov/CURR/main/Codes-Approval.aspx</a></p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<p>Salary adjustments are to be the same for each full-time qualifying position; a person who is not in a full-time qualifying position receives a partial salary adjustment based on the number of hours the person works in a qualifying position. Educator salary adjustments can include costs for the following employer-paid benefits: retirement, worker's compensation, Social Security, and Medicare.</p>		
	<p><b>PROCEDURES FOR <u>RESTRICTED</u> MSP PROGRAMS:</b></p>		
	<p><b>7. Determine Which Restricted Programs to Test:</b></p> <p>a. <i>Significant restricted programs</i> (those programs with expenditures totaling 3% or more of the calculated total) must be selected at least once every three years. If a significant restricted program is new to the LEA in the current year, it should be selected in the current year because it was not selected in one of the prior two years. Also, a program that reaches the 3% threshold for the first time and has not been selected in one of the prior two years must be selected in the current year. If the LEA reaches the \$750,000 threshold for the first time, then each significant restricted program is to be selected once during a 3-year period.</p> <p>b. Restricted programs designated as high risk by the OSBE or for which there were audit findings in either of the preceding two years must be selected in the current year.</p> <p>c. A <i>cluster of programs</i> is a grouping of closely related restricted programs that share common compliance requirements. Two clusters (Special Education and Enhancement for Accelerated Students) have been identified. A cluster of restricted programs should be treated as one program when determining which programs to select.</p> <p><b>The combined amount of restricted program expenditures selected for testwork must be equal to or greater than 20% of the total of all restricted programs for MSP.</b> Therefore, additional programs may need to be selected to meet the required percentage of coverage. These additional programs are selected by the auditor, using professional judgment and considering risks of noncompliance.</p>		
	<p><b>8. Identify compliance requirements for restricted school programs</b> selected for testwork by consulting applicable state laws and rules and contacting state program administrators. Determine any necessary audit procedures which need to be performed in addition to those listed below.</p>		
	<p><b>9. Document control procedures over each compliance requirement identified in Procedure 8 above.</b></p>		
	<p><b>10. For each restricted school program selected for testing</b> verify that funds were expended appropriately by performing the following steps:</p> <p>a. Identify the allowable activities and costs for each selected program.</p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<p>b. Select samples of expenditures from each selected program, ensuring that the population from which the sample is selected includes all program expenditures (including payroll and non-payroll transactions and adjustments, as well as those qualifying for matching and level of effort), and perform procedures and tests to verify that transactions were properly classified and accumulated into the activity totals and that activities and costs were allowable per the following criteria:</p> <ul style="list-style-type: none"> <li>• reasonable and necessary;</li> <li>• allocated in accordance with relative benefits received;</li> <li>• given consistent treatment;</li> <li>• conform to any limitations established by state laws or administrative rules;</li> <li>• supported with appropriate documentation;</li> <li>• represent charges for actual costs, not budgeted or projected amounts;</li> <li>• net of all applicable credits;</li> <li>• calculated in conformity with generally accepted accounting principles. (See Uniform Guidance _____ for nonprofit organizations for guidance on cost principles.)</li> </ul>		
	<p>c. Perform procedures and tests to verify that <b>indirect cost rates were applied</b> in accordance with approved rate limitations and guidelines.</p>		
	<p>d. Determine and document requirements for <b>matching, level of effort, and earmarking</b>:</p> <ul style="list-style-type: none"> <li>• Verify that the required matching contributions or level of effort were met.</li> <li>• Verify that matching contributions were from allowable sources.</li> <li>• Verify that earmarking requirements were met.</li> <li>• Verify that amounts used in computations were derived from the books and records from which the audited financial statements and program reports were prepared.</li> </ul> <p>NOTE: <i>Matching</i> includes requirements to provide unrestricted contributions of a specified amount or percentage to match state program funding. Matching usually is in the form of allowable costs incurred. <i>Level of effort</i> or maintenance of effort (MOE) includes requirements for (a) a specified level of service to be provided from period to period, (b) a specified level of expenditures from unrestricted sources for specified activities to be maintained from period to period, and (c) state funds to supplement and not supplant non-state funding of services. <i>Earmarking</i> includes requirements that specify the minimum and/or maximum amount or percentage of the program's funding that must/may be used for specified activities.</p> <p>State-funded programs with MOE requirements are the State Special Education Cluster and the Career and Technical Education, Reading Improvement, and Transportation programs.</p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<b>SUGGESTED PROCEDURES FOR RESTRICTED SCHOOL PROGRAMS COMMONLY SELECTED FOR TESTWORK:</b>		
R277-733-5	<b>11. Adult Education –</b>  a. Ensure that any carryover of unspent State Adult Education program funds is not more than ten percent or \$50,000 (whichever is less) of State Adult Education funds allocated to the LEA for the year; review the revised budget and written OSBE approval to carry forward such funds.		
R277-733-9 and UCA 53A-17a-119	b. Ensure that tuition and fees charged to a student for Adult Basic Education (ABE), GED preparation, Adult Secondary Education (ASE or AHSC or HSC), or English for Speakers of Other Languages (ESOL) courses do not exceed \$100 annually. Ensure that fees and tuition charges are reasonable and necessary as determined by the LEA board. Ensure that fees collected are used to provide additional adult education and literacy services that the program would otherwise be unable to provide.		
	c. Test program expenditures for allowability (used only for Adult Education programs) and compatibility with the LEA’s annual plan.		
UCA 53A-17a-113	<b>12. Career and Technical Education (CTE) – Add-On –</b>  a. Obtain a copy of the class listings, preferably with either the grade or birthdates, and verify that the student information is correct within the Student Information System.		
R277-911	b. Verify that CTE funding was used only for students in grades 9-12. (NOTE: Some LEAs may allow students of lower grades to participate in these classes; however, students from these lower grades may not be counted towards membership for CTE purposes.)		
	c. Ensure the CTE maintenance of effort requirements are met. If students in grades 7-8 are also enrolled in a CTE course, local revenue beyond that required for meeting CTE Maintenance of Effort requirements must be included with local revenue for the program. The amount of local revenues should be equivalent to the CTE funding for students in grades 9-12 on a per student basis. CTE maintenance of effort as calculated by the OSBE (see <a href="http://www.schools.utah.gov/cte/documents/funding/AllocationMOE14.pdf">http://www.schools.utah.gov/cte/documents/funding/AllocationMOE14.pdf</a> ) must be added to the program. The CTE maintenance of effort can be from unrestricted local or state sources.		
UCA 53A-17a-124.5	<b>13. Class Size Reduction –</b>  a. Verify that at least fifty percent of the allocation is used to reduce class size in any one or all of grades kindergarten through grade two, unless a waiver has been granted by the State because the average class size of the LEA is less than 18 in grades K-2.		
	b. Select a sample of costs charged to this program and test for allowability (personnel and related benefit costs for qualifying classroom teachers and facility costs for qualifying classroom projects).		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<p>c. Verify that funding was used to supplement allowable class size reduction activities.</p> <p>NOTE: Twenty percent of the funds may be used for capital facilities projects that help reduce class size. If student population increases by five percent or 700 students from the previous school year, the LEA may use up to fifty percent of its funds for classroom construction. This funding is to supplement any other appropriation for class size reduction. It is recommended the LEA maintain a list of educators and related benefits paid from this funding.</p>		
<a href="#">R277-459</a>	<p>14. <b>Classroom Supplies and Materials</b> – Obtain a listing of the amounts allocated by teacher. Verify that either 1) reimbursements are occurring based upon receipts being turned in or 2) the LEA is including the amounts paid to teachers in their W-2 wages. (The amounts allocated to each teacher are based upon elementary or secondary assignment as well as the number of years of teaching experience.)</p>		
<a href="#">R277-713</a>	<p>15. <b>Concurrent Enrollment</b> – Perform the following procedures:</p> <p>a. Ensure reports submitted to OSBE agree with supporting documentation.</p>		
<a href="#">R277-713-8(E)</a>	<p>b. Test program expenditures for allowability.</p>		
<a href="#">R277-713-6</a>	<p>c. Review fees and tuition collected for compliance with R277-713-6.</p>		
<a href="#">UCA 53A-17a-167</a> and <a href="#">R277-489</a>	<p>16. <b>Early Intervention</b> – Review the LEA's application for this program and ensure that use of allocated funds is consistent with the LEA's application and with state funding requirements.</p>		
<a href="#">UCA 53A-17a-166</a> and <a href="#">R277-708</a>	<p>17. <b>Enhancement for At-Risk Students</b> – Select a sample of expenditures charged to the program and test the sampled items for allowability.</p> <p>(Note: Gang Prevention funds are awarded on a grant basis and should be tested separately if the LEA has an award during the current fiscal year.)</p>		
<a href="#">UCA 53A-17a-150</a>	<p>18. <b>Reading Improvement</b> –</p> <p>a. Review the LEA's State board approved plan and test related expenditures for allowability and compliance with the plan.</p>		
	<p>b. Determine that the LEA allocated to the program the amounts specified below, depending on the LEA's level of participation:</p> <p>To fully participate in the Guarantee Program of the Reading Improvement Program, a district must allocate to the program an amount of unrestricted local resources equal to the amount of revenue that would be generated by a tax rate of .000056. To fully participate in the Low Income Students Program of the Reading Improvement program (see Chapter 4, Section A of this <i>Guide</i> and UCA 53A-17a-150), a district must allocate to the program an amount of unrestricted local resources equal to the amount of revenue that would be generated by a tax rate of .000065.</p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
<p>UCA <a href="#">53A-16-101.5 (5)</a>  <a href="#">R277-477</a></p>	<p>19. <b>School LAND Trust</b> – Board-approved plans can be viewed at <a href="http://www.schoollandtrust.org/schools/program-plans">http://www.schoollandtrust.org/schools/program-plans</a>.</p> <p>Test expenditures for allowability and compliance with the approved plan and budget categories set forth in the plan. See Administrative Rule R277-477 for specific allowable costs.</p>		
<p>UCA <a href="#">53A-17a-111, 112,</a> and <a href="#">158</a>  <a href="#">R277-479</a> <a href="#">R277-525</a> <a href="#">R277-750</a> and 751</p>	<p>20. <b>Special Education Cluster</b> –</p> <p>a. Verify that special education programs were only used to provide additional or <i>special</i> services to students with disabilities. For example, students participating in the state special education add-on program qualify for one WPU of regular classroom funding and one additional WPU for state special education add-on funding. Accordingly, costs charged to special education programs are for services performed in addition or supplementary to regular services that are provided in the regular classroom, such as aids, program modifications, and support that are provided in conjunction with regular classroom instruction. Costs can also be for special classes, resource room or itinerant instruction, related supplies, testing, specialists, and direct supervision of special education services.</p>		
	<p>b. Obtain either class rolls or inquiry access to the student information system (SIS) and verify that students enrolled in special education programs have been included in the December 1 count of students used to drive the special education funding. An alternative step would be to review the criteria used by the LEA to identify students as having disabilities to qualify them for inclusion in the December 1 count.</p> <p>NOTE: The funding is determined by the level of service required by the student; the LEA may not inflate the level of service required in order to generate additional funds. Programmatic compliance reviews are conducted to ensure students receive only the level of service (and therefore funding) that is required to implement their Individualized Educational Plan.</p>		
	<p>c. Select a sample of costs charged to state special education programs and test for allowability. Funds may be spent only for direct costs. Indirect costs are not allowable. Allowable and unallowable direct costs for approved programs for students with disabilities are published in the OSBE Special Education Rules (Rules), beginning on page 191 of the PDF version located at <a href="http://www.schools.utah.gov/sars/DOCS/law/utspedrules010614.aspx">http://www.schools.utah.gov/sars/DOCS/law/utspedrules010614.aspx</a> Ensure that costs for regular classroom instruction have not been included with or allocated to state special education programs.</p> <p>NOTE: Although a regular education teacher of a student with a disability is a member of the individualized education program (IEP) team and participates in the development of the IEP of the student or reviews the IEP of the student that participates in the general education classroom, none of the regular education teacher's personnel costs can be allocated to a special education program. However, special education services and aids that provide incidental benefit to nondisabled children may be allowable. The costs of special education and related services, and supplementary aids and services, provided in a regular class or other education-related setting to a student with a disability in accordance with the IEP of the student are allowable, even if one or more nondisabled students benefit from these services.</p>		

