

**AUDIT REPORT
OF THE
NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT
DISTRIBUTION PROGRAM**

JULY 1, 2021, THROUGH JUNE 30, 2022

**This document is an official public record of the State of Nebraska, issued by
the Auditor of Public Accounts.**

**Modification of this document may change the accuracy of the original
document and may be prohibited by law.**

Issued on May 10, 2023

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

TABLE OF CONTENTS

	<u>Page</u>
Background Information Section	
Background	1
Mission Statement	1
Key Officials and Agency Contact Information	2
Financial Section	
Independent Auditor’s Report	3 - 4
Basic Financial Statements:	
Program-Wide Financial Statements:	
Statement of Net Position – Cash Basis	5
Statement of Activities – Cash Basis	6
Notes to the Financial Statements	7 - 10
Government Auditing Standards Section	
Independent Auditor’s Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i>	11 - 12

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

BACKGROUND

The Nebraska Department of Education (Department) is a constitutional agency that operates under the authority of an elected State Board of Education. The Department is organized into teams that interact to operate the Department and carry out the duties assigned by State and Federal statutes and the policy directives of the State Board of Education. The teams are organized around distinct functions and responsibilities that encompass leadership and support for Nebraska's system of early childhood, primary, secondary, and postsecondary education; direct services to clients; and provide internal support to the Department.

The Department carries out its duties on behalf of Nebraska students in public and nonpublic school systems. The staff of the Department interacts with schools and institutions of higher education to develop, coordinate, and improve educational programs.

The Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA) was signed into law by President Barack Obama on October 8, 2010. The CVAA requires the Federal Communications Commission (FCC) to take certain steps to ensure that individuals with disabilities have access to emerging communications technologies in the twenty-first century. The National Deaf-Blind Equipment Distribution Program (Program) was established by the FCC 11-56 report and order released on April 6, 2011, as a pilot program to distribute specialized customer premises equipment used for telecommunications service, internet access service, and advanced communications, including interexchange services and advanced telecommunications and information services to low-income individuals who are deaf-blind. The FCC 16-101 report and order released on August 5, 2016, converted the Program into a permanent program.

Annual funding for the Program of \$10 million comes from the Interstate Telecommunications Relay Service Fund for the nationwide distribution of communications equipment to eligible individuals, with \$250,000 set aside for national outreach efforts conducted by the Perkins School for the Blind. In addition, \$700,005 was set aside towards the development of a centralized database that certified programs will be required to use to submit information about their program-related activities for reporting purposes and the generation of reimbursement claims. The remaining \$9.05 million in funds is allocated to certified programs for the cost of equipment and authorized related services, with a minimum base amount of \$50,000 to each jurisdiction, plus a portion of the remaining available funding in an amount proportionate to the population of that jurisdiction.

The FCC contracted with a third-party administrator, Rolka Loube, to administer the program. The primary lead entities for the Program on the national level are the FCC, Rolka Loube, the Perkins School for the Blind, and the Helen Keller National Center for Deaf-Blind Youths and Adults. The FCC selected one entity in each of the 50 states, the District of Columbia, Puerto Rico, American Samoa, Guam, Northern Mariana Islands, and the U.S. Virgin Islands for certification to participate in the Program. The Nebraska Department of Education's Nebraska Assistive Technology Partnership was selected as the State of Nebraska's certified entity and was allocated \$86,437 in Program funding for the fiscal year ended June 30, 2022, of which \$10,000 was reallocated back to the National Deaf-Blind Equipment Distribution Program on June 27, 2022, to be utilized by other certified programs. The Program can only be reimbursed for the actual cost of equipment and authorized related services, up to the amount allocated. Any available unspent funds from prior years are then allocated to each of the jurisdictions in proportion to the population of that jurisdiction.

MISSION STATEMENT

To lead and support the preparation of all Nebraskans for learning, earning, and living.

