

	Purpose	Presenter	Time
I. Opening Items			8:15 AM
Opening Items			
A. Record Attendance and Guests		Rochelle Benning	1 m
B. Call the Meeting to Order		Rochelle Benning	1 m
C. Approval of Board Findings Relating to Teleconference Meetings During State of Emergency	Vote	Rochelle Benning	1 m

Board findings pursuant to Government Code Section 54953(e)

The Charter School Board of Directors determines, in accordance with Government Code Section 54953(e)(1)(B), that meeting in person would present imminent risks to the health or safety of attendees. Pursuant to Government Code Section 54953(e)(3), the Board has also reconsidered the circumstances of the State of Emergency declared by the Governor on March 4, 2020, and finds the State of Emergency continues to directly impact the ability of the Directors to meet safely in person and/or that State or local officials continue to impose or recommend measures to promote social distancing.

D. Review and Approve Minutes from 11/16/2022 REGULAR Board Meeting	Approve Minutes	Rochelle Benning	1 m
E. Opening Session - Public Comment (Any Agenda or Non-Agenda Items)		Rochelle Benning	10 m

Public comment is limited to a maximum of 3 minutes of comment time per speaker

II. Governance **8:29 AM**

Governance

A. Review and Approve East Bay Innovation Academy Consent Agenda Items	Vote	Rochelle Benning	2 m
---	------	------------------	-----

Consent Agenda Items:

- TBD.

B. Review and Approve External Audit for 2021-2022 School Year	Vote	Rochelle Benning	10 m
---	------	------------------	------

Review and approve the external auditors report for the 2021-2022 school year. Deadline to submit to OUSD is December 15, 2022.

Purpose Presenter Time

III. Other Business **8:41 AM**

- | | | | |
|--|---------|---------------------|-----|
| A. Confirm Board Meeting Dates through 2022
-2023 School Year | Discuss | Rochelle
Benning | 1 m |
|--|---------|---------------------|-----|

Current board meetings through the end of the school year are scheduled follows - do we need to make any adjustments that we can incorporate into our schedule now?

January	8:00PM Wednesday, 1/18/2023
February	8:00PM Wednesday, 2/15/2023
March	8:00PM Wednesday, 3/15/2023
April	8:00PM Wednesday, 4/19/2023
May	8:00PM Wednesday, 5/17/2023
June	8:00PM Monday, 6/12/2023
July	2023 Summer Break
August	8:00PM Wednesday, 8/16/2023

- | | | | |
|---|-----|---------------------|-----|
| B. Closing Session - Public Comment (Any
Agenda or Non-Agenda Items) | FYI | Rochelle
Benning | 5 m |
|---|-----|---------------------|-----|

Public comment is limited to a maximum of 3 minutes of comment time per speaker

IV. Closing Items **8:47 AM**

- | | | | |
|---------------------------|------|---------------------|-----|
| A. Adjourn Meeting | Vote | Rochelle
Benning | 1 m |
|---------------------------|------|---------------------|-----|

Coversheet

Review and Approve Minutes from 11/16/2022 REGULAR Board Meeting

Section: I. Opening Items
Item: D. Review and Approve Minutes from 11/16/2022 REGULAR Board Meeting
Purpose: Approve Minutes
Submitted by:
Related Material: Minutes for Board Meeting on November 16, 2022

APPROVED



East Bay Innovation Academy

Minutes

Board Meeting

Date and Time

Wednesday November 16, 2022 at 8:00 PM

Location

Pursuant to the Governor's Executive Order N-29-20, all members of a legislative body and appropriate staff will participate in legislative meetings via phone/video conference until shelter in place order is lifted. Please see meeting link and telephone numbers below to attend and provide public comment at the EBIA Board Meeting.

Jenna Stauffer is inviting you to a scheduled Zoom meeting. Topic: EBIA Board Meeting
Time: Nov 16, 2022 08:00 PM Pacific Time (US and Canada)

Join Zoom Meeting <https://eastbayia-org.zoom.us/j/97093800689?pwd=NjFYdnJyRWlySXFwOEE2K3plQXFmUT09>

Meeting ID: 970 9380 0689 Passcode: 369333

One tap mobile [+16468769923](tel:+16468769923), [+16469313860](tel:+16469313860), [+16694449171](tel:+16694449171) US (New York) [+16468769923](tel:+16468769923) US Dial by your location +1 646 876 9923 US (New York) +1 646 931 3860 US +1 669 444 9171 US +1 669 900 6833 US (San Jose) +1 719 359 4580 US +1 253 215 8782 US (Tacoma) +1 301 715 8592 US (Washington DC) +1 309 205 3325 US +1 312 626 6799 US (Chicago) +1 346 248 7799 US (Houston) +1 386 347 5053 US +1 564 217 2000 US Meeting ID: 970 9380 0689 Find your local number: <https://eastbayia-org.zoom.us/u/ag6EPoWEem>

Directors Present

Jennifer Afdahl Rice (remote), Kelly Garcia (remote), Ken Berrick (remote), Rochelle Benning (remote)

Directors Absent

Brad Edgar

Guests Present

Jenna Stauffer (remote)

I. Opening Items

A. Record Attendance and Guests

B. Call the Meeting to Order

Rochelle Benning called a meeting of the board of directors of East Bay Innovation Academy to order on Wednesday Nov 16, 2022 at 8:04 PM.

C. Approval of Board Findings Relating to Teleconference Meetings During State of Emergency

Jennifer Afdahl Rice made a motion to approve the teleconference meeting.
Ken Berrick seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Rochelle Benning	Aye
Kelly Garcia	Absent
Ken Berrick	Aye
Brad Edgar	Absent
Jennifer Afdahl Rice	Aye

D. Review and Approve Minutes from 10/19/2022 REGULAR Board Meeting

Moving to the next board meeting - no quorum of members available that attended the previous board meeting.

E. Opening Session - Public Comment (Any Agenda or Non-Agenda Items)

F. Adjourn Public Session

Ken Berrick made a motion to adjourn the public session.
Kelly Garcia seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Brad Edgar	Absent
Ken Berrick	Aye
Rochelle Benning	Aye
Jennifer Afdahl Rice	Aye
Kelly Garcia	Aye

II. Closed Session - Pending Litigation Government Code 54957.1

A. Open Closed Session

Rochelle Benning made a motion to to open the closed session.
Kelly Garcia seconded the motion.
The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Jennifer Afdahl Rice	Aye
Rochelle Benning	Aye
Brad Edgar	Absent
Ken Berrick	Aye

B. Closed Session Discussion: Pending Litigation Government Code 54957.1

Discussed legal negotiations with legal counsel and the Co-Executive Director. The Co-Executive Director will update the board upon the conclusion of negotiations.

C. Adjourn Closed Session and Move to Public Session

Jennifer Afdahl Rice made a motion to Adjourn the closed session. Rochelle Benning seconded the motion. The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Rochelle Benning	Aye
Ken Berrick	Aye
Jennifer Afdahl Rice	Aye
Brad Edgar	Absent

III. Reconvene Board Meeting - Open Public Session

A. Open Public Session - Roll Call

Jennifer - here
Shelley - here
Ken - here
Kelly - here

B. Report Actions Taken (if any) in Closed Session

Discussed legal negotiations with legal counsel and the Co-Executive Director. The Co-Executive Director will update the board upon the conclusion of negotiations.

IV. Governance

A. Review and Approve East Bay Innovation Academy Consent Agenda Items

Jennifer Afdahl Rice made a motion to approve the consent agenda. Ken Berrick seconded the motion.
- pulling local assignment option item from the consent agenda
The board **VOTED** to approve the motion.

Roll Call

Ken Berrick	Aye
Kelly Garcia	Aye
Rochelle Benning	Aye
Jennifer Afdahl Rice	Aye
Brad Edgar	Absent

V. Academic Excellence

A.

Executive Directors Report

Please see Executive Director's Report materials in board packet

VI. Finance and Development

A. East Bay Innovation Academy - YTD Finance Update

Kelly Garcia made a motion to approve the first interim financial reports.

Rochelle Benning seconded the motion.

Board reviewed financial materials provided in the board packet.

The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Brad Edgar	Absent
Rochelle Benning	Aye
Jennifer Afdahl Rice	Aye
Ken Berrick	Absent

The first interim report file format did not upload to the packet - the report will be added to the next consent agenda.

The first interim report file format did not upload to the packet - the report will be added to the next consent agenda.

VII. Other Business

A. Confirm Board Meeting Dates through 2022 -2023 School Year

a special board meeting will be required in Dec to approve the audit report.

B. Closing Session - Public Comment (Any Agenda or Non-Agenda Items)

no public comment was made

VIII. Closing Items

A. Adjourn Meeting

Kelly Garcia made a motion to adjourn the meeting.

Jennifer Afdahl Rice seconded the motion.

The board **VOTED** to approve the motion.

Roll Call

Kelly Garcia	Aye
Rochelle Benning	Aye
Brad Edgar	Absent
Jennifer Afdahl Rice	Aye

There being no further business to be transacted, and upon motion duly made, seconded and approved, the meeting was adjourned at 10:03 PM.

Respectfully Submitted,
Rochelle Benning

Coversheet

Review and Approve External Audit for 2021-2022 School Year

Section: II. Governance
Item: B. Review and Approve External Audit for 2021-2022 School Year
Purpose: Vote
Submitted by:
Related Material:
6-30-22 EBIA Audited FS Draft 12.01.22 - Final Draft - External Audit 21-22 School Year.pdf

**EAST BAY INNOVATION ACADEMY
CHARTER SCHOOL NUMBER: 1620**

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

YEAR ENDED JUNE 30, 2022

DRAFT
For discussion purposes only
Subject to revision

**EAST BAY INNOVATION ACADEMY
TABLE OF CONTENTS
YEAR ENDED JUNE 30, 2022**

INDEPENDENT AUDITORS' REPORT	1
BASIC FINANCIAL STATEMENTS	
STATEMENT OF FINANCIAL POSITION	4
STATEMENT OF ACTIVITIES	5
STATEMENT OF FUNCTIONAL EXPENSES	6
STATEMENT OF CASH FLOWS	7
NOTES TO FINANCIAL STATEMENTS	8
SUPPLEMENTARY INFORMATION	
LOCAL EDUCATION AGENCY ORGANIZATION STRUCTURE	16
SCHEDULE OF INSTRUCTIONAL TIME	17
SCHEDULE OF AVERAGE DAILY ATTENDANCE	18
RECONCILIATION OF ANNUAL FINANCIAL REPORT WITH AUDITED FINANCIAL STATEMENTS	19
NOTES TO SUPPLEMENTARY INFORMATION	20
INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH <i>GOVERNMENT AUDITING STANDARDS</i>	21
INDEPENDENT AUDITORS' REPORT ON STATE COMPLIANCE	23
SCHEDULE OF FINDINGS AND QUESTIONED COSTS	26
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS	27

INDEPENDENT AUDITORS' REPORT

Board of Directors
East Bay Innovation Academy
Oakland, California

Report on the Audit of the Financial Statements

Opinion

We have audited the accompanying financial statements of East Bay Innovation Academy (the Academy), a California nonprofit public benefit corporation, which comprise the statement of financial position as of June 30, 2022, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Academy as of June 30, 2022, and the changes in its net assets and its cash flows for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

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

Responsibilities of Management for the Financial Statements

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

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Academy's ability to continue as a going concern for one year after the date the financial statements are available to be issued.

Board of Directors
East Bay Innovation Academy

Auditors' Responsibility for the Audit of the Financial Statements

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

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

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

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

Board of Directors
East Bay Innovation Academy

Supplementary Information

Our audit was conducted for the purpose of forming an opinion on the Academy's financial statements as a whole. The supplementary information (as identified in the table of contents) accompanying the financial statements, which is the responsibility of management, is presented for purposes of additional analysis and is not a required part of the financial statements. Such information, except for the portion marked "unaudited", was derived from and relates directly to the underlying accounting and other records used to prepare the financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the financial statements as a whole. The Local Education Agency Organization Structure, which is marked "unaudited", has not been subjected to the auditing procedures applied in the audit of the financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

Other Reporting Required by Government Auditing Standards

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

CliftonLarsonAllen LLP

Glendora, California
REPORT DATE

**EAST BAY INNOVATION ACADEMY
STATEMENT OF FINANCIAL POSITION
JUNE 30, 2022**

ASSETS

CURRENT ASSETS

Cash and Cash Equivalents	\$ 1,363,097
Accounts Receivable - Federal and State	1,168,733
Prepaid Expenses and Other Assets	<u>64,049</u>
Total Current Assets	<u>2,595,879</u>

Total Assets	<u><u>\$ 2,595,879</u></u>
--------------	----------------------------

LIABILITIES AND NET ASSETS

LIABILITIES

Accounts Payable and Accrued Liabilities	\$ 338,107
Deferred Revenue	<u>228,170</u>
Total Liabilities	566,277

NET ASSETS

Without Donor Restrictions	<u>2,029,602</u>
Total Net Assets	<u>2,029,602</u>

Total Liabilities and Net Assets	<u><u>\$ 2,595,879</u></u>
----------------------------------	----------------------------

See accompanying Notes to Financial Statements.

**EAST BAY INNOVATION ACADEMY
STATEMENT OF ACTIVITIES
YEAR ENDED JUNE 30, 2022**

	<u>Without Donor Restrictions</u>	<u>With Donor Restrictions</u>	<u>Total</u>
REVENUES			
State Revenue:			
State Aid	\$ 3,692,489	\$ -	\$ 3,692,489
Other State Revenue	1,350,523	-	1,350,523
Federal Revenue:			
Grants and Entitlements	642,689	-	642,689
Local Revenue:			
In-Lieu Property Tax Revenue	1,596,045	-	1,596,045
Contributions	89,641	-	89,641
Interest Income	1	-	1
Loan Forgiveness	952,534	-	952,534
Other Local Revenue	247,029	-	247,029
Other Revenue	78,231	-	78,231
Net Assets Released from Restrictions	22,420	(22,420)	-
Total Revenues	<u>8,671,602</u>	<u>(22,420)</u>	<u>8,649,182</u>
EXPENSES			
Program Services	6,832,326	-	6,832,326
Management and General	845,425	-	845,425
Fundraising	2,912	-	2,912
Total Expenses	<u>7,680,663</u>	<u>-</u>	<u>7,680,663</u>
CHANGE IN NET ASSETS	990,939	(22,420)	968,519
Net Assets - Beginning of Year	<u>1,038,663</u>	<u>22,420</u>	<u>1,061,083</u>
NET ASSETS - END OF YEAR	<u>\$ 2,029,602</u>	<u>\$ -</u>	<u>\$ 2,029,602</u>

See accompanying Notes to Financial Statements.

**EAST BAY INNOVATION ACADEMY
STATEMENT OF FUNCTIONAL EXPENSES
YEAR ENDED JUNE 30, 2022**

	<u>Program Services</u>	<u>Management and General</u>	<u>Fundraising</u>	<u>Total Expenses</u>
Salaries and Wages	\$ 4,167,615	\$ 353,839	\$ -	\$ 4,521,454
Pension Expense	523,528	33,417	-	556,945
Other Employee Benefits	341,445	21,796	-	363,241
Payroll Taxes	112,926	7,209	-	120,135
Legal Expenses	-	83,152	-	83,152
Accounting Expenses	-	18,465	-	18,465
Other Fees for Service	446,355	63,777	-	510,132
Advertising and Promotions	-	4,822	-	4,822
Office Expenses	82,286	23,301	-	105,587
Information Technology	100,247	9,214	-	109,461
Occupancy	637,711	23,388	-	661,099
Travel	-	11,877	-	11,877
Insurance	67,365	11,888	-	79,253
Instructional Materials	244,949	72,234	-	317,183
Other Expenses	107,899	107,046	2,912	217,857
	<u>\$ 6,832,326</u>	<u>\$ 845,425</u>	<u>\$ 2,912</u>	<u>\$ 7,680,663</u>
Total Functional Expenses	<u>\$ 6,832,326</u>	<u>\$ 845,425</u>	<u>\$ 2,912</u>	<u>\$ 7,680,663</u>

See accompanying Notes to Financial Statements.

**EAST BAY INNOVATION ACADEMY
STATEMENT OF CASH FLOWS
YEAR ENDED JUNE 30, 2022**

CASH FLOWS FROM OPERATING ACTIVITIES

Change in Net Assets	\$ 968,519
Adjustments to Reconcile Change in Net Assets to Net Cash Provided by Operating Activities:	
PPP Loan Forgiveness	(952,534)
Change in Operating Assets:	
Accounts Receivable - Federal and State	697,891
Accounts Receivable - Other	19,294
Prepaid Expenses and Other Assets	(20,863)
Change in Operating Liabilities:	
Accounts Payable and Accrued Liabilities	(146,897)
Deferred Revenue	(71,901)
Net Cash Provided by Operating Activities	<u>493,509</u>

NET CHANGE IN CASH AND CASH EQUIVALENTS

493,509

Cash and Cash Equivalents - Beginning of Year

869,588**CASH AND CASH EQUIVALENTS - END OF YEAR**\$ 1,363,097**SUPPLEMENTAL DISCLOSURE OF CASH FLOW INFORMATION**

PPP Loan Forgiveness	<u>\$ 952,534</u>
----------------------	-------------------

See accompanying Notes to Financial Statements.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Nature of Activities

East Bay Innovation Academy (the Academy) is a California nonprofit public benefit corporation and is organized to manage and operate a public charter school located in Alameda County. The Academy is economically dependent on state and federal funding.

The charter may be revoked by the Oakland Unified School District (the District) for material violations of the charter, failure to meet pupil outcomes identified in the charter, failure to meet generally accepted standards of fiscal management, or violation of any provision of the law.

Cash and Cash Equivalents

The Academy defines its cash and cash equivalents to include only cash on hand, demand deposits, and liquid investments with original maturities of three months or less.

Use of Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities, and disclosures. Accordingly, actual results could differ from those estimates.

Basis of Accounting

The financial statements have been prepared on the accrual method of accounting and, accordingly, reflect all significant receivables and liabilities.

Functional Allocation of Expenses

Costs of providing the Academy's programs and other activities have been presented in the statement of functional expenses. During the year, such costs are accumulated into separate groupings as either direct or indirect. Indirect or shared costs are allocated among program and support services by a method that best measures the relative degree of benefit. The expenses that are allocated include salaries and wages, pension expense, other employee benefits, payroll taxes, other fees for service, and other expenses which are allocated on the basis of estimates of time and effort. Also allocated are office expenses, information technology, occupancy, insurance and instructional materials which are allocated based on estimated usage.

Basis of Presentation

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America as prescribed by the Financial Accounting Standards Board.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Net Asset Classes

Net assets, revenues, gains, and losses are classified based on the existence or absence of donor- or grantor-imposed restrictions. Accordingly, net assets and changes therein are classified and reported as follows:

Net Assets Without Donor Restrictions – Net assets available for use in general operations and not subject to donor (or certain grantor) restrictions.

Net Assets With Donor Restrictions – Net assets subject to donor- (or certain grantor-) imposed restrictions. Some donor-imposed restrictions are temporary in nature, such as those that will be met by the passage of time or other events specified by the donor. Other donor-imposed restrictions are perpetual in nature, where the donor stipulates that resources be maintained in perpetuity. Gifts of long-lived assets and gifts of cash restricted for the acquisition of long-lived assets are recognized as restricted revenue when received and released from restrictions when the assets are placed in service. Donor-imposed restrictions are released when a restriction expires, that is, when the stipulated time has elapsed, when the stipulated purpose for which the resource was restricted has been fulfilled, or both.

Accounts Receivables

Accounts receivable primarily represent amounts due from federal and state governments as of June 30, 2022. Management believes that all receivables are fully collectible; therefore, no provisions for uncollectible accounts were recorded.

Property Taxes

Secured property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on September 1 and are payable in two installments on or before November 1 and February 1. Unsecured property taxes are not a lien against real property and are payable in one installment on or before August 31. The County bills and collects property taxes for all taxing agencies within the County and distributes these collections to the various agencies. The sponsor agency of the Academy is required by law to provide in-lieu property tax payments on a monthly basis, from August through July. The amount paid per month is based upon an allocation per student, with a specific percentage to be paid each month.

Compensated Absences

Accumulated unpaid employee vacation benefits are recognized as a liability of the Academy. Employees of the Academy are paid for days or hours worked based upon board approved schedules which include vacation. Sick leave is accumulated; however, not paid out. Certificated unionized staff receive 10 days of sick leave at the beginning of the year per union contracts. Noncertified hourly staff eligible for sick days are accrued at one hour per 30 hours worked.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Revenue Recognition

Amounts received from the California Department of Education are conditional and recognized as revenue by the Academy based on the average daily attendance (ADA) of students. Revenue that is restricted is recorded as an increase in net assets without donor restriction, if the restriction expires in the reporting period in which the revenue is recognized. All other restricted revenues are reported as increases in net assets with donor restriction.

Contributions

All contributions are considered to be available for use unless specifically restricted by the donor. Amounts received that are restricted to specific use or future periods are reported as contributions with donor restrictions. Restricted contributions that are received and released in the same period are reported as promises to give without donor restrictions. Unconditional promises to give expected to be received in one year or less are recorded at net realizable value. Unconditional promises to give expected to be received in more than one year are recorded at fair value at the date of the promise. Conditional promises to give (those with a measurable performance or other barrier and a right of return) are not recognized until they become unconditional, that is, when the conditions on which they depend are substantially met.

Conditional Grants

Grants and contracts that are conditioned upon the performance of certain requirements or the incurrence of allowable qualifying expenses (barriers) are recognized as revenues in the period in which the conditions are met. Amounts received are recognized as revenue when the Academy has incurred expenditures in compliance with specific contract or grant provisions. Amounts received prior to incurring qualifying expenditures are reported as deferred revenues in the statement of financial position. As of June 30, 2022, the Academy has conditional grants of \$615,650 of which \$228,170 are recognized as deferred revenue in the statement of financial position.

Income Taxes

The Academy is a nonprofit entity exempt from the payment of income taxes under Internal Revenue Code Section 501(c)(3) and California Revenue and Taxation Code Section 23701d. Accordingly, no provision has been made for income taxes. Management has determined that all income tax positions are more likely than not of being sustained upon potential audit or examination; therefore, no disclosures of uncertain income tax positions are required. The Academy files an exempt organization return in the U.S. federal jurisdiction and with the California Franchise Tax Board.

Subsequent Events

The Academy has evaluated subsequent events through REPORT DATE, the date these financial statements were available to be issued.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 2 LIQUIDITY AND AVAILABILITY

Financial assets available for general expenditure are those without donor or other restrictions limiting their use, within one year of the statement of financial position date. Financial assets available for general expenditures are comprised of the following as of June 30, 2022:

Cash and Cash Equivalents	\$ 1,363,097
Accounts Receivable - Federal and State	1,168,733
Financial Assets Available for General Expenditure	<u>\$ 2,531,830</u>

As part of its liquidity management plan, the Academy monitors liquidity required and cash flows to meet operating needs on a monthly basis. The Academy structures its financial assets to be available as general expenditures, liabilities and other obligations come due.

NOTE 3 CONCENTRATION OF CREDIT RISK

The Academy maintains an interest bearing-cash account with a financial institution. The account at this institution is insured by the Federal Deposit Insurance Corporation (FDIC). At times, cash in this account exceeds the maximum insured amount. The Academy has not experienced any losses regarding this account and believes it is not exposed to any significant credit risk on its cash and cash equivalents.

NOTE 4 LONG-TERM DEBT

PPP Loan

In May 2020 the Academy received a loan from Wells Fargo in the amount of \$952,534 to fund payroll, rent, utilities, and interest on mortgages and existing debt through the Paycheck Protection Program (the PPP Loan). The original loan agreement was written prior to the PPP Flexibility Act of 2020 (June 5) and was due over 24 months deferred for six months. Subsequent to this, the law changed the loan deferral terms retroactively. The PPP Flexibility Act and subsequent regulations supersede the loan agreement. The PPP Loan bears interest at a fixed rate of 1.0% per annum, with the first six months of interest deferred, has a term of two years, and is unsecured and guaranteed by the U.S. Small Business Administration (SBA). Payment of principal and interest is deferred until the date on which the amount of forgiveness is remitted to the lender or, if the organization fails to apply for forgiveness within 10 months after the covered period, then payment of principal and interest shall begin on that date.

In September 2021, the principal amount of \$952,534 was forgiven by the financial institution and the SBA. The SBA may review funding eligibility and usage of funds for compliance with program requirements based on dollar thresholds and other factors. The amount of liability, if any, from potential noncompliance cannot be determined with certainty; however, management is of the opinion that any review will not have a material adverse impact on the Academy's financial position.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 5 EMPLOYEE RETIREMENT

Multiemployer Defined Benefit Pension Plans

Qualified employees are covered under multiple employer-defined benefit pension plans maintained by agencies of the state of California. Certificated employees are members of the State Teachers' Retirement System (STRS).

The risks of participating in this multiemployer defined benefit pension plan are different from single employer plans because: (a) assets contributed to the multiemployer plan by one employer may be used to provide benefits to employees of other participating employers, (b) the required member, employer, and state contribution rates are set by the California Legislature and detailed in Teachers' Retirement Law, and (c) if the Academy chooses to stop participating in the multiemployer plan, it may be required to pay a withdrawal liability to the plan. The Academy has no plans to withdraw from this multi-employer plan.

State Teachers' Retirement System (STRS)

Plan Description

The Academy contributes to the State Teachers' Retirement System (STRS), a cost-sharing multiple employer public employee retirement system defined benefit pension plan administered by STRS.

The plan provides retirement, disability and survivor benefits to beneficiaries. Benefit provisions are established by state statutes, as legislatively amended, within the State Teachers' Retirement Law. According to the most recently available Comprehensive Annual Financial Report and Actuarial Valuation Report for the year ended June 30, 2021, total STRS plan net assets are \$310 billion, the total actuarial present value of accumulated plan benefits is \$414 billion, contributions from all employers totaled \$5.744 billion, and the plan is 73% funded. The Academy did not contribute more than 5% of the total contributions to the plan.

Copies of the STRS annual financial reports may be obtained from STRS, 7667 Folsom Boulevard, Sacramento, California 95826 and www.calstrs.com.

Funding Policy

Active plan members hired before January 1, 2013 are required to contribute 10.25% of their salary and those hired after are required to contribute 10.21% of their salary. The Academy is required to contribute an actuarially determined rate. The actuarial methods and assumptions used for determining the rate are those adopted by the STRS Teachers' Retirement Board. The required employer contribution rate for year ended June 30, 2022 was 16.92% of annual payroll. The contribution requirements of the plan members are established and may be amended by state statute.

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 5 EMPLOYEE RETIREMENT (CONTINUED)**State Teachers' Retirement System (STRS) (Continued)**

The Academy's contributions to STRS for the past three years are as follows:

<u>Year Ending June 30,</u>	<u>Required Contribution</u>	<u>Percent Contributed</u>
2020	\$ 528,598	100%
2021	551,814	100%
2022	556,945	100%

NOTE 6 OPERATING LEASE

The Academy leases its facility on an annual renewable basis. Lease expense for the year ended June 30, 2022 was \$300,500.

The Academy also has a facility use agreement with the District through June 30, 2024. The total lease expense for the year ended June 30, 2022 was \$114,753.

Future minimum lease payments under these agreements are as follows:

<u>Year Ending June 30,</u>	
2023	\$ 466,677
2024	135,769
Total	<u>\$ 602,446</u>

NOTE 7 LINE OF CREDIT

In July 2020, the Academy obtained a revolving line of credit with Charter Asset Management Fund, LP for up to \$800,000 that carries an interest rate of 7.95% and matures in July 2023. There was no balance as of June 30, 2022.

NOTE 8 NET ASSETS WITH DONOR RESTRICTIONS

Net assets were released from donor restrictions by incurring expenses satisfying the restricted purpose as follows for the year ended June 30, 2022:

Releases from Net Assets for Specific Purpose:

Title Funding	\$ 22,420
Total	<u>\$ 22,420</u>

**EAST BAY INNOVATION ACADEMY
NOTES TO FINANCIAL STATEMENTS
JUNE 30, 2022**

NOTE 9 CONTINGENCIES, RISKS, AND UNCERTAINTIES

The Academy has received state and federal funds for specific purposes that are subject to review and audit by the grantor agencies. Although such audits could generate disallowances under terms of the grants, it is believed that any required reimbursement would not be material.

DRAFT
For discussion purposes only
Subject to revision

SUPPLEMENTARY INFORMATION

DRAFT
For discussion purposes only
Subject to revision

**EAST BAY INNOVATION ACADEMY
 LOCAL EDUCATION AGENCY ORGANIZATION STRUCTURE
 YEAR ENDED JUNE 30, 2022
 (SEE INDEPENDENT AUDITORS' REPORT)
 UNAUDITED**

East Bay Innovation Academy (the Academy) was established in October 2013 and granted its charter through Oakland Unified School District (the District) and its charter school status from the California Department of Education. The charter may be revoked by the District for material violations of the charter, failure to meet or make progress towards student outcomes, failure to meet generally accepted standards of fiscal management, or violation of any provision of the law.

Charter School number authorized by the State: 1620

The Board of Directors and the Administrator as of the year ended June 30, 2022 were as follows:

BOARD OF DIRECTORS

<u>Member</u>	<u>Office</u>	<u>Term Expires (3-Year Term)</u>
Shelley Benning	Board Chair / Co-Founder	August 2022
Kelly Garcia	Secretary	August 2022
Ken Berrick	Board Member	June 2022
Dr. Bradley Edgar	Board Member	October 2022
Kimberly Smith	Board Member	Emeritus
Jennifer Afdahl Rice	Board Member	August 2025

ADMINISTRATORS

Michelle Cho	Executive Director
--------------	--------------------

**EAST BAY INNOVATION ACADEMY
SCHEDULE OF INSTRUCTIONAL TIME
YEAR ENDED JUNE 30, 2022
(SEE INDEPENDENT AUDITORS' REPORT)**

	Instructional Minutes		Traditional Calendar Days	Status
	Requirement	Actual		
Grade 6	54,000	63,135	183	In Compliance
Grade 7	54,000	63,135	183	In Compliance
Grade 8	54,000	63,135	183	In Compliance
Grade 9	64,800	71,530	183	In Compliance
Grade 10	64,800	71,530	183	In Compliance
Grade 11	64,800	71,530	183	In Compliance
Grade 12	64,800	71,530	183	In Compliance

DRAFT
 For discussion purposes only
 Subject to revision

See Notes to Supplementary Information.

**EAST BAY INNOVATION ACADEMY
 SCHEDULE OF AVERAGE DAILY ATTENDANCE
 YEAR ENDED JUNE 30, 2022
 (SEE INDEPENDENT AUDITORS' REPORT)**

	Second Period Report		Annual Report	
	Classroom Based	Total	Classroom Based	Total
Grades 4-6	84.99	86.21	84.20	85.65
Grades 7-8	194.44	198.73	192.52	196.78
Grades 9-12	221.70	224.98	220.03	223.49
ADA Totals	<u>501.13</u>	<u>509.92</u>	<u>496.75</u>	<u>505.92</u>

DRAFT
 For discussion purposes only
 Subject to revision

See Notes to Supplementary Information.

**EAST BAY INNOVATION ACADEMY
RECONCILIATION OF ANNUAL FINANCIAL REPORT WITH
AUDITED FINANCIAL STATEMENTS
YEAR ENDED JUNE 30, 2022
(SEE INDEPENDENT AUDITORS' REPORT)**

June 30, 2022 Annual Financial Report Fund Balances (Net Assets)	\$ 1,744,950
Adjustments and Reclassifications:	
Increase (Decrease) of Fund Balance (Net Assets):	
Accounts Receivable - Federal and State	284,652
Net Adjustments and Reclassifications	<u>284,652</u>
June 30, 2022 Audited Financial Statement Fund Balances (Net Assets)	<u><u>\$ 2,029,602</u></u>

For discussion purposes only
DRAFT
Subject to revision

See Notes to Supplementary Information.

**EAST BAY INNOVATION ACADEMY
NOTES TO SUPPLEMENTARY INFORMATION
JUNE 30, 2022**

PURPOSE OF SCHEDULES

NOTE 1 SCHEDULE OF INSTRUCTIONAL TIME

This schedule presents information on the amount of instructional time offered by the Academy and whether the Academy complied with the provisions of California Education Code.

NOTE 2 SCHEDULE OF AVERAGE DAILY ATTENDANCE

Average daily attendance is a measurement of the number of pupils attending classes of the Academy. The purpose of attendance accounting from a fiscal standpoint is to provide the basis on which apportionments of state funds are made to charter schools. This schedule provides information regarding the attendance of students at various grade levels.

NOTE 3 RECONCILIATION OF ANNUAL FINANCIAL REPORT WITH AUDITED FINANCIAL STATEMENTS

This schedule provides the information necessary to reconcile the net assets of the charter school as reported on the Annual Financial Report form to the audited financial statements.

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

Board of Directors
East Bay Innovation Academy
Oakland, California

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of East Bay Innovation Academy (the Academy), a nonprofit California public benefit corporation, which comprise the statement of financial position as of June 30, 2022, and the related statements of activities, functional expenses, and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated REPORT DATE.

Report on Internal Control Over Financial Reporting

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

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

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

Board of Directors
East Bay Innovation Academy

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Academy's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of non-compliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

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

CliftonLarsonAllen LLP

Glendora, California
REPORT DATE

INDEPENDENT AUDITORS' REPORT ON STATE COMPLIANCE

Board of Directors
East Bay Innovation Academy
Oakland, California

Opinion on State Compliance

We have audited East Bay Innovation Academy's (the Academy) compliance with the types of compliance requirements described in the *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel, for the year ended June 30, 2022. The Academy's State compliance requirements are identified in the table below.

In our opinion, the Academy complied with the laws and regulations of the state programs referred to above in all material respects for the year ended June 30, 2022.

Basis for Opinion

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America (GAAS); the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States; and the *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel. Our responsibilities under those standards and *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel, are further described in the Auditor's Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Academy and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion. Our audit does not provide a legal determination of the Academy's compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for the compliance with the state laws and regulations as identified below.

Auditors' Responsibility for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to below occurred, whether due to fraud or error, and express an opinion on the Academy's compliance based on our audit.

Board of Directors
East Bay Innovation Academy

Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel, will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the Academy's compliance with the requirements of the government program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the Academy's compliance with the compliance requirements referred to below and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the Academy's internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel, but not for the purpose of expressing an opinion on the effectiveness of the Academy's internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Compliance Requirements Tested

In connection with the audit referred to above, we selected and tested transactions and records to determine the Academy's compliance with the laws and regulations applicable to the following items:

<u>Description</u>	<u>Procedures Performed</u>
School Districts, County Offices of Education, and Charter Schools:	
California Clean Energy Jobs Act	Not Applicable
After/Before School Education and Safety Program	Not Applicable
Proper Expenditure of Education Protection Account Funds	Yes
Unduplicated Local Control Funding Formula Pupil Counts	Yes
Independent Study-Course Based	Not Applicable
Immunizations	Not Applicable

Board of Directors
 East Bay Innovation Academy

<u>Description</u>	<u>Procedures Performed</u>
Educator Effectiveness	Yes
Expanded Learning Opportunities Grant (ELO-G)	Yes
Career Technical Education Incentive Grant	Not Applicable
In Person Instruction Grant	Yes
Charter Schools:	
Attendance	Yes
Mode of Instruction	Yes
Nonclassroom-Based Instruction/Independent Study	Not applicable
Determination of Funding for Nonclassroom-Based Instruction	Not applicable
Annual Instructional Minutes – Classroom Based	Yes
Charter School Facility Grant Program	Yes

Purpose of this Report

The purpose of this report on state compliance is solely to describe the results of testing based on the requirements of the *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel. Accordingly, this report is not suitable for any other purpose.

CliftonLarsonAllen LLP

Glendora, California
 REPORT DATE

**EAST BAY INNOVATION ACADEMY
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
YEAR ENDED JUNE 30, 2022**

All audit findings must be identified as one or more of the following categories:

<u>Five Digit Code</u>	<u>Finding Types</u>
10000	Attendance
20000	Inventory of Equipment
30000	Internal Control
40000	State Compliance
42000	Charter School Facilities Program
43000	Apprenticeship: Related and Supplemental Instruction
50000	Federal Compliance
60000	Miscellaneous
61000	Classroom Teacher Salaries
62000	Local Control Accountability Plan
70000	Instructional Materials
71000	Teacher Misassignments
72000	School Accountability Report Card

Our audit did not disclose any matters required to be reported in accordance with *Government Auditing Standards* or the *2021-2022 Guide for Annual Audits of K-12 Local Education Agencies and State Compliance Reporting*, published by the Education Audit Appeals Panel.

**EAST BAY INNOVATION ACADEMY
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
YEAR ENDED JUNE 30, 2022**

There were no findings and questioned costs related to the basic financial statements or state awards for the prior year.

DRAFT
For discussion purposes only
Subject to revision