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	<p>d. Ensure the special education maintenance of effort requirements were met. The LEA is to ensure that current year expenditures in its state special education programs are equal to or greater than the level of those expenditures of the preceding year. Certain exceptions apply. See the Rules, pages 189-190, regarding maintenance of effort. Special education maintenance of effort is the amount of unrestricted local or state sources that must be added to the program each year.</p>		
REF?	<p>21. <b>Transportation</b> – Select a sample of expenditures charged to the student transportation program and test the sampled items for allowability (see also UCA <a href="#">53A-17a-127</a>).</p> <p>a. Compare total costs recorded for student transportation as reported on the AFR for function 2700 with the APR for the transportation program. Only costs for transporting students are allowable. Transportation and maintenance costs for administrative, LEA fleet, maintenance, or other purposes should not be charged to these funding sources.</p>		
	<p>b. <b>State Guarantee on Transportation Levy:</b> To fully participate in the State Guarantee on Transportation Levy program, the district must expend an amount of revenue equal to at least what a tax rate of .000200 would generate for eligible transportation costs (transporting students and replacement of school buses).</p> <p>Determine that the LEA allocated to the program the value of .000200 from unrestricted state and local sources.</p>		
	<p>22. <b>USTAR Centers (Year-Round Math &amp; Science)</b> –</p> <p>a. Verify that the LEA used USTAR funds only for full-year teacher contracts, part-time teacher contract extensions, or a combination of both, and only for math and science teachers.</p>		
	<p>b. Test program expenditures for allowability.</p>		
	<p>c. Review program results and ensure no more than 5% of program expenditures were used for math and science field trips, textbooks, and supplies.</p>		
	<p>23. <b>Youth-In-Custody</b> – From the LEA’s funding application, obtain an understanding of allowable expenditures. Test expenditures for allowability in accordance with that application.</p>		
<p><b>CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):</b></p>		<p>Performed by and Date</p>	<p>Workpaper Index</p>

## CHAPTER 4: REPORTING

### REPORTING REQUIREMENTS

- A. A Report on Compliance** (with the requirements described in this *Guide*) as well as a **Report on Internal Controls Over Compliance** are required. These two reports can be combined. The following pages contain examples of combined Reports on Compliance with Applicable Requirements and Internal Control Over Compliance (based on AICPA AU-C 935 and this *Guide*).

Certain elements are required to be included in these reports, and have been indicated in the examples (for a list of all elements required, go to AU-C 935.30–.32). One of those main elements is the Opinion.

- **Opinion.** In accordance with this *Guide*, AU-C 935, and GAS, the auditor should form an opinion on whether the entity complied in all material respects with the applicable compliance requirements and the auditor's consideration of internal controls over those requirements and report appropriately.

- B. Material and Significant Findings.** The auditor should report as audit findings:

- Material noncompliance with compliance requirements as described in this *Guide*.
- Significant deficiencies and material weaknesses in internal control over compliance requirements.

Materiality for *compliance* differs from *financial statement* materiality. Materiality for compliance is affected by 1) the nature of the compliance requirement, 2) the nature and frequency of noncompliance identified, and 3) qualitative considerations, such as the needs and expectations of oversight and granting agencies and other users of the auditor's report.

AU-C 935 defines **material noncompliance** as "a failure to follow compliance requirements . . . that result in noncompliance that is quantitatively or qualitatively material . . . to the affected government program." A **material weakness in internal control over compliance** is defined as "a deficiency . . . in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a compliance requirement will not be prevented, or detected and corrected, on a timely basis."

In addition to the discussion above from AU-C 935, the *AICPA Audit and Accounting Guide for State and Local Governments*, paragraph 4.21, discusses other qualitative factors that the auditor may consider in evaluating material noncompliance:

- The potential effect of the noncompliance on the government's ability to raise resources (for example, through taxes, grants, contributions, or debt or loan financings) in the future.
- The potential effect of the noncompliance on the continuation of existing relationships with vendors, employees, and elected appointed officials.
- Whether the noncompliance involves an activity that often is scrutinized by elected or appointed officials, citizens, the press, creditors, or rating agencies.
- Whether the noncompliance is an isolated event or instead has occurred with some frequency.
- Whether the noncompliance results from management's continued unwillingness to correct internal control weakness.
- The likelihood that similar noncompliance will continue in the future.

- C. Audit Response and Planned Corrective Actions.** Utah Code 51-2a-102(3)(c), Utah Administrative Rule R123-5-5(6), AU-C 935, and GAS also require the auditor to report the views of responsible officials and planned corrective actions for findings related to the compliance requirements.
- D. Immaterial findings.** Other instances of noncompliance that do not result in an opinion modification but are more than inconsequential should also be reported to management and those charged with governance, but can be communicated in either a separate letter to management and those charged with governance (i.e. management letter) or with the report.
- E. Inconsequential findings.** The auditor is to use professional judgment to determine whether and how to communicate to the entity violations of compliance requirements that are inconsequential and to document any such communications. Although not required, the auditor may decide to communicate such findings in a letter to management.
- F. Management Letter (optional).** When a management letter is used to communicate other instances of noncompliance (immaterial or inconsequential findings), the state compliance report should refer to the management letter and include a **response from management** either in the report or by referring to management's response in the letter to management. The letter to management and the governing body's response to the recommendations need not be bound with the financial statements and related auditor's report, but the audit report will not be considered complete until all required elements have been received by the OSA.

State Compliance Requirements for Reporting Findings			
	Report On Compliance and on Internal Controls Over Compliance	Communicate in Writing	Auditors Use Professional Judgment to Determine Reporting
Instances of noncompliance with general state compliance requirements: <ul style="list-style-type: none"> <li>• Those that have a material effect</li> <li>• Less than material but more than inconsequential <sup>1</sup></li> <li>• Those that are inconsequential (Other Matters)</li> </ul>	X	X	X
Deficiencies in internal control over general state compliance requirements: <ul style="list-style-type: none"> <li>• Material weakness</li> <li>• Significant deficiency</li> <li>• Deficiency in internal control</li> </ul>	X X		X

<sup>1</sup> Communication can be in the report or in a letter to management.

## **DEVELOPMENT OF FINDINGS**

Clearly developed findings assist management, oversight officials, and other interested parties in understanding the need to take corrective action. Per GAS, findings should contain the following elements: (1) condition, (2) criteria, (3) cause and (4) the effect or potential effect. These are defined below:

- Condition: "What is?" This describes the situation that exists.
- Criteria: "What should be?" This identifies the required or desired state of expectation and provides a context for evaluating evidence and understanding the finding. Examples of criteria would be the laws, regulations, contracts, grant agreements, standards, measures, etc., against which performance/compliance is compared or evaluated.
- Cause: "Why the condition happened?" This identifies the reason or explanation for the condition or the factor or factors responsible for the difference between the criteria and condition.
- Effect: "What is the difference between the what is and the what should be?" The effect or potential effect is a clear, logical consequence demonstrating the impact or potential impact of the difference between the condition and the criteria.

When writing findings, auditors should understand the four elements above and how they relate. Findings should let the reader know the severity of the problem and how to correct the problem. For example, stating only that the entity has inadequate separation of duties is not specific enough for management and the reader to understand the significance of the problem and how that might affect compliance or their decision making process. Stating that the financial manager has the ability to record transactions in the general ledger, approves checks, and performs the bank reconciliations without any independent review, and that this could cause misappropriations of funds to occur without detection, would enable both management and the reader to make decisions regarding the severity of the problem and how to resolve the situation. Further, stating only that the auditor found "some" problems while testing compliance would not adequately detail the severity of the issue. Instead the auditor should detail the tests performed and quantify the errors noted – for example, "we tested 40 B & C road funding expenditure transactions from July 2013 through December 2013 for compliance with state law restrictions (see UCA 72-2-202) and noted 5 transactions that were for unallowable expenditures." The finding should go on to explain what type of expenditures are allowable, what type of unallowable expenditures were noted, and why the errors occurred. Quantifying the errors gives significance and perspective to the errors for both management and the reader of the report.

## Example 1

*Illustrative Combined Report on Compliance with Applicable Requirements and Internal Control Over Compliance—(Unmodified Opinion on Compliance with:*

- *No Material Weaknesses or Significant Deficiencies in Internal Control Over Compliance Identified;*
- *Other Noncompliance Noted*
- *Other Internal Control Deficiencies noted)*

**INDEPENDENT AUDITOR'S REPORT AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE ON:**

- **COMPLIANCE WITH GENERAL STATE COMPLIANCE REQUIREMENTS**
- **INTERNAL CONTROL OVER COMPLIANCE**

To the **[Board of Trustees/City Council/County Commission]**, Audit Committee  
and

**[Chief Executive Officer]**

**[XYZ Entity]**

### **Report On Compliance with General State Compliance Requirements**

We have audited **[insert full name of Entity]**'s compliance with the applicable general state compliance requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, that could have a direct and material effect on **[the Entity]** for the year ended **[Month, Day, 20XX]**.

General state compliance requirements were tested for the year ended **[Month, Day, 20XX]** in the following areas:

**[DELETE ANY AREAS NOT SUBJECT TO TESTWORK BY THE AUDITOR]**

Budgetary Compliance  
Fund Balance  
Justice Courts  
Utah Retirement Systems  
Restricted Taxes  
School District Tax Levies  
Open and Public Meetings Act  
Treasurer's Bond  
Utah Public Finance Website (Transparency)  
Cash Management  
Enterprise Fund Transfers, Reimbursements, Loans, and Services  
Statement of Taxes Charged, Collected & Disbursed  
Tax Levy Revenue Recognition  
Impact Fees  
School Fees  
Special and Local Service District Board Members  
Minimum School Program

### *Management's Responsibility*

Management is responsible for compliance with the general state requirements referred to above.

### *Auditor's Responsibility*

Our responsibility is to express an opinion on [the Entity]'s compliance based on our audit of the compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *State Compliance Audit Guide*. Those standards and the *State Compliance Audit Guide* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the compliance requirements referred to above that could have a direct and material effect on [the Entity] occurred. An audit includes examining, on a test basis, evidence about [the Entity]'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance with general state compliance requirements. However, our audit does not provide a legal determination of [the Entity]'s compliance.

### *Opinion on General State Compliance Requirements*

In our opinion, [full name of Entity] complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on [the Entity] for the year ended [Month, Day, 20XX].

### *Other Matters*

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the *State Compliance Audit Guide* and which are described [in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] ~~–or–~~ [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] ~~–or–~~ [below]. Our opinion on compliance is not modified with respect to these matters. [Insert views/responses of/from responsible officials after findings.]

[The Entity]'s response to the noncompliance findings identified in our audit is described in the accompanying [insert name of document containing responses]. [The Entity]'s response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

## Report On Internal Control Over Compliance

Management of [the Entity] is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit of compliance, we considered [the Entity]'s internal control over compliance with the compliance requirements that could have a direct and material effect on [the Entity] to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance with general state compliance requirements and to test and report on internal control over compliance in accordance with the *State Compliance Audit Guide*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of [the Entity]'s internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a general state compliance requirement on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a general state compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a general state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

We noted a matter involving internal control over compliance which we are submitting for your consideration. This matter is described [in the accompanying schedule of findings and recommendations as item [20XX-2] –or– [in our letter to management dated [Date] as item [20XX-2] –or– [below]. [Insert views/responses of/from responsible officials after findings.]

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the *State Compliance Audit Guide*. Accordingly, this report is not suitable for any other purpose.

[Auditor's Signature]

[Auditor's City, State]

[Date of Auditor's Report]

## Example 2

### *Illustrative Combined Report on Compliance with Applicable Requirements and Internal Control Over Compliance—(Unmodified Opinion on Compliance with:*

- *Immaterial Instances of Noncompliance Noted;*
- *Significant Deficiencies in Internal Control Over Compliance Identified*
- *No Material Weaknesses Identified*

### **INDEPENDENT AUDITOR'S REPORT AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE ON:**

- **COMPLIANCE WITH GENERAL STATE COMPLIANCE REQUIREMENTS**
- **INTERNAL CONTROL OVER COMPLIANCE**

To the **[Board of Trustees/City Council/County Commission]**, Audit Committee  
and  
**[Chief Executive Officer]**  
**[XYZ Entity]**

### **Report On Compliance with General State Compliance Requirements**

We have audited **[insert full name of Entity]**'s compliance with the applicable general state requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, that could have a direct and material effect on **[the Entity]** for the year ended **[Month, Day, 20XX]**.

General state compliance requirements were tested for the year ended **[Month, Day, 20XX]** in the following areas:

#### **[DELETE ANY AREAS NOT SUBJECT TO TESTWORK BY THE AUDITOR]**

Budgetary Compliance  
Fund Balance  
Justice Courts  
Utah Retirement Systems  
Restricted Taxes  
School District Tax Levies  
Open and Public Meetings Act  
Treasurer's Bond  
Utah Public Finance Website (Transparency)  
Cash Management  
Enterprise Fund Transfers, Reimbursements, Loans, and Services  
Statement of Taxes Charged, Collected & Disbursed  
Tax Levy Revenue Recognition  
Impact Fees  
School Fees  
Special and Local Service District Board Members  
Minimum School Program

### ***Management's Responsibility***

Management is responsible for compliance with the general state requirements referred to above.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on [the Entity]'s compliance based on our audit of the compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *State Compliance Audit Guide*. Those standards and the *State Compliance Audit Guide* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the compliance requirements referred to above that could have a direct and material effect on [the Entity] occurred. An audit includes examining, on a test basis, evidence about [the Entity]'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance with general state compliance requirements. However, our audit does not provide a legal determination of [the Entity]'s compliance.

### ***Opinion on General State Compliance Requirements***

In our opinion, [full name of Entity] complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on [the Entity] for the year ended [Month, Day, 20XX].

### ***Other Matters***

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the *State Compliance Audit Guide* and which are described [in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] -or- [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] -or- [below]. Our opinion on compliance is not modified with respect to these matters. [Insert views/responses of/from responsible officials after findings.]

[The Entity]'s response to the noncompliance findings identified in our audit is described in the accompanying [insert name of document containing responses]. [The Entity]'s response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

### ***Report On Internal Control Over Compliance***

Management of [the Entity] is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit of compliance, we considered [the Entity]'s internal control over compliance with the compliance requirements that could have a direct and material effect on [the Entity] to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance with general state compliance requirements and to test and report on internal control over compliance in accordance with the *State Compliance Audit Guide*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of [the Entity]'s internal control over compliance.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a general state compliance requirement on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a general state compliance requirement will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a general state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, we identified certain deficiencies in internal control over compliance, as described [in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] –or– [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] –or– [below] that we consider to be significant deficiencies. [Insert views/responses of/from responsible officials after findings.]

[The Entity]'s response to the internal control over compliance findings identified in our audit is described in the accompanying [insert name of document containing responses]. [The Entity]'s response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the *State Compliance Audit Guide*. Accordingly, this report is not suitable for any other purpose.

[Auditor's Signature]  
[Auditor's City, State]  
[Date of Auditor's Report]

### Example 3

*Illustrative Combined Report on Compliance with Applicable Requirements and Internal Control Over Compliance—(Qualified Opinion on Compliance with:*

- *Material Instances of Noncompliance noted;*
- *Material Weaknesses and Significant Deficiencies in Internal Control Over Compliance identified)*

**INDEPENDENT AUDITOR'S REPORT AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE ON:**

- COMPLIANCE WITH GENERAL STATE COMPLIANCE REQUIREMENTS
- INTERNAL CONTROL OVER COMPLIANCE

To the [Board of Trustees/City Council/County Commission], Audit Committee  
and

[Chief Executive Officer]

[XYZ Entity]

#### Report On Compliance with General State Compliance Requirements

We have audited [insert full name of Entity]'s compliance with the applicable general state compliance requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, that could have a direct and material effect on [the Entity] for the year ended [Month, Day, 20XX].