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

KEY OFFICIALS AND AGENCY CONTACT INFORMATION

Nebraska State Board of Education

At June 30, 2022

Name	Term Ending
Patsy Koch Johns, President	January 2025
Patti Gubbels, Vice President	January 2025
Lisa Fricke	January 2025
Maureen Nickels	January 2023
Jacquelyn Morrison	January 2025
Deborah Neary	January 2023
Robin Stevens	January 2023
Kirk Penner	January 2023

Nebraska Department of Education Management

Deborah A. Frison, Deputy Commissioner of Education
Tobias Orr, Assistive Technology Partnership Director

Nebraska Department of Education
500 S. 84th St., 2nd Floor
P.O. Box 94987
Lincoln, NE 68509
education.ne.gov



NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Mike Foley
State Auditor

Mike.Foley@nebraska.gov
PO Box 98917
State Capitol, Suite 2303
Lincoln, Nebraska 68509
402-471-2111, FAX 402-471-3301
auditors.nebraska.gov

NEBRASKA DEPARTMENT OF EDUCATION NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

INDEPENDENT AUDITOR'S REPORT

Nebraska State Board of Education
Nebraska Department of Education
Lincoln, NE

Opinions

We have audited the accompanying cash-basis financial statements of the governmental activities of the Nebraska Department of Education National Deaf-Blind Equipment Distribution Program (Program), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Program's basic financial statements, as listed in the Table of Contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective cash-basis financial position of the governmental activities of the Program as of June 30, 2022, and the respective changes in cash-basis financial position for the year then ended in accordance with the basis of accounting described in Note 1.

Basis for Opinions

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

Emphasis of Matter

As discussed in Note 1, the financial statements of the Program are intended to present the financial position and the changes in cash-basis financial position of only that portion of the governmental activities of the State that is attributable to the transactions of the Program. They do not purport to, and do not, present fairly the financial position of the State of Nebraska as of June 30, 2022, and the changes in its financial position for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Emphasis of Matter – Basis of Accounting

We draw attention to Note 1 of the financial statements, which describes the basis of accounting. The financial statements are prepared on the cash basis of accounting, which is a basis of accounting other than accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with the cash basis of accounting described in Note 1, and for determining that the cash basis of accounting is an acceptable basis for the preparation of the financial statements in the circumstances. Management is also responsible for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor’s Responsibilities for the Audit of the Financial Statements

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

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

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Program’s internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.

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

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated May 9, 2023, on our consideration of the Program’s internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the Program’s internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Program’s internal control over financial reporting and compliance.



Zachary Wells, CPA, CISA
Assistant Deputy Auditor
Lincoln, NE

May 9, 2023

NEBRASKA DEPARTMENT OF EDUCATION
 NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM
STATEMENT OF NET POSITION - CASH BASIS
 June 30, 2022

	<u>Governmental Activities</u>
Assets	
Cash and Cash Equivalents	\$ 23,770
Total Assets	<u>\$ 23,770</u>
 Net Position	
Unrestricted	<u>\$ 23,770</u>
Total Net Position	<u>\$ 23,770</u>

The accompanying notes are an integral part of the financial statements.

NEBRASKA DEPARTMENT OF EDUCATION
 NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM
STATEMENT OF ACTIVITIES - CASH BASIS
 For the Fiscal Year Ended June 30, 2022

	Governmental Activities
Program Disbursements:	
Payroll	\$ 5,656
Operating	1,127
Government Aid	15,226
Total Program Disbursements	22,009
 Program Receipts:	
Federal Reimbursements	11,436
Miscellaneous Receipts	34
Total Program Receipts	11,470
Change in Net Position	(10,539)
 Net Position July 1, 2021	34,309
 Net Position June 30, 2022	\$ 23,770

The accompanying notes are an integral part of the financial statements.

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

NOTES TO THE FINANCIAL STATEMENTS

For the Fiscal Year Ended June 30, 2022

1. Summary of Significant Accounting Policies

A. Basis of Presentation

The accompanying basic financial statements of the Nebraska Department of Education National Deaf-Blind Equipment Distribution Program (Program) have been prepared in conformity with the basis of cash receipts and disbursements, which is a comprehensive basis of accounting other than generally accepted accounting principles (GAAP).

The basic financial statements have been prepared primarily from accounts maintained by the State Accounting Administrator of the Department of Administrative Services (DAS).

B. Reporting Entity

The Nebraska Department of Education (Department) is a State agency established under and governed by the laws of the State of Nebraska. As such, the Department is exempt from State and Federal income taxes. The financial statements include all funds of the Department disbursed for the Program and those funds that were reimbursed by the Program. The Department has also considered all potential component units for which it is financially accountable and other organizations that are fiscally dependent on the Department or whose relationship with the Department is so significant that exclusion would be misleading or incomplete. The Governmental Accounting Standards Board (GASB) has set forth criteria to be considered in determining financial accountability. These criteria include appointing a voