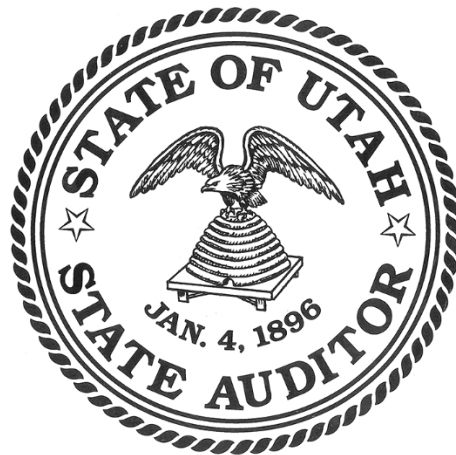


STATE COMPLIANCE AUDIT GUIDE

June 9, 2025

STATE OF UTAH OFFICE OF THE UTAH STATE AUDITOR



TINA M. CANNON
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 to the online version often to check for changes.

CHAPTER	SECTION	PAGE(s)	CHANGE(S) MADE	DATE CHANGED
1	E. Restricted Taxes and Other Related Restricted Revenue	1-6	Requirement added to verify balances shown on the TRT/TRCCA activity report and against the financial statements and supporting documentation	5/12/2025
1	F. Fraud Risk Assessment	1-7	Requirement added to verify the supporting documents for the entity's answers on the FRA	5/12/2025
2	G. Public Treasurer's Bond	2-9	Crime insurance is now required in all cases that fidelity bonds were previously allowed	5/12/2025
4	Reporting	4-1 through 4-15	Language was updated throughout Chapter 4	5/12/2025
3	B. Public Education Program – Financial and Program Compliance	3-4	Requirement added to verify supporting documentation for expenditures coded to Program 5344 Student At-risk Add-on.	6/9/2025
3	B. Public Education Program – Financial and Program Compliance	3-6	Requirement added to verify that agreements between the LEA and service providers include the required provisions from Section 53E-9-309	6/9/2025

2025 Changes to the State Compliance Audit Guide

Chapter 1: AUDIT PROCEDURES TO BE PERFORMED ANNUALLY

1. Section E Restricted Taxes - Additional procedure for Counties
2. Section F – Fraud Risk Assessment - Additional documentation required

Chapter 2: AUDIT PROCEDURES TO BE PERFORMED AT LEAST EVERY THIRD YEAR

1. Section G - All public treasurers are required to have crime insurance. Fidelity bonds are no longer allowed. Verify that public treasurers have obtained crime insurance in accordance with Utah Code 51-7-15 and 17-16-11
2. Section C – Tax Levy Revenue Recognition, added requirement to review footnote disclosures see Auditor Alert 2020-04.

Chapter 3: AUDIT PROCEDURES FOR LOCAL EDUCATION AGENCIES

1. Section B – Supporting documentation for expenditures coded to Program 5344 Student At-risk Add-on required to be reviewed to ensure expenditures were intended to meet the requirements of Section 53F-2-314(3)
2. Section B – Ensure that agreements between the LEA and education service providers contain the elements required by Section 53E-9-309

Chapter 4: REPORTING

1. Language updated to meet current standards

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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 Seth Oveson, Manager, Local Government, at soveson@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. A State Compliance Audit performed in accordance with this Guide 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 or those charged with governance, reading minutes, inspecting correspondence with regulatory agencies, 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*.) During the financial statement audit, the auditor should remain alert to the possibility of instances of noncompliance or suspected noncompliance with laws and regulations. If noncompliance is identified or suspected, the auditor should obtain and document an understanding and evaluation of the effect on the financial statements.

WHICH ENTITIES NEED A STATE COMPLIANCE AUDIT?

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

IN ADDITION, these entities are required to have a **state compliance audit** which should be 1) performed in accordance with *Government Auditing Standards* **as well as with** the *State Compliance Audit Guide (Guide)*, developed by the Office of the 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 \$1 million:
 - **Counties**
 - **Municipalities**
 - **Interlocal entities**
 - **Special districts and special service districts**
 - **Governmental nonprofit organizations**
- **Local Education Agencies (LEAs)**, *regardless of total annual revenues or expenses*:
 - **School districts**
 - **Operating Charter Schools (including charter schools organized as nonprofits).**
- 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** (see OSA's *Guide for AUP's for Local Governments* at resources.auditor.utah.gov)
- **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 resources.auditor.utah.gov).
- **Nonprofit Organizations** which are subject instead to reporting requirements under UCA 51-2a-201.5 (see resources.auditor.utah.gov for applicable reporting requirements)

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

CHAPTER 1: AUDIT PROCEDURES TO BE PERFORMED ANNUALLY

A. COMPLIANCE AUDIT PLANNING PROCEDURES

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
		An example form for completing Section A is provided in Chapter 1 Appendix 1, Identification of Applicable Compliance Areas and Risk Assessment.		
AU-C 935.15 AU-C 315	ALL	1. Obtain an understanding of the entity's internal control over <u>each</u> applicable compliance requirement identified in this Guide.		
		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. <i>The auditor should not focus solely on traditional control activities such as review, approval, reconciliation, etc. Other controls could be adequate (i.e., training, professional experience, or monitoring).</i>		
		b. Document the sources of information used and procedures performed to evaluate the design and implementation of controls. <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>		
		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). <i>Describe any deficiency of design or implementation and, if significant, report to those charged with governance.</i>		
AU-C 935.16		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 <i>Guide</i> and whether the recommendations have been implemented.		
		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.		
AU-C 935.13		4. Determine and document a materiality level (including the basis on which it was determined) for <u>each</u> applicable compliance requirement identified in this <i>Guide</i> .		

* C=County; M=Municipality (City/Town); D=Special Districts or Special Service Districts;
IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
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 935.17 AU-C 935.40		5. For each applicable compliance requirement identified in this <i>Guide</i> , document the assessed risk of material noncompliance, your response to the assessed risk, the procedures performed to test compliance, and the results of those procedures.		
AU-C 935.18-20		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: 10-5-109 Cities: 10-6-118 Districts: 17B-1-614 Counties: 17-36-15 LEAs: 53G-7-302 thru 304 Interlocals & GvtNPOs: 11-13-507 & 11-13-514	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"> Actual revenues and expenditures from the last completed fiscal period. Estimated total revenues and expenditures for the current fiscal period. Estimates of revenues and expenditures for the budget year. 		
UCA Towns: 10-5-115 Cities: 10-6-123 Districts: 17B-1-619 Counties: 17-36-21 LEAs: 53G-7-307 Interlocals & GvtNPOs: 11-13-517	ALL	<p>2. Examine the entity's records and financial reports and determine that total expenditures by fund or department did not exceed the amounts appropriated in the final adopted budget.</p> <p>(Note: This procedure should be applied to ALL funds required to adopt a budget, not just those required to present budgetary information in the financial reports).</p>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Cities: 10-6-147 & 10-6-148 Towns: 10-5-129 Districts: 17B-1-638 Counties: 17-36-36 LEAs: 53G-7-309 Interlocals & GvtNPOs: 11-13-527	ALL	<p>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.</p> <ul style="list-style-type: none"> 1st & 2nd class cities, towns, districts, interlocal entities, governmental NPOs, and counties should prepare reports at least quarterly. 3rd – 5th class cities and LEA's (including charter schools) should prepare reports monthly. <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: 10-6-117-(2) Towns: 10-5-114-(2) Districts: 17B-1-613-(2) LEA's: 53G-7-305 Interlocals & GvtNPOs: 11-13-513-(2)	ALL	<p>1. <u>Deficit Fund Balances</u></p> <p><u>Municipalities, Districts, Interlocals, Governmental NPOs, and 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</u></p> <ul style="list-style-type: none"> A governing body may not make an appropriation in excess of its estimated expendable revenues, including undistributed reserves, for the following fiscal year. School districts only: 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 than 10% of the fund's total actual tax revenue of the year under audit for the district. 		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA 17-36-16-(2)	C	<p>2. Counties: Determine that the entity's unrestricted (committed, assigned, and unassigned) general fund balance did not exceed an amount equal to the greater of:</p> <p>1) a. for a county with a taxable value of \$750 million or more and a population of 100,000 or more – 25% of the total revenues of the general fund for the current fiscal period; or</p> <p>b. for any other county – 65% of the total revenues of the general fund for the current fiscal period.</p> <p style="text-align: center;">-AND-</p> <p>2) The estimated total revenues from property taxes for the current fiscal period.</p>		
UCA Cities: 10-6-116-(2) Towns: 10-5-113-(2)	M	3. Municipalities: Determine that the entity's unrestricted (committed, assigned, and unassigned) general fund balance did not exceed 35% for cities or 100% for towns of the total revenue of the general fund for the fiscal year under audit.		
Interlocals & GvtNPOs: 11-13-512-(2)	IL, GvtNPO	<p>4. Interlocal Entities and Governmental Nonprofits: Determine that the maximum unrestricted (committed, assigned, and unassigned) general fund balance does not exceed the greater of:</p> <ul style="list-style-type: none"> • 100% of the current year's property tax; or • 35% of the total general fund revenues, if the annual general fund budget is greater than \$100,000; or • 65% of the total general fund revenues, if the annual general fund budget is equal to or less than \$100,000. 		
UCA Districts: 17B-1-612-(2)	D	<p>5. Special and Special Service Districts, Interlocal Entities, and Governmental Nonprofits: Determine that the maximum unrestricted (committed, assigned, and unassigned) general fund balance does not exceed the greater of:</p> <ul style="list-style-type: none"> • The most recently adopted General fund budget, plus • 100% of the current year's property tax. 		
UCA 53G-7-304	LEAs, except charter schools	6. School Districts (excluding charter schools): Determine that the undistributed reserve (or resources committed to economic stabilization) does not exceed 5% of the maintenance and operation [general fund] expenditure budget (the higher of the budget for the year under audit or the subsequent budget year). (Note: The reserve should not be used in negotiation or settlement of contract salaries for district employees.) Refer to GASB 54 paragraphs 20-21 for proper classification of undistributed reserve in the fund balance.		
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 COURT

Information Contacts: Director of Internal Audit, Administrative Office of the Courts, (801) 578-3981
Justice Court Administrator, (801) 578-3824

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. See chapter 1 appendix 3 for the separation of duties checklist used by Utah Courts Internal Audit. The appendix can be used to document the different roles court employees fill, any mitigating controls the court has put in place and improve the continuity of separation of duties testing between the AOC and the CPA community.		
	M, C	2. Review trust account reconciliations to ensure that they are reconciled monthly Background: The court should provide three reports: 1) the Trust Account Summary Report, 2) the Transaction Detail Report, and 3) the Trust check Register to the entity to reconcile the general ledger and the Trust Account (CORIS).		
CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):			Performed by and Date	Workpaper Index

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E. RESTRICTED TAXES AND OTHER RELATED RESTRICTED REVENUE

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	ALL, except LEAs	1. Determine the type and amount of restricted taxes and other related restricted revenue (i.e. B&C Road Funding) received by the entity. See Chapter 1 Appendix 2 for a listing of possible restricted tax types and other related restricted revenue.		
	ALL except LEAs	2. If the restricted taxes and other related restricted revenue (other than taxes tested in Chapter 1.G. and State Funding tested in Chapter 3) are material to the applicable opinion unit, perform the following:		
		a. Determine that the various restricted taxes and other related restricted revenue are accounted for in separate restricted accounts.		
		b. Obtain sufficient appropriate audit evidence (i.e. sampling, high dollar selection, scanning object codes, etc.) that the expenditures made from restricted sources were made only for purposes authorized by law.		
		c. If restricted resources are received by a fund and then subsequently transferred to another fund, also test the final disposition of those resources.		
		d. If restricted resources are received by a fund and are unspent at year end, ensure unspent restricted amounts are carried forward to the subsequent year and are accounted for in separate restricted accounts.		
	C	3. Review other information for the Tourism Report regarding TRT and TRCCA funding. Determine that the Tourism report agrees with the audited financial statements.		
17-31-2		a. Review supporting documentation for expenditures allowed under 17-31-2(3)(a) note any unallowed expenditures as a finding. b. Review the balances shown on the TRT/TRCCA Activity report and determine that the balances are materially correct, agree to the financial statements and supporting documentation.		
CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):			Performed by and Date	Workpaper Index

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F. FRAUD RISK ASSESSMENT

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	ALL	1. Review the annual Fraud Risk Assessment prepared by the entity.		
		2. Verify that the Assessment was approved by the CAO and CFO and presented in a board/council meeting.		
		3. Determine that the entity has sufficient documentation to support its Risk Assessment (i.e., if the entity claims to have a policy, have them produce it, if the entity claims to have an internal audit function, there should be evidence such as an audit plan, audit reports, or meeting agendas/minutes)		
CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):			Performed by and Date	Workpaper Index

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G. GOVERNMENTAL FEES

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
Cities: 10-9a-510 Counties: 17-27a-509	All	1. Test government fees to determine if they were adopted correctly. <ul style="list-style-type: none"> a. Obtain a schedule of government fees b. Inquire if there are any fees that are not included in the schedule of fees. c. Review the minutes and verify that the entity's fees were approved by the governing body. 		
		2. Sample fees from the from the schedule of fees and perform the following tests (the purpose of this test is to identify deficiencies in how an entity establishes and tracks fee revenue and expense. A particular concern is inappropriately implemented taxes that an entity calls a fee – see Auditor Alert 2018-03 and V1 Oil v Utah State Tax Commission (1997) <ul style="list-style-type: none"> a. Are the revenues and expenses tracked for each specific service or regulatory activity for which the fees are charged? b. If fee revenue is in excess of expenses does the entity track those excess revenues to only be used for the intended purpose of the fee in subsequent years? c. Was a reasonable methodology used to calculate the fee? 		
	M, C	3. For Municipalities and Counties, review the entity's compliance with building permit and plan review fee limitations. <ul style="list-style-type: none"> a. An entity may not impose or collect a fee that exceeds the reasonable cost of processing the application or issuing the permit (See Auditor Alert 2022-01). b. When considering fee revenue vs expenditures if indirect costs were included, did the entity 1) provide reasonably documentation for allocation methods? c. Did the entity use a proper function code for transparency (101300 or 101701)? 		
CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):			Performed by and Date	Workpaper Index

* C=County; M=Municipality (City/Town); D=Special Districts or Special Service Districts;
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 LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

Office of the State Auditor
State Compliance Audit Guide
May 3, 2024

Fiscal Year Ended June 30, 2025

Chapter 1
Appendix 1
Identification of Applicable Compliance Areas and Risk Assessment

Fiscal Year Ended June 30, 2025				1.a.	1.b.	1.c.	2	3	4	5	
State	Applicable Compliance Requirements	Year Last	Selected or	Describe Control(s) (or refer to other permanent file documentation), including person or department performing the control and how the control is documented (AU-C 935.15)	Sources of info used & procedures performed	Are controls properly designed Y,N, or N/A	Prior Yr FRs implmntd? Y, N or N/A	Risks of Material Noncompliance (MN)		Materiality Levels	Risk Assessment H, M, L
Guide		Audited	Required? Y, N, or N/A					Material NC? Y or N	Identified Fraud/Risks		
Chapter 1: General Audit Procedures to be Performed Annually											
1.B.	Budgetary Compliance									5% of budgeted fund expenditures	
1.C.	Fund Balance									Significantly over budget	
1.D.	Justice Court									Any instance of noncompliance	
1.E.	Restricted Taxes and Related Restricted Revenue									5% of restricted taxes and related restricted revenue	
1.F.	Fraud Risk Assessment									Any instance of noncompliance	
1.G.	Governmental Fees									Failure to complete/present	
Chapter 2: General Audit Procedures to be Performed at Least Every Third Year											
2.A.	Cash Management									5% of total bank balance	
2.B.	Enterprise Fund Transfers, Reimbursements, Loans, and Services									5% of expenses	
2.C.	Tax Levy Revenue Recognition									0.5% to 2% of property tax revenue	
2.D.	Impact Fees									5% of fees disbursed	
2.E.	Special and Local Service District Board Members									Any instance of noncompliance	
2.F.	Utah Retirement Systems									Any instance of noncompliance	
2.G.	Crime Insurance for Public Treasurers									Any instance of noncompliance	
2.H.	Open and Public Meetings Act									Any instance of noncompliance	
Chapter 3: Audit Procedures for Minimum School Program (MSP) Funds											
3.A.	Internal Control Systems									5% of program expenditures	
3.C.	Public Education Program - Financial and Program Compliance										

Cell: Q5

Note: For each selected applicable compliance requirement, perform risk assessment procedures to obtain a sufficient understanding of the applicable compliance requirements and the entity's internal control over compliance with the applicable compliance requirements (AU-C 935.15).

Inquire of management about whether there are findings and recommendations from previous audits, attestation engagements, and internal or external monitoring that directly relate to the objectives of the compliance audit.

Understand management's response and corrective action (AU-C 935.16).

Cell: U5

Note: Establish and apply materiality levels for each selected applicable compliance requirement (AU-C 935.13).

Document materiality levels and the basis on which they were determined.

Cell: W5

Note: Assess the risk of material noncompliance whether due to fraud or error for each applicable compliance requirement.

Consider whether any of those risks are pervasive to the entity's compliance because they may affect the entity's compliance with many compliance requirements (AU-C 935.17).

Cell: G7

Note: Identify government programs and compliance requirements to test (AU-C 935.14)

Y = The applicable compliance requirement is selected for testing in this year's compliance audit.

N = The applicable compliance requirement was not selected for testing in this year's compliance audit.

N/A = The compliance requirement is not applicable to this entity.

APPENDIX 2: RESTRICTED TAX TYPES AND OTHER RELATED RESTRICTED REVENUE

Sales and Use Taxes				
Tax	Entity Type	Short Description	Utah Code	Use Restrictions
Sales	County & Muni	Local option sales & use tax	59-12-204	No
Transient Room	County	Tax on charges for accommodations and services - i.e. hotels	59-12-301	Yes
Transient Room	Muni	Tax on charges for accommodations and services - i.e. hotels	59-12-352 & 353	No
Resort	Muni	Additional sales tax for resort communities	59-12-401 & 402	No
Short-term Leasing – Tourism Tax	County	Tax on short-term leases and rentals of motor vehicles	59-12-603	Yes
Restaurant – Tourism Tax	County	Additional sales tax on restaurant sales	59-12-603	Yes
Transient Room – Tourism Tax	County of the 1st class	Tax on charges for accommodations and services - i.e. hotels	59-12-603	Yes
Arts & Zoo	County & Muni	Additional sales tax to support parks, recreational facilities, and to provide grants to arts and cultural organizations.	59-12-703 (county) & 59-12-1402 (muni)	Yes
Rural Hospital	County & Muni	Additional sales tax to support rural health care facilities	59-12-802 (county) & 59-12-804 (muni)	Yes
County Option	County	Optional sales tax	59-12-1102	No
Town Option	Muni	Optional sales tax	59-12-1302	No
State Mass transit	State*	Additional sales tax to support public transit	59-12-2003	Yes
City or Town Option	Muni	Optional sales tax	59-12-2103	No
Mass Transit	County & Muni	Additional sales tax to fund a system of public transit or airport facility.	59-12-2213, 2214	Yes
Highway Option	Muni	Additional sales tax to fund public transit, highway construction & maintenance	59-12-2215	Yes
Fixed Guideway	County	Additional sales tax to fund public transit, highways, fixed guideway	59-12-2216	Yes
Transportation	County	Additional sales tax to fund transportation	59-12-2217	Yes
Highway Projects	County & Muni	Additional sales tax to fund public transit, highways, airports	59-12-2218	Yes
Additional Transit	County	Additional sales tax to fund highways, public transit	59-12-2219	Yes
E-911	County & Muni	Taxes on local exchange services, radio communication lines, etc to fund Emergency Telephone Services	69-2-301	Yes
Municipal Energy	Muni	Tax on sale or use of energy	10-1-304	No
Municipal Telecom	Muni	Tax on sale of telecommunications services	10-1-403	No
Other Related Restricted Revenue				
Alcoholic Beverage Control **	County & Muni	This is NOT considered a tax collected by the entity, but instead revenue from the State of Utah.	32B-2-404	Yes
	LEA	10% of sales credited to Uniform School Fund to support school lunch program	32B-2-304	Yes
B&C Road Funds	County & Muni	Funding to assist entities with construction and maintenance of roads and streets. This is NOT considered a tax collected by the entity, but instead revenue from the State of Utah.	72-8-104; 72-2-202, 72-2-110	Yes
Automobile Driver Education Fee	LEA	Annual fee at registration credited to Uniform School Fund to support driver education program	41-1a-1204	Yes
Off-Highway Vehicle Fee	County & Muni	Annual fee to support off-highway vehicle facilities and related programs	41-22-19	Yes

*Tax is imposed by the state in certain counties, and distributed to the county in which the taxes are collected.

** Not a tax imposed by the locality. Monies appropriated by the Legislature are distributed to localities based on the formula in UCA 32B-2-404. Includes distributions to school districts for the school lunch program.

APPENDIX 2: RESTRICTED TAX TYPES AND OTHER RESTRICTED REVENUE

(continued)

Property Tax Levies

County		
Property Tax Description	Code Reference	Use Restriction
County General	59-2-908	No
County Library	9-7-501	Yes
Flood Control	17-8-6	Yes
Tort Liability	63G-7-704	Yes
Discharge of Judgment	59-2-1328 & 1330	Yes
County Health	26A-1-117	Yes
Municipal/Paramedic Services	17-34-3	Yes
Assessing & Collecting	59-2-1602	Yes

City & Town Property Taxes		
Property Tax Description	Code Reference	Use Restriction
City General	10-6-133	No
Town General	10-5-112	No
City Library	9-7-404	Yes
Hospitals	10-8-90 & 91	Yes
Water, Light, Power	10-7-14.2	Yes
Special Improvement Guaranty	11-42-701	Yes
Tort Liability	63G-7-704	Yes
Discharge of Judgment	59-2-1328 & 1330	Yes

Local Districts, Specialized Local District, & Special Service Districts Property Tax		
Property Tax Description	Code Reference	Use Restriction
Basic Local District	17B-1-1002	No
Water Conservancy District - Bonds/Debt	17B-2a-1006 (3)	Yes
Special Service District Voted Rate	17D-1-105	Yes
County Service Area	17B-1-1002	Yes
Municipal Type Service Fund	17-34-3	Yes
Discharge of Judgment	59-2-1328 & 1330	Yes

SEPARATION OF CRITICAL DUTIES IN TRANSACTION CYCLES WITHIN A JUSTICE COURT USING CORIS

The purpose of “separation of duties” is to ensure that no single individual is placed in such a circumstance that (s)he can cause and conceal errors and/or irregularities (or be vulnerable to others doing so), while performing regularly assigned duties. Three fundamental categories of duties must be separated for ideal control:

1. Custody of assets
2. Authorization of transactions (including authorization to execute a transaction); and
3. Record keeping/accounting/reconciliation.

Critical duties are those duties, which should be divided among employees to establish accountability and to reduce opportunities for misuse of funds. Other *non-critical duties* may also occur in a given transaction cycle, but need not be addressed for the purpose of “separation of duties.”

Achieving a complete division of critical duties depends on the staff available in a court. A court with a small staff may have to allow some overlap of duties. In a larger court, overlap of duties may occur due to clerk absences. In each instance of overlap, court management needs to plan for an “External Review” of the documents and transactions that relate to that transaction cycle. The review needs to be done by an employee who is independent of that transaction cycle, at least quarterly, but monthly is preferred. Non-court employees (e.g., city or county employees) may be enlisted to perform the External Review duties.

Adequate separation of duties would exist if only one employee performs the set of critical duties for any one category within the three fundamental categories of a transaction cycle. No employee should have control over all three categories of duties for a transaction cycle, either formally or informally.

Following are charts, which outline and separate the critical duties in the court transaction cycles. The analysis is based on a court that has a sufficient number of staff to separate duties.(4/29/2019)

TRANSACTION CYCLE: CASH CHANGE FUND USE

DUTY 1: Custody of Asset	DUTY 2: Authorized to Use	DUTY 3: Record Keeping	Duty 4: Accounting
<p>Change Fund Custodian</p> <p>Assigns Change Fund(s) to Cashier Clerk(s) to use in the receipting process. Retains a portion to make change for Cashier Clerks who run short of change.</p> <p>The custodian is responsible for any shortages or irregularities in accounting for the Change Fund.</p> <p><u>MUST CHECK: Does change fund custodian retain a portion to make change?</u> <u>yes</u> <input type="checkbox"/> <u>no</u> <input type="checkbox"/></p>	<p>Cashier Clerk(s) assigned a Change Fund</p> <p>Clerks use assigned Change Fund to make change in the receipting process.</p> <p>The Cashier Clerk secures his/her assigned Change Fund in his/her locked device during the day. The fund is kept overnight in the court safe or vault in the clerk assigned locking device.</p> <p>Cashier Clerk(s) counts the change fund with all coin and currency recorded on the daily CORIS Cash Count Form,</p> <p>The Cashier's Change Fund amount needs to be entered in CORIS Personnel Maintenance for each cashier with a fund.</p>	<p>Deposit Verifier/Preparer</p> <p>During the daily close out, the Deposit Verifier/Preparer performs a verifying count of Cashier Clerk(s) and the assigned Change Fund and Revenue and Trust receipts, in the presence of each Cashier.</p> <p>When approved, the Cash Count Form is printed and signed by both the Cashier Clerk and Deposit Verifier/Preparer to document each Cashier Clerk's assigned Cash Change Fund is intact. The Cashier Clerk gives the original Cash Count Form to the Accounting Clerk.</p> <p>The Deposit Verifier/Preparer takes custody of the Cashiers' receipts and prepares the deposit.</p>	<p>Change Fund Verifier</p> <p>An unannounced count of the total Cash Change Fund is performed and documented at least three times a year by someone not assigned a Cash Change fund portion.</p>
Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

TRANSACTION CYCLE: *MAIL PAYMENTS*

DUTY 1: Record Keeping	DUTY 2: Record Keeping	DUTY 3: Custody of Assets	DUTY 4: Authorization and Custody of Assets	DUTY 5: Record Keeping/Accounting
Mail Log Preparer Records mail payments on the Daily Mail Log.	Mail Log Witness Witnesses that all payments received by mail are recorded on the log.	Cashier Clerk(s) Who Receipt Mail payments If both the Mail Log Preparer and Witness sign the Mail Log attesting to the accuracy of the payments listed, either clerk can receipt mail payments on the computer.	Deposit Verifier/Preparer The Deposit Verifier/Preparer performs a verifying count of Cashier Clerk(s) receipts, including mail payments, and the Cash Change Fund in the presence of each Cashier. Both the Cashier and the Verifier sign the Cash Count Form (which is prepared on CORIS) as accurate. Verifies that the Cashier Clerk(s) receipts, including mail payments, agree with the amounts receipted per the daily receipt records for each Cashier (Cashier Totals Report and Cash Count Forms). Prepares the deposit.	Accounting Clerk Reconciles the mail log to the CORIS Mail Log Report. Verifies that mail payments were receipted in CORIS within 3 days: 1) to the same case, 2) in the same cash/check composition as recorded on the mail log.
Individual(s) assigned:	Individual(s):	Individual(s) assigned:	Individual(s) assigned:	Individual(s):

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

TRANSACTION CYCLE: *REVENUE/TRUST FUNDS*

DUTY 1: Record Keeping	DUTY 2: Custody of Assets	DUTY 3: Authorization and Custody of Assets	DUTY 4: Record Keeping/Accounting
<p>Accounts Receivable Set Up Clerk</p> <p>Sets up amounts due from judicial order or citation.</p> <p>A clerk other than a clerk with access or custody to money should enter citations or set up Accounts Receivables</p>	<p>Cashier Clerk(s) receipting Revenue and Trust payments</p> <p>Receipts revenue and trust payments, and maintains funds in a secure device.</p>	<p>Deposit Verifier/Preparer</p> <p>The <i>Deposit Verifier/Preparer</i>: (1) Prints a Transaction Detail Report and Cashiers Total Report for each cashier. 2) Performs a verifying count of Cashier Clerk(s) receipts, including mail payments, and the Cash Change Fund in the presence of each Cashier. Both the Cashier and the Verifier sign the Cash Count Form (which is prepared on CORIS) as accurate.</p> <p>Verifies that the Cashier Clerk(s) receipts, including mail payments, agree with the amounts receipted per the daily receipt records for each Cashier (Cashier Totals Report and Cash Count Forms). Prepares the deposit.</p>	<p>Accounting Clerk</p> <p>Researches any deposit overages/shortages in cash and enters the O/S transaction to balance the journal. Reconciles Cash Count Forms (including cash/check composition) to receipt records and the verified deposit receipt. (CORIS Receipt records include: 1) Cashier Totals Report, Transaction Detail Report, and 2) yellow copy hand receipts, if any hand receipts were issued.</p> <p>Reviews CORIS daily journal End of Day reports to verify mail payments, credits, adjustments, and reversals (voided receipts) to supporting documentation, e.g. mail log, judicial order, or proof of compliance.</p>
Individual(s):	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

TRANSACTION CYCLE: TRUST DISBURSEMENTS *(this page if Trust Checks are issued by the Local Government)*

DUTY 1:	DUTY 2:	DUTY 3:	DUTY 4:	DUTY 5
Record Keeping	Authorization	Custody of Assets	Court Reconciliation	Local Govt Reconciliation
Disbursement Request Preparer	Disbursement Approval	Check Writer, Check Signer, and Check Mailer	CORIS Disbursement Reconciler	Reconciler
<p>Prepares disbursement request based on judicial order or other circumstances (e.g. refund of overpayment). Attaches supporting documentation (e.g. judicial order or case history sheet showing the overpayment) to show that the disbursement is valid.</p> <p>If court has activated the “Allow Bail Forfeiture Directly to Fine”, a disbursement is not processed for Cash Bail forfeiture and/or application to the fine.</p> <p>Records disbursement request on the Disbursements Journal.</p> <p>Presents disbursement request to a second person for review and authorization.</p> <p>Issues a “mock” check using CORIS Trust Check Processing using the check number (per the check copy provided by the local government) on the Disbursements Journal for each disbursement requested.</p>	<p>Disbursement is authorized by judicial order (e.g. cash bail refund or court-ordered restitution paid through the court), or by circumstances (e.g. refund of overpayment),</p> <p>A second person (one who did not prepare the disbursement request) reviews the disbursement request and supporting documentation (e.g. judicial order or case history sheet showing the overpayment) to verify the disbursement is proper and valid.</p> <p>The second-person reviewer signs the disbursement request to show that the request was reviewed and authorized.</p>	<p>Checks are prepared, signed, and mailed by the local government. A copy of the check is forwarded to the Disbursement Reconciler at the court.</p> <p>Note: If a check is returned to the court as undeliverable, and the payer cannot be located, the check should be forwarded to the local government to be remitted to Unclaimed Property Division after the statutory period. (Per UCA 67-4a, Unclaimed Property Act) If a check is returned: 1) the check needs to be safeguarded (recorded on a mail log to show receipt and stored in a locking cash bag), and 2) the events needs to be documented in the case history.</p>	<p>Monthly, reviews monies held in trust per the Trust Account Summary Report to ensure funds are held properly and applied or disbursed timely.</p>	<p>Local Government Auditor per UCA 17-19a-207). Monthly, reconciles disbursements per the Disbursements Journal to the court accounts in the general ledger (e.g. bail, restitution, overpayments, etc.) to the CORIS Trust Account Summary Report, and to the bank statement. Verifies that a check was issued for each disbursement requested. Also verifies that disbursements per the ledger accounts are valid and recorded on the disbursements journal.</p>
Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

TRANSACTION CYCLE: TRUST DISBURSEMENTS*(Fill out this page Only if Trust Checks are **issued by the Court in CORIS**)*

DUTY 1:	DUTY 2:	DUTY 3:	DUTY 4:	DUTY 5:
Custody of Assets	Record Keeping	Authorization	Reconciliation	Local Gov't Reconciliation
Trust Account Check Stock Custodian	Trust Account Check Writer	Trust Account Check Signers	Trust Account Reconciler	
<p>Secures the inventory of the blank check stock paper. Retrieves the check stock needed for the trust account check writer.</p>	<p>Requests blank check stock paper from custodian. Generates a Trust Checks Available to Write Report and reviews case events and judicial orders to determine disposition of funds. Preferably, uses CORIS to issue checks and update the CORIS Check Register simultaneously.</p> <p>Reviews trust funds held in the trust account quarterly to ensure funds are disbursed timely.</p> <p>An alternate check writer should be assigned who is not also a trust check signer or reconciler.</p>	<p>After review of supporting documentation, the two authorized signers approve each trust check by signing.</p> <p>The employee performing the second signature mails the checks and/or delivers the checks, payable to the court revenue account, to a cashier.</p>	<p>The employee reconciling the trust account should open the trust bank statement, access the reconciliation feature on CORIS, and prepare the monthly reconciliation.</p> <p>The reconciler must account for the numerical sequence of all trust checks, including voided and cancelled checks.</p> <p>Each cancelled check must be agreed to the CORIS Trust Check Register detail for the check. Differences must be resolved or reported to management.</p> <p>Only the employee performing the daily accounting (not the reconciler) is authorized to enter deposit/bank adjustments into CORIS.</p>	<p>Local Government Auditor per UCA 78A-7-121 and 17-19a-207. Monthly, reconciles disbursements per the Disbursements Journal to the court accounts in the general ledger (e.g. bail, restitution, overpayments, etc.) to the CORIS Trust Account Summary Report, and to the bank statement. Verifies that a check was issued for each disbursement requested. Also verifies that disbursements per the ledger accounts are valid and recorded on the disbursements journal.</p>
Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

TRANSACTION CYCLE: TRUST

LOCAL GOVERNMENT

Duty 1:	DUTY 2:	DUTY 3:	DUTY 4:
Custody of Assets	Authorization	Check Writer	Record Keeping/Accounting
Juror/Witness Justice Court Judge/Local Government Disbursement Process	Payment Approval	The certificate/juror summons/subpoena signed by the judge, clerk, and/or prosecutor is presented to the local government for the payment of services. The local government's disbursement process is followed per UCA 78B-1-122(2)	Juror/Witness Payments Reconciler (Performed by the Local Government)
Per UCA 78B-1-122, the justice court shall follow the established disbursement process for juror and witness fees within the town, city, or county, or use the following procedure. Justice court judge provides a juror or witness on a criminal case a numbered certificate.	The prosecutor authorizes the payment of juror/witness fees per UCA 78B-1-122(2). The subpoena signed by the prosecutor serves as authorization for payment; juror service summons or clerk authorization (jury list).		County auditor/city recorder's office reconciles the monthly disbursements of juror and witness payments to the supporting documentation per UCA 78B-1-122(3)
Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:	Individual(s) assigned:

IF NEEDED, EXTERNAL REVIEW PERFORMED BY: Name: _____ Phone: _____ Court Location: _____

CHAPTER 2: 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.

This chapter does not apply to nongovernmental nonprofit organizations EXCEPT FOR **charter schools structured as nonprofit organizations**, which are considered public schools and are, therefore, subject to this chapter similar to school districts.

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 51-7-15(3)	ALL	<p>1. Entities are required to electronically file a report with the Money Management Council (Council) on or before January 31 and July 31 of each year. This report, the "Deposit and Investment Report," (D&I) is accessed through the state reporting portal at reporting.auditor.utah.gov/UtahTreasuryLogin and 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.</p> <p>Review the entity's fiscal yearend 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.</p>		
		<p>2. As part of other testing or as a separate sample, select a sample of receipts and verify that they were deposited within three days (See Money Management Act)</p>		

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

* C=County; M=Municipality (City/Town); D=Special Districts or Special Service Districts;
IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

B. ENTERPRISE FUND TRANSFERS, REIMBURSEMENTS, LOANS, AND SERVICES (See Auditor Alert 2014-01a for guidance)

Accounting Treatment

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 issues an auditor alert addressing the issue. Please review the applicable Auditor Alert 2014-01a at auditor.utah.gov/category/auditor-alerts/

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. <u>Services Provided by an Enterprise Fund to Other Funds</u></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"> • Nonreciprocal interfund transfer (see Auditor Alert 2014-1a for guidance) if no cash or goods were exchanged or are not expected to be exchanged, or • Reciprocal interfund services provided/used transaction (see Auditor Alert 2014-1a for guidance) if cash or goods were exchanged. 		
UCA Towns: 10-5-114 Cities: 10-6-117 Districts: 17B-1-613 Counties: 17-36-17 Interlocals & GvtNPOs: 11-13-513	C, M, D, IL	<p>2. <u>General Fund Overhead Allocations to Other Funds</u></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 interfund reimbursement transaction (see Auditor Alert 2014-1a for guidance) (reduction of general fund expenditures and increase of expenditures/expense) in the other fund.</p> <p>d. If no cash or goods were exchanged or expected to be exchanged, in addition to the reduction/increase in expenditure/expense in each fund, an interfund transfer (see Auditor Alert 2014-1a for guidance) was recorded (‘transfer out’ in the general fund and a ‘transfer in’ in the other fund).</p>		

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IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Towns: 10-5-107.5 Cities: 10-6-135.5 Districts: 17B-1-629 Counties: 17-36-32 Interlocals & GvtNPOs: 11-13-524 (3)(d)	C, M, D, IL	<p>3. <u>Interfund Transfers from an Enterprise Fund (subsidy transfers or services provided without payment) – Public Notice and Hearing Requirements</u></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 c.</p> <p>b. <i>For municipalities:</i> Determine that the governing body held an enterprise fund hearing and provided written notice of the:</p> <ul style="list-style-type: none"> • Date, time, and place of hearing. • Purpose of the hearing. • Explanation of intended transfer to another fund. • Specific enterprise fund information <ul style="list-style-type: none"> ◦ The amount/value of cash or goods transferred. ◦ The percentage of the total enterprise fund expenditures represented by each transfer. <p>Determine that the notice was:</p> <ul style="list-style-type: none"> • Mailed or transmitted to each enterprise fund customer. • Posted on the Utah Public Notice Website. • As applicable, posted on the municipality's website. • As applicable, communicated through social media platform. • Distributed and posted at least 7 days before the hearing. <p>If budgeted transfer was approved, determine that the municipality:</p> <ul style="list-style-type: none"> • Mailed or transmitted a notice to each enterprise fund customer providing the specific enterprise fund information without 60 days of adoption. • As applicable, posted enterprise fund accounting data on the municipality's website and published notice of the adoption of the budget containing the enterprise fund transfer using the municipality's social media platform within 7 days of adoption. <p>c. <i>For all other local government entities or counties that did not appropriately include interfund transfers in budget or amendment:</i> Determine that the governing body held a public hearing and provided written notice of the:</p> <ul style="list-style-type: none"> • Date, time, and place of hearing. • Purpose of the hearing. • The enterprise fund from which the cash or goods would be transferred. • The fund to which the cash or goods would be transferred. • The amount/value of cash or goods transferred. 		

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IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
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
		<p>Determine that the notice was:</p> <ul style="list-style-type: none"> • Mailed or transmitted to each enterprise fund customer. • Distributed at least seven days before the hearing. • A separate notification from the customers' utility bill. <p>Exception: <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: 10-5-120 Cities: 10-6-132 Districts: 17B-1-626 Counties: 17-36-30 Interlocals & GvtNPOs: 11-13-523</p>	C, M, D, IL	<p>4. Interfund Loans – For enterprise funds loaned to another fund:</p> <p>[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"> • Effective date of the loan. • Name of the fund loaning the money. • Name of the fund receiving the money. • Amount of the loan. • Term of and repayment schedule of the loan (not to exceed 10 years). • 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). • Method of calculating interest applicable to the loan. • Procedures for applying interest and paying interest. <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"> • Date, time, and place of the hearing, • Purpose of the hearing, and • The proposed terms and conditions of the interfund loan. <p>c. Determine that the governing body authorized the loan by ordinance or resolution at a public meeting.</p>		

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IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
LEA=Local Education Agency (School Districts and Operating Charter Schools, including charter schools organized as nonprofits)

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

C. 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.

Taxes Imposed by Local Governments and Passed Through (Contributed) to Other Governments

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 (i.e. contribution to other government) 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 tax revenue and expenditure (i.e. contribution to other government) on the financial statements of the entity that imposed the tax.

Charter School Levy

Utah Code 53F-2-703 (effective July 1, 2017 for tax years beginning January 1, 2017) requires a portion of a school district's board local levy to be paid to the statewide charter school levy account from which USBE will allocate to charter schools. A school district shall report this tax as tax revenue with an offsetting expenditure (i.e. contribution to other government) for its contribution to the statewide charter school account.

Basic Levy Recapture

Utah Code 53F-2-301 requires a school district to pay USBE any basic levy revenue received in excess of the amount generated by weighted pupil units. The payment should be reported as an expenditure by the school district.

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IL=Interlocal Entity; GvtNPO=Governmental Nonprofit Organization;
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
GASB Codification N50.125	ALL	<p>1. Identify all taxes imposed by the government and, if tax increment is provided to an RDA, determine whether the increment is included in the entity's property tax revenue contributed to other governments and financial statement footnotes are compliant with standards.</p> <p><u>For School Districts:</u> Ensure tax increment is recorded in Fund 26.</p> <p>See Auditor Alert 2020-04 and GASB 77 for guidance on footnote disclosure requirements for Tax Abatements.</p>		
GASB Codification N50.125	ALL	<p>2. Verify the government included pass-through taxes as revenue with related receivables and deferrals in its funds.</p>		

CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):	Performed by and Date	Workpaper Index
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D. 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
UCA 11-36a-601	C, M, D, IL	<p>1. Determine that the entity prepared an impact fee schedule that shows:</p> <ul style="list-style-type: none"> a. The source and amount of all money collected, earned, and received during the fiscal year. b. Each expenditure from impact fee funds during the fiscal year. c. An accounting of impact fee funds on hand at the end of the fiscal year, including: <ul style="list-style-type: none"> i. The year in which the impact fee funds were received; ii. The project from which the impact fees were collected; iii. The project for which the impact fee funds are budgeted; and iv. The projected schedule for expenditure. 		
UCA 11-36a-602 (1)	C, M, D, IL	<p>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.</p>		
UCA 11-36a-602 (2)	C, M, D, IL	<p>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.</p>		

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Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA 11-36a-603	C, M, D, IL	4. Determine that the entity has appropriately refunded any unused impact fees.		

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

E. SPECIAL DISTRICTS AND SPECIAL SERVICE DISTRICT BOARD MEMBERS

Legal Ref.	Applicable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA 17B-1-311	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.		
UCA 17B-1-312	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 State Auditor in cooperation with the Utah Association of Special Districts.		
UCA 17B-1-303(9)	D	3. Ensure that the name, phone number, and email address of each current board member has been posted on the Utah Public Notice Website at pmn.utah.gov		

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

F. 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

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- 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

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 Chief Financial Officer, Robert Dolphin, at rob.dolphin@urs.org**

Legal Ref.	Applicable to: *	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA 49-11-801 , also IRS Rev. Rul. 2006-43	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"> • Tier 1 Public Employees Noncontributory Retirement System (UCA 49-13-201) • Tier 1 Public Employees Contributory Retirement System (UCA 49-12-201) • Tier 1 Public Safety Noncontributory Retirement System (UCA 49-15-201) • Tier 1 Public Safety Contributory Retirement System (UCA 49-14-201) • Tier 1 Firefighters Retirement System (UCA 49-16-201) • Tier 2 Public Employees Contributory Retirement System (UCA 49-22-201) • Tier 2 Public Safety and Firefighter Contributory Retirement System (UCA 49-23-201) 		
	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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G. CRIME INSURANCE FOR PUBLIC TREASURERS

Legal Ref.	Appli- cable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index																																	
UCA 51-7-15 UCA 17-16-11	ALL	<p>Determine if the treasurer is properly insured in accordance with Utah Administrative Code R628-4-4 for the Money Management Council.</p> <table><thead><tr><th>Budget</th><th>Percent For Insurance</th><th>Minimum Insurance</th></tr></thead><tbody><tr><td>0 to 10,000</td><td>N/A</td><td>0</td></tr><tr><td>10,001 to 100,000</td><td>9% but not less than</td><td>5,000</td></tr><tr><td>100,001 to 500,000</td><td>8% but not less than</td><td>9,000</td></tr><tr><td>500,001 to 1,000,000</td><td>7% but not less than</td><td>40,000</td></tr><tr><td>1,000,001 to 5,000,000</td><td>6% but not less than</td><td>70,000</td></tr><tr><td>5,000,001 to 10,000,000</td><td>5% but not less than</td><td>300,000</td></tr><tr><td>10,000,001 to 25,000,000</td><td>4% but not less than</td><td>500,000</td></tr><tr><td>25,000,001 to 50,000,000</td><td>3% but not less than</td><td>1,000,000</td></tr><tr><td>50,000,001 to 500,000,000</td><td>2% but not less than</td><td>1,500,000</td></tr><tr><td>over 500,000,000</td><td></td><td>10,000,000</td></tr></tbody></table> <p>The basis used should be <u>all</u> budgeted gross revenue for the previous fiscal year (final budget). Budgeted gross revenue is further defined by the Money Management Council as also including proceeds from the sale of assets, borrowing proceeds, receipts into fiduciary funds and any other revenues collected or handled by the treasurer during the previous fiscal year.</p> <p>Crime insurance must be issued by an insurer licensed to do business in the state of Utah with a current A.M Best Rating of “A” or better, or by an interlocal agency created under UCA 11-13-101 operating as a joint self-insurance fund. A joint self-insurance fund providing coverage under this section must maintain a restricted account in the PTIF equal to 50% of the per-occurrence limit of coverage.</p> <p>UCA 51-7-3(28) states that “A ‘Public Treasurer’ includes ... the official of any ... political subdivision, or other public body, who has the responsibility for the safekeeping and investment of any public funds.”</p>	Budget	Percent For Insurance	Minimum Insurance	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 Insurance	Minimum Insurance																																			
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																																			
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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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H. OPEN AND PUBLIC MEETINGS ACT

Legal Ref.	Appli- cable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA 52-4-104	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 52-4-202 (1)&(3)	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 52-4-202 (6)(a)	ALL	b. Determine that the agenda was reasonably specific to enable lay persons to understand the topics to be discussed.		
UCA 52-4-202 (6)(c)	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 52-4-203 (4)(f)	C, M, and LEAs	d. Determine that within three days of the meeting minutes being approved, the minutes and any public materials distributed at the meeting were posted to the Utah Public Notice Website. (Exception: LEA's are required only to <u>make the meeting minutes available</u> to the public within three days of being approved.).		
UCA 52-4- 204(2)-(4)	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), (1)(f) or (2), view the sworn statement that the sole purpose of the closed meeting was to discuss those issues.		

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Legal Ref.	Appli- cable to:	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
UCA Towns: 10-5-106 thru 108 Cities: 10-6-110 , 113 , 135 Districts: 17B-1-605 thru 607 , 609 Counties: 17-36-9 , 10.1 , 12 LEAs: 53G-7-302 Interlocals & GvtNPOs: 11-13-509	ALL	<p>3. Ensure the entity provided the required notice for its original and final budget adoption hearing by reviewing the certified copy of the notice.</p> <p>a. Municipalities, counties, districts, interlocal entities, and Governmental Nonprofits are required to provide a 7-day notice.</p> <p>b. LEAs (except charter schools) are required to provide a 10-day notice.</p> <p>Note on charter schools: While charter schools are required to prepare a budget in accordance with UCA 53G-7-303, they are still <u>not required</u> to publish notice.</p>		
UCA 52-4-201	ALL	<p>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.</p>		

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 LOCAL EDUCATION AGENCIES

This part of the *State Compliance Audit Guide* (Guide) provides general information designed to help the auditor gain an understanding of the governance structure of public education and identifies compliance testwork relating specifically to requirements for local education agencies (LEAs, i.e., school districts and charter schools).

This *Guide* includes suggested audit procedures for areas the USBE has identified as high risk or significant. The auditor should be aware of and utilize the legal references that have been provided, as well as other relevant resources, to understand the full context of education programs. This *Guide* does not include the entirety of regulations. During the audit, if the auditor becomes aware of non-compliance with requirements, the auditor should use auditor judgment in determining other appropriate audit procedures; findings should be reported as outlined in Chapter 4.

This *Guide* includes the following sections:

- LEA Internal Control Systems
- Public Education Program Financial and Program Compliance

General Information:

Article X of the Constitution of the State of Utah vests “the general control and supervision of the public education system” with the Utah State Board of Education (Board), a 15-member elected board. Local Education Agencies (LEAs or school districts and charter schools) manage and operate schools and programs. School districts also have elected boards, while charter schools must have a charter agreement with an authorizer (Utah Code 53G-5) and are subject to the requirements of non-profit corporations (i.e., their board is established according to its bylaws, and possibly the charter agreement). Compliance requirements for LEAs are established by the Legislature in Utah Code (<https://le.utah.gov/xcode/code.html>) and by the Board in Utah Administrative Code (<https://schools.utah.gov/administrativerules>), otherwise known as Administrative or Board Rules.

Federal and state regulations (2 CFR 200.303 and R277-113-6(1)(b)) require LEAs to have an internal control system to provide reasonable assurance of compliance. Best practice internal control systems should follow guidance in either “Standards for Internal Control in the Federal Government (i.e., the Green Book) or the “Internal Control Integrated Framework” issued by the Committee of Sponsoring Organizations (COSO). Both the Green Book and COSO outline that an effective internal control system has 5 components:

- Control Environment
- Risk Assessment
- Control Activities
- Information and Communication
- Monitoring

“The five components of internal control must be effectively designed, implemented, operating, and operating together in an integrated manner, for an internal control system to be effective (Green Book OV2.04).”

Contact Information:

USBE by Department is available at: schools.utah.gov/departments

USBE Internal Audit is available at: schools.utah.gov/internalaudit/contact

USBE role specific contact information is also listed in the steps below, as applicable or see the agency organizational chart at: schools.utah.gov/orgchart.

USBE Administrative Rules (i.e., Board Rule) are accessible at: <https://www.schools.utah.gov/adminrules/index>

Utah Code Annotated is accessible at: <https://le.utah.gov/xcode/code.html>

A. LEA Internal Control Systems
(Report as an applicable compliance area in the Compliance Report)

General Note: Chapter 4: Reporting defines materiality for compliance; in the case of the steps below, any noncompliance should be considered material.

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	1. Related to the overall governance and internal control system of the LEA:		
R277-113-4(1)-(2)	a. Verify that the presiding officer of the board ensured that members of the governing board received training on audit committees and internal audit functions as required by R277-113-4(1)-(2).		
R277-113-4(3)	b. Verify that the LEA governing board: <ul style="list-style-type: none"> i. designated board members to serve on an audit committee, consistent with Subsection 53G-7-401(1), and ii. included governing board audit committee members names, and if applicable the internal audit director name and contact information and audit plan, on the LEAs website. 		
R277-113-4(4)	c. Verify that the LEA Audit Committee ensured LEA administration resolved/is resolving corrective action on findings, concerns, issues, and exceptions reported by independent external auditors, monitors, internal auditors, or other regulatory bodies and that the resolution occurred/is occurring in a timely manner.		
R277-113-5(2)	d. Verify that the LEA has a plan for annual training of LEA and public-school employees on policies and procedures enacted by the LEA specific to job function. Also review documentation to ensure the training was implemented as planned, specific to job function.		
R277-113-6(2)(i&ii)	e. Verify that the LEA governing board has implemented a hotline independent from LEA administration for stakeholders to report concerns of fraud, waste, abuse, or non-compliance—or posted a link to the USBE Board’s hotline—, and the hotline information is posted on the LEA’s website in a readily accessible location.		
UCA 53G-6-806(4)	f. Verify that the LEA has provided annual notification of the Parent Portal in accordance with 53G-6-806(4).		
CONCLUSION (adequacy of the controls, significant deficiencies/material weaknesses, and management letter comments):		Performed by and Date	Workpaper Index

B. Public Education Program - Financial and Program Compliance (Report as an applicable compliance area in the Compliance Report)

This *Guide* applies to fiscal year 2024, which is equivalent to school year 2023-2024.

The Utah Constitution, Article X, requires that the public education system “be open to all children of the state”. The Legislature appropriates both one-time and on-going state funds to public education. The majority of state funding for public education activities is appropriated to the Minimum School Program (MSP). MSP funds are allocated to LEAs by the USBE in accordance with formulas found in:

- Utah Code Annotated (UCA) 53F-2 ([le.utah.gov/xcode/Title53F/Chapter2/53F-2.html](https://legislature.utah.gov/xcode/Title53F/Chapter2/53F-2.html)); and
- Utah Administrative Code (i.e., Board Rule R277, schools.utah.gov/administrativerules).

The majority of MSP funds are allocated to LEAs based on average daily membership and fall enrollment. However, some allocations are based on fixed or competitive grant applications. For state compliance audit purposes, the school programs within the MSP are divided into two groups:

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

“Restricted” school programs are to be used for specific purposes or populations as outlined in the statute or Board Rules. **These programs are tested based on risk as evaluated by the USBE and/or the auditor.**

School Fees

The Utah Constitution, Article X, requires that the public education system to “be free, except the Legislature may authorize the imposition of fees in the secondary schools.” The objective of the procedures for school fees is to ensure that fees in the public education system are not being charged to kindergarten through sixth grade students for activities occurring during the regular school day, and that secondary schools (grades 7-12) are only imposing fees as authorized by the Legislature and approved by local boards, consistent with local board policies and state law. Fees should also be used in a manner consistent with their original design (i.e., for the activity they were charged for).

Procurement

All LEAs must follow UCA 63G-6a Utah Procurement Code and Utah Admin Code R33 Purchasing and General Services; R123-5 must also be followed for procurement of Accounting Services. An LEA may choose to adopt more restrictive guidelines, approved by its board, but these guidelines must meet the minimum state requirements

Legal Ref.	AUDIT PROCEDURES	Performed by and Date	Workpaper Index
	Contact(s): USBE School Finance Director, Financial Operations: https://schools.utah.gov/financialoperations/contact		
	Minimum School Program 1. Trace the flow of funding for each individual Minimum School Program (MSP) to the final disposition as follows:		

R277-113-5(9)(b)(iv) UCA 53F-2-314	<p>a. Determine that the LEA is using the required chart of accounts established by the USBE for each program, including the appropriate fund, location, function, program, object, and revenue codes, or that the LEA's codes are accurate and are mapped to the appropriate USBE codes. See schools.utah.gov/financialoperations/reporting</p> <p>Specifically, review expenditures coded to Program 5344 Students At-risk Add-on and determine if the expenditures have supporting documentation showing that the expenditures were intended to meet the requirement in 53F-2-314(3), that the money improve the academic achievement of students who are "at-risk" as defined in Section 53F-2-314(1)(a).</p>		
	<p>b. Verify that the program revenue amounts recorded by the LEA match the program revenue amounts in the final recipient report or monthly allotment reports prepared by the USBE. Allotment memos are available at: schools.utah.gov/financialoperations/msp</p>		
UCA 53F-2-209(1)	<p>c. Outside the exception available in 53F-2-209(1), verify that unspent restricted program funds are maintained in the program for which they were appropriated from year to year by reviewing journal entries to ensure restricted funds are not unrestricted or moved to a different restricted program.</p>		
	<p>2. To achieve a low level of assessed risk, select a sample of school personnel with salaries coded to General MSP and verify that payroll transactions include the following elements from the Uniform Chart of Accounts as specified by USBE School Finance:</p> <ul style="list-style-type: none"> i. Fund ii. Function iii. Location iv. Program v. Object <p>Transactions must be recorded in the proper program when they occur; adjusting entries during the year and at the end of the year recorded in the proper program and in accordance with GAAP are allowed.</p>		
	<p>3. Review significant journal entries allocating or adjusting funds between programs. Verify that the entries have sufficient support documentation and follow the guidance provided in R277-113-5(9)(a)-(b).</p>		
	<p>Contact(s): USBE Fiscal Monitor Manager, School Fees: https://schools.utah.gov/schoolfees/contact</p>		
	<p>School Fees</p> <p>1. Consistent with the test of School Fees as government fees in Chapter 1 section G:</p>		
R277-113-5(9)(c) R277-113-8(1)(f) UCA 51-4-2(2)	<p>a. Verify that all school fees from each school, including fees for athletics and activities, are:</p> <ul style="list-style-type: none"> i. properly recorded in the LEA's general ledger in accordance with the specified school fee revenue and school fee waiver contra-revenue accounts, and ii. deposited in a qualified depository "daily, if practicable, but no later than once every three banking days." 		

R277-407-14	b. Confirm that school fee revenues and fee waiver contra-revenue in the general ledger, and fee waiver student counts, reconcile with school fee revenue, fee waiver contra-revenue, and fee waiver student counts reported to USBE in the Utah Public Education Financial System (UPEFS)		
R277-407-12	c. To achieve a low level of assessed risk, take a sample of fees on the approved fee schedule for the current school year, stratifying the sample between those for elementary and those for secondary. Review the spend plan, the associated accounting records and related student participation records and ensure that the LEA used revenue collected through fees for allowable costs that: <ul style="list-style-type: none"> i. Are only associated with each student's participation. ii. Are not fee waivers (i.e., students paying fees were not charged an increased fee amount to cover students receiving fees waivers or to cover general program costs). iii. Are not textbooks, instructional material, consumable workbooks, computer hardware, software or digital content, school equipment, or maintenance of school equipment associated 		
R277-407-13(3) R277-407-8(2)(a) R277-407-2(24) UCA 53G-7-501 UCA 53G-7-506	d. If the LEA has more than one school serving the same grade(s) do the following: <ul style="list-style-type: none"> i. Review the LEAs procedure to identify and address potential financial inequities due to school fee waivers. ii. Determine if the LEA identified financial inequities between schools due to fee waivers. iii. If inequities were identified, determine that they were properly addressed to resolve the inequity. Unless proven otherwise, the LEA funding an equal portion of fee waivers at the schools does not address financial inequity. 		
	Contact(s): USBE Director of Purchasing and Contracts: https://schools.utah.gov/financialoperations/contact		
	Procurement 1. To achieve a low level of assessed risk, select a sample of non-payroll transactions from the various state programs (inclusive of MSP and others) of the LEA. Determine that use of funds were:		
	a. To procure goods or services either for 1) a public education purpose if the funding is a general program or 2) an allowable activity according to the requirements of the restricted programs. A non-public education purpose includes but is not limited to personal expenditures, funeral flowers, birthday gifts, etc.		
	b. To procure goods or services in accordance with the LEA's policies and procedures as well as State Procurement Guidelines.		
	c. Recorded when the transaction occurred and, if applicable, when a related adjusting journal entry was made, using proper coding, defined in R277-113-5(9)(b)(ii) ; and		

	d. Supported by available documentation sufficient and adequate to show compliance, including documentation which supports the classification of the transaction.		
	e. For an allowable cost according to applicable statute, board rules, applications, plans, and/or budgets for each program.		
UCA 53E-9-309	2. To achieve a low level of assessed risk, select a sample of agreements (e.g., contracts, MOU's) the LEA has with education service providers and/or education technology applications (i.e., third party entities that receive student or teacher data from the LEA for student learning, lesson planning and preparation, etc.). a. Determine if the agreement includes the required provisions found in Section 53E-9-309		
	Risk-based Compliance		
See listed rules or documents incorporated by reference as applicable.	1. Verify that the LEA developed policies, with all required elements and approvals, and with input from all required parties, as outlined in: a. R277-107-3(3)-(6) (LEA Relationship to Activities Involving Educators) b. R277-113-5 (Fiscal Policies) c. R277-322-3(2) (Code of Conduct or Appropriate Behavior Policy) d. R277-401-3 (Child Abuse-Neglect Policy) e. R277-495-3 and 4 (Electronic Devices Policy) f. R277-607-3 (Attendance Policy) g. R277-609-4 (Student and Classroom Management, School Discipline, and Restorative Practices Policy) h. R277-613-4 (Bullying Prohibition Policy) i. R277-628-3 (Instructional Materials Selection Policy) j. R277-750: Special Education Rules Section X.T and 2 CFR 200.430 (Time and Effort Policy)		

APPENDIX 3-2:
STATE AND FEDERAL REVENUE RECONCILIATION FOR LEAs

District/Charter: **[Name of LEA]**
Year End: **6/30/20xx**

General Notes:

- This spreadsheet can be used to reconcile state and federal revenue and year-end balances with the LEA's books, audited financial statements, monthly allotment reports, annual summaries, the annual financial report (AFR), and annual program report (APR). The objective of reconciling each state and federal program is to help demonstrate that each award is used as intended and revenue is recorded in the proper period.
- Include state and federal programs received from all sources (i.e., if a revenue source and/or program is not shown below, it should be added.) See 2025 Chart of Accounts at: <https://www.schools.utah.gov/financialoperations/reporting/chartofaccounts/fiscalyear2025/FY25%20Chart%20of%20Accounts%20Rev%202.pdf>
- The Unspent Balance is either recorded as unearned revenue (a liability) for expenditure-driven programs or as a classification of fund balance using the modified accrual basis of accounting.
- If used, this spreadsheet is retained by the school district or charter school in accordance with record retention schedules to support annual reports; it is not submitted to the USBE or the Office of the Utah State Auditor.

Enter data in these fields as applicable (PY= Prior (fiscal) year, CY= Current (fiscal) year)												Enter Data	CY Balances	
Revenue Number	Program Number	Program Title	PY Balances		USBE MSP Monthly Allotment Report					Reclassify	Available	Amount Spent in 2025	CY Balances	
			Receivable 06/30/24	(Unspent) 06/30/24	PY July Current	CY July Current	CY July YTD	Basic Levy/ Match/MOE Requirement	Adjustments / Other Receipts				Receivable 6/30/25	(Unspent) 6/30/25
			-	-	+	-	+	+	+	+	=			
State Programs														
State Appropriations														
1920	5601	Private Grant	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3800	5380	SOEP - Home School and Private	-	-	-	-	-	-	-	-	-	-	-	-
3800	5610	Driver Education - Behind-the-Wheel	-	-	-	-	-	-	-	-	-	-	-	-
3800	5613	Corrections Education	-	-	-	-	-	-	-	-	-	-	-	-
3800	5616	Federal Mineral Lease Act	-	-	-	-	-	-	-	-	-	-	-	-
3800	5618	State - Non MSP	-	-	-	-	-	-	-	-	-	-	-	-
3800	5660	Financial Literacy	-	-	-	-	-	-	-	-	-	-	-	-
3800	5664	Anti Bullying Program	-	-	-	-	-	-	-	-	-	-	-	-
3800	5672	Substance Abuse Prevention	-	-	-	-	-	-	-	-	-	-	-	-
3800	5674	Suicide Prevention	-	-	-	-	-	-	-	-	-	-	-	-
3800	5680	SEA Discretionary Fund	-	-	-	-	-	-	-	-	-	-	-	-
3800	5687	School Turnaround	-	-	-	-	-	-	-	-	-	-	-	-
3800	5846	State Charter School Start-up	-	-	-	-	-	-	-	-	-	-	-	-
3800	8070	State School Lunch Programs - Liquor Tax	-	-	-	-	-	-	-	-	-	-	-	-
			-	-	-	-	-	-	-	-	-	-	-	-
Minimum School Program:														
3100	VAR	Kindergarten	-	-	-	-	-	-	-	-	-	-	-	-
3100	VAR	Grades 1-12	-	-	-	-	-	-	-	-	-	-	-	-
3100	VAR	Foreign Exchange Students	-	-	-	-	-	-	-	-	-	-	-	-
3100	VAR	Administrative Costs	-	-	-	-	-	-	-	-	-	-	-	-
3100	VAR	Career and Technology Education (CTE) - ADM	-	-	-	-	-	-	-	-	-	-	-	-
3100	1205	Special Education - Add-on	-	-	-	-	-	-	-	-	-	-	-	-
3100	1210	Special Education - Self-contained	-	-	-	-	-	-	-	-	-	-	-	-
3100	1215	Special Education - Preschool	-	-	-	-	-	-	-	-	-	-	-	-
3100	1220	Special Education - Extended Program for Severely Disabled	-	-	-	-	-	-	-	-	-	-	-	-
3100	1225	Special Education - State Program	-	-	-	-	-	-	-	-	-	-	-	-
3100	1230	Special Education - Intensive Services	-	-	-	-	-	-	-	-	-	-	-	-
3100	1278	Special Education - Special Educators	-	-	-	-	-	-	-	-	-	-	-	-
3100	1295	Unique Local Special Education Programs	-	-	-	-	-	-	-	-	-	-	-	-
3100	1299	Special Education from Unrestricted Funds	-	-	-	-	-	-	-	-	-	-	-	-
3100	5201	Class Size Reduction K-8	-	-	-	-	-	-	-	-	-	-	-	-
3100	5220	Necessarily Existent Small Schools	-	-	-	-	-	-	-	-	-	-	-	-
3100	5295	Professional Staff	-	-	-	-	-	-	-	-	-	-	-	-
3100	5901	College and Career Awareness	-	-	-	-	-	-	-	-	-	-	-	-
3100	5902	Work-Based Learning	-	-	-	-	-	-	-	-	-	-	-	-
3100	5903	School Counseling	-	-	-	-	-	-	-	-	-	-	-	-
3100	6000	Career and Technology Basic Program - Add On	-	-	-	-	-	-	-	-	-	-	-	-
3100	6100	Agriculture Food & Natural Resources	-	-	-	-	-	-	-	-	-	-	-	-
3200	5310	Flexible Allocation	-	-	-	-	-	-	-	-	-	-	-	-
3200	5315	Pupil Transportation - To and From School	-	-	-	-	-	-	-	-	-	-	-	-
3200	5317	Pupil Transportation - Rural School Reimbursement	-	-	-	-	-	-	-	-	-	-	-	-
3200	5371	Guarantee on Transportation Levy	-	-	-	-	-	-	-	-	-	-	-	-
3200	5619	Charter School Local Replacement	-	-	-	-	-	-	-	-	-	-	-	-
3300	1609	Adult High School	-	-	-	-	-	-	-	-	-	-	-	-
3300	5331	Enhancement for Accelerated Students - Gifted and Talented	-	-	-	-	-	-	-	-	-	-	-	-
3300	5332	Enhancement for Accelerated Students - Advanced Placement	-	-	-	-	-	-	-	-	-	-	-	-
3300	5333	Concurrent Enrollment	-	-	-	-	-	-	-	-	-	-	-	-
3300	5339	Juvenile Gangs and Other Violent Crime Prevention and Intervention	-	-	-	-	-	-	-	-	-	-	-	-
3300	5340	Youth In Custody	-	-	-	-	-	-	-	-	-	-	-	-
3300	5612	Enhancement for Accelerated Students - International Baccalaureate	-	-	-	-	-	-	-	-	-	-	-	-
3300	5613	Corrections Education	-	-	-	-	-	-	-	-	-	-	-	-
3300	5641	Early Intervention - OEL, FDK	-	-	-	-	-	-	-	-	-	-	-	-
3300	5657	Early Graduation - Competency Based	-	-	-	-	-	-	-	-	-	-	-	-

APPENDIX 3-2:
STATE AND FEDERAL REVENUE RECONCILIATION FOR LEAs

			-	-	+	-	+	+	+	+	=				
3300	5685	Para-Educator Funding	-	-	-	-	-	-	-	-	-	-	-	-	-
3400	5607	National Board Certified Teacher Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3400	5668	Effective Teachers in High Poverty Schools	-	-	-	-	-	-	-	-	-	-	-	-	-
3400	5807	Teacher Salary Supplements Program (TSSP)	-	-	-	-	-	-	-	-	-	-	-	-	-
3400	5868	Teacher Supplies and Materials	-	-	-	-	-	-	-	-	-	-	-	-	-
3400	5876	Educator Salary Adjustments	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5420	School LAND Trust Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5637	Dual Immersion Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5655	Digital Teaching and Learning Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5678	Teacher and Student Success Program (TSSA)	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5679	Student Health and Counseling Support Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3500	5882	Beverly Taylor Sorenson Arts Program	-	-	-	-	-	-	-	-	-	-	-	-	-
3600	5455	Voted Local Levy	-	-	-	-	-	-	-	-	-	-	-	-	-
3600	5460	Board Local Levy	-	-	-	-	-	-	-	-	-	-	-	-	-
3700	5550	Capital Outlay Foundation	-	-	-	-	-	-	-	-	-	-	-	-	-
3700	5561	Enrollment Growth Program	-	-	-	-	-	-	-	-	-	-	-	-	-
Less: Basic levy, matching, and MOE from local sources			-	-	-	-	-	-	-	-	-	-	-	-	-
Total State			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Federal Programs															
4300	7355	AmeriCorps	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	-	\$ -	\$ -	\$ -	\$ -	-
4522	7522	Special Education - IDEA B Preschool Disabled	-	-	-	-	-	-	-	-	-	-	-	-	-
4524	7524	Special Education - IDEA B Disabled	-	-	-	-	-	-	-	-	-	-	-	-	-
4526	7526	Special Education - IDEA D - Personnel Development	-	-	-	-	-	-	-	-	-	-	-	-	-
4538	7400	Career and Technical Education - Basic Grants to States	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8075	National School Lunch Program 10.555	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8075	National School Lunch Program (Commodities) 10.555*	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8075	Child and Adult Care Food Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8075	Special Milk Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8075	School Breakfast Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8079	Fresh Fruit and Vegetable Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8079	After School Snack Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4560	8079	Local Food for Schools Cooperative Agreement Program	-	-	-	-	-	-	-	-	-	-	-	-	-
4580	7581	Adult Education - Prison/Institutions	-	-	-	-	-	-	-	-	-	-	-	-	-
4580	7582	Adult Education - Leadership	-	-	-	-	-	-	-	-	-	-	-	-	-
4580	7583	Adult Education - Basic	-	-	-	-	-	-	-	-	-	-	-	-	-
4580	7584	Adult Education - English Language/Civics Education	-	-	-	-	-	-	-	-	-	-	-	-	-
4600	7508	Javits Gifted and Talented Students Education 84.206	-	-	-	-	-	-	-	-	-	-	-	-	-
4685	7685	SAMSHA Aware 93.243	-	-	-	-	-	-	-	-	-	-	-	-	-
4700	7350	High Quality School Readiness (TANF)	-	-	-	-	-	-	-	-	-	-	-	-	-
4900	7530	Medical Assistance Program 93.778	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7801	Fed ESEA Title I A	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7803	Fed ESEA Title I - School Improvement Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7830	Fed ESEA Title I C - Migrant Children	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7840	Fed ESEA Title I D - Neglected and Delinquent Children and Youth	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7860	Fed ESEA Title II A - Supporting Effective Instruction Grants	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7865	Fed Title II B - Math Science Partnerships	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7880	Fed ESEA Title III A - English Language Acquisition	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7890	Fed ESEA Title IV A - Student Support and Academic Enrichment	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7910	Fed ESEA Title IV B - 21st Century Community Learning Centers	-	-	-	-	-	-	-	-	-	-	-	-	-
4800	7950	Fed ESEA Title VII B - Education for Homeless Children and Youth	-	-	-	-	-	-	-	-	-	-	-	-	-
Less: Basic levy and MOE from local sources			-	-	-	-	-	-	-	-	-	-	-	-	-
Total Federal			\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

Total State and Federal
Recipient totals from MSP Monthly Allotment reports
Proof - should be zero

-	-	-
-	-	-
-	-	-

* USDA Commodities are recorded when received at acquisition value on the Schedule as an expenditure. The CFDA Number to assign is the program where the commodities are primarily used.

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 935.34-.37). 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 state 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 state compliance requirements as described in this *Guide*.
- Significant deficiencies and material weaknesses in internal control over state 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 935.11 defines **material noncompliance** as "noncompliance with the applicable compliance requirements [that] is quantitatively or qualitatively material if there is a substantial likelihood that, individually or in aggregate, it would influence the judgement made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the government program as a whole." A **material weakness in internal control over compliance** is defined as "a deficiency, or combination of deficiencies, 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 4.22, discusses other qualitative factors that the auditor may consider in evaluating material noncompliance:

- The potential effect of 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 noncompliance on the continuation of existing relationships with vendors, employees, and elected appointed officials.
- Whether the noncompliance involves collusion or concealment.
- Whether the noncompliance involves an activity that often is scrutinized by elected or appointed officials, citizens, the press, creditors, or rating agencies.
- Whether the fact of the noncompliance is unambiguous rather than a matter of judgment.
- 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.
- The risk that possible undetected noncompliance would affect the auditor's evaluation.

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 state compliance requirements. As such, the entity is responsible for providing a corrective action plan for each audit finding.

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 state 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 state compliance requirements: <ul style="list-style-type: none"> • Those that have a material effect • Less than material but more than inconsequential ¹ • Those that are inconsequential (Other Matters) 	X	X	X
Deficiencies in internal control over state compliance requirements: <ul style="list-style-type: none"> • Material weakness • Significant deficiency 	X X		

• Deficiency in internal control			X
¹ 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 'what is' and '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, approve checks, and perform 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 2018 through December 2018 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 types of expenditures are allowable, what types 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 ON COMPLIANCE AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE

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

[Chief Executive Officer]

[XYZ Entity]

Report On Compliance

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

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
Restricted Taxes and Related Revenues
Fraud Risk Assessment
Government Fees
Cash Management
Enterprise Fund Transfers, Reimbursements, Loans, and Services
Tax Levy Revenue Recognition
Impact Fees
Special and Local Service District Board Members
Utah Retirement Systems
Crime Insurance for Public Treasurers
Open and Public Meetings Act
Internal Control Systems
Public Education Programs

Opinion on Compliance

In our opinion, [full name of Entity] complied, in all material respects, with the state compliance requirements referred to above for the year ended [Month, Day, 20XX].

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 (Government Auditing Standards); and the *State Compliance Audit Guide* (Guide), issued by the Office of the Utah State Auditor. Our responsibilities under those standards and the *State Compliance Audit Guide* 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 Entity] 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 Entity]'s compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to [the Entity]'s government programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on [the Entity]'s compliance based on our audit. 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 the Guide 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 Entity]'s compliance with the requirements of the government program as a whole.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Guide, 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 Entity]'s compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the [the Entity]'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 the Guide but not for the purpose of expressing an opinion on the effectiveness of [the Entity]'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.

Other Matters [Delete this section if other instances of noncompliance are not identified]

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the 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.]

Government Auditing Standards require the auditor to perform limited procedures on the [Entity's] response to the noncompliance findings identified in our audit described in the accompanying schedule of findings and recommendations. The [Entity's] response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report On 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 to detect and correct noncompliance with a 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 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 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 Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

[Delete this paragraph if other matters of internal control are not 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.]

[Delete this paragraph if other matters of internal control are not identified] *Government Auditing Standards* requires the auditor to perform limited procedures on [the Entity]'s response to the noncompliance findings identified in our compliance audit described in the accompanying schedule of findings. [The Entity]'s

response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Purpose of this Report

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 Guide. Accordingly, this report is not suitable for any other purpose. However, pursuant to *Utah Code* Title 63G, Chapter 2, this report is a matter of public record, and as such, its distribution is not limited.

[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 ON COMPLIANCE AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE

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

Report On Compliance with State Requirements

Opinion on Each Compliance Requirement

We have audited [insert full name of Entity]'s compliance with the following applicable state requirements described in the *State Compliance Audit Guide*, issued by the Office of the Utah State Auditor, for the year ended [Month, Day, 20XX].

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

Budgetary Compliance
Fund Balance
Justice Courts
Restricted Taxes and Related Revenues
Fraud Risk Assessment
Government Fees
Cash Management
Enterprise Fund Transfers, Reimbursements, Loans, and Services
Tax Levy Revenue Recognition
Impact Fees
Special and Local Service District Board Members
Utah Retirement Systems
Crime Insurance for Public Treasurers
Open and Public Meetings Act
Internal Control Systems
Public Education Programs

In our opinion, [full name of Entity] complied, in all material respects, with the state compliance requirements referred to above for the year ended [Month, Day, 20XX].

Basis for Opinion

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 (*Government Auditing Standards*); and the audit requirements outlined in the *State Compliance Audit Guide* (Guide), issued by the Office of the Utah State Auditor. Our responsibilities under those standards and the Guide 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 Entity] 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 on compliance for each major federal program. Our audit does not provide a legal determination of [the Entity]'s compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to [the Entity]'s government programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on [the Entity]'s compliance based on our audit. 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 the Guide 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 [Entity's] compliance with the requirements referred to above as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Guide, 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 Entity]'s compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of the [the Entity]'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 the Guide, but not for the purpose of expressing an opinion on the effectiveness of [the Entity]'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.

Other Matters [Delete this section if other instances of noncompliance are not identified]

The results of our auditing procedures disclosed instances of noncompliance, which are required to be reported in accordance with the *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.]

Government Auditing Standards requires the auditor to perform limited procedures on the [Entity's] response to the noncompliance findings identified in our audit described in the accompanying schedule of findings and recommendations. The [Entity's] response was not subjected to the other auditing procedures applied in the audit of compliance, and accordingly, we express no opinion on the response.

Report On 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 state compliance requirement on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a 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 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 deficiency[ies] in internal control over compliance described in the accompanying schedule of findings [List finding reference numbers, for example, 20X1-007 and 20X1-008.] as items to be [a] significant deficiency[ies].

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined below. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

[Delete this paragraph if other matters of internal control are not 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 Entity's] Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on [the Entity]'s response to the noncompliance findings identified in our compliance audit described in the accompanying schedule of findings. [The Entity]'s response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Guide. Accordingly, this report is not suitable for any other purpose. However, pursuant to *Utah Code* Title 63G, Chapter 2, this report is a matter of public record, and as such, its distribution is not limited.

[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 ON COMPLIANCE AND REPORT ON INTERNAL CONTROL OVER COMPLIANCE AS REQUIRED BY THE STATE COMPLIANCE AUDIT GUIDE

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

Report On Compliance with State Requirements

Qualified and Unmodified Opinions

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

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
Restricted Taxes and Related Revenues
Fraud Risk Assessment
Government Fees
Cash Management
Enterprise Fund Transfers, Reimbursements, Loans, and Services
Tax Levy Revenue Recognition
Impact Fees
Special and Local Service District Board Members
Utah Retirement Systems
Crime Insurance for Public Treasurers
Open and Public Meetings Act
Internal Control Systems
Public Education Programs

Qualified Opinion on [Identify Requirement(s) with qualified opinion(s)]

In our opinion, except for the noncompliance described in the Basis for Qualified and Unmodified Opinions section of our report, [the Entity] complied, in all material respects, with the compliance requirements

referred to above that could have a direct and material effect on [the Entity]'s compliance with applicable regulations and statutes for the year ended June 30, 20XX.

Unmodified Opinion on Each of the Other State Compliance Requirements

In our opinion, [insert full name of Entity] complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on [the Entity]'s compliance with applicable regulations and statutes for the year ended June 30, 20XX.

Basis for Qualified and Unmodified Opinions

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 (*Government Auditing Standards*); and the audit requirements outlined in the *State Compliance Audit Guide* (Guide), issued by the Office of the Utah State Auditor. Our responsibilities under those standards and the Guide 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 Entity] 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 on compliance for each requirement identified above. Our audit does not provide a legal determination of [the Entity's] compliance with the compliance requirements referred to above.

Matter(s) Giving Rise to Qualified Opinion on [Identify Requirement(s) with qualified opinion(s)]

As described in the accompanying schedule of findings, [the Entity] did not comply with requirements regarding [Identify Requirement(s) with qualified opinion(s)] and associated finding number(s) matched to the type(s) of compliance requirements.

Compliance with such requirements is necessary, in our opinion, for [the Entity] to comply with the requirements applicable to [state compliance requirement name].

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to [the Entity]'s government programs.

Auditor's Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on [the Entity]'s compliance based on our audit. 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 the Guide 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 Entity]'s compliance with the requirements of the government program as a whole as referred to above.

In performing an audit in accordance with GAAS, *Government Auditing Standards*, and the Guide, 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 Entity]'s compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of [the Entity]'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 the Guide, but not for the purpose of expressing an opinion on the effectiveness of [the Entity]'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.

Other Matters [Delete this section if other instances of noncompliance are not identified]

The results of our auditing procedures disclosed other instances of noncompliance which are required to be reported in accordance with the Guide and which are described [in the accompanying schedule of findings and questioned costs 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 each compliance requirement referred to above is not modified with respect to these matters. [Insert views/responses of/from responsible officials after findings.]

Government Auditing Standards requires the auditor to perform limited procedures on [the Entity]'s response to the noncompliance findings identified in our compliance audit described in the accompanying schedule of findings. [The Entity]'s response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Report on 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 type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a state compliance requirement will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency[ies] in internal control over compliance described in the accompanying schedule of findings and questioned costs as items [List finding reference numbers, for example, 20X1-005 and 20X1-006.] to be [a] material weakness[es].

A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a 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 deficiency[ies] in internal control over compliance described in the accompanying schedule of findings and questioned costs as items [List finding reference numbers, for example, 20X1-007 and 20X1-008.] to be [a] significant deficiency[ies].

Our consideration of internal control over compliance was for the limited purpose described in the Auditor's Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance and therefore, material weaknesses or significant deficiencies may exist that were

not identified. However, as discussed below, we did identify certain deficiencies in internal control over compliance that we consider to be material weaknesses and significant deficiencies.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

[The Entity's] Response to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the [Entity's] response to the noncompliance findings identified in our audit described in the accompanying schedule of findings and recommendations. The [Entity's] response was not subjected to the other auditing procedures applied in the audit of compliance and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Guide. Accordingly, this report is not suitable for any other purpose. However, pursuant to *Utah Code* Title 63G, Chapter 2, this report is a matter of public record, and as such, its distribution is not limited.

[Auditor's Signature]

[Auditor's City, State]

[Date of Auditor's Report]