General state compliance requirements were tested for the year ended [Month, Day, 20XX] in the following areas:

**[DELETE ANY AREAS NOT SUBJECT TO TESTWORK BY THE AUDITOR]**

Budgetary Compliance  
Fund Balance  
Justice Courts  
Utah Retirement Systems  
Restricted Taxes  
School District Tax Levies  
Open and Public Meetings Act  
Treasurer's Bond  
Utah Public Finance Website (Transparency)  
Cash Management  
Enterprise Fund Transfers, Reimbursements, Loans, and Services  
Statement of Taxes Charged, Collected & Disbursed  
Tax Levy Revenue Recognition  
Impact Fees  
School Fees  
Special and Local Service District Board Members  
Minimum School Program

### ***Management's Responsibility***

Management is responsible for compliance with the general state requirements referred to above.

### ***Auditor's Responsibility***

Our responsibility is to express an opinion on *[the Entity]*'s compliance based on our audit of the compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *State Compliance Audit Guide*. Those standards and the *State Compliance Audit Guide* require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the compliance requirements referred to above that could have a direct and material effect on *[the Entity]* occurred. An audit includes examining, on a test basis, evidence about *[the Entity]*'s compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance with general state compliance requirements. However, our audit does not provide a legal determination of *[the Entity]*'s compliance.

### ***Basis for Qualified Opinion on [Identify General State Compliance area]***

As described in *[the accompanying schedule of findings and recommendations]*, *[the Entity]* did not comply with requirements regarding *[identify general compliance area and related compliance requirements]* (see item *[20XX-1]*). Compliance with such requirements is necessary, in our opinion, for *[the Entity]* to comply with the requirements applicable to that *[area]*.

### ***Qualified Opinion on [Identify General State Compliance]***

In our opinion, except for the noncompliance described in the Basis for Qualified Opinion paragraph, *[the Entity]* complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on *[identify general compliance area]* for the year ended *[Month, Day, 20XX]*.

### ***Unmodified Opinion on Each of the Other General State Compliance Areas***

In our opinion, *[the Entity]* complied, in all material respects, with the compliance requirements referred to above that could have a direct and material effect on each of its other General Compliance Areas for the year ended *[Month, Day, 20XX]*.

### ***Other Matters***

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the *State Compliance Audit Guide* and which are described *[in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] –or– [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] –or– [below]. Our opinion on compliance is not modified with respect to these matters. [Insert views/responses of/from responsible officials after findings.]*

[The Entity]'s response to the noncompliance findings identified in our audit is described in the accompanying [insert name of document containing responses]. [The Entity]'s response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

### Report On Internal Control Over Compliance

Management of [the Entity] is responsible for establishing and maintaining effective internal control over compliance with the compliance requirements referred to above. In planning and performing our audit of compliance, we considered [the Entity]'s internal control over compliance with the compliance requirements that could have a direct and material effect on [the Entity] to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance with general state compliance requirements and to test and report on internal control over compliance in accordance with the *State Compliance Audit Guide*, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of [the Entity]'s internal control over compliance.

Our consideration of internal control over compliance was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as discussed below, we identified certain deficiencies in internal control over compliance that we consider to be material weaknesses or significant deficiencies.

A *deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a general state compliance requirement on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a general state compliance requirement will not be prevented, or detected and corrected, on a timely basis. We consider the deficiencies in internal control over compliance described [in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] –or– [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] –or– [below] to be material weaknesses. [Insert views/responses of/from responsible officials after findings.]

A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a general state compliance requirement that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance. We consider the deficiencies in internal control over compliance described [in the accompanying schedule of findings and recommendations as items [20XX-2 and 20XX-3] –or– [in our letter to management dated [Date] as items [20XX-2 and 20XX-3] –or– [below] to be significant deficiencies. [Insert views/responses of/from responsible officials after findings.]

[The Entity]'s response to the internal control over compliance findings identified in our audit is described in the accompanying [insert name of document containing responses]. [The Entity]'s response was not subjected to the auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control and compliance and the results of that testing based on the requirements of the *State Compliance Audit Guide*. Accordingly, this report is not suitable for any other purpose.

[Auditor's Signature]

[Auditor's City, State]

[Date of Auditor's Report]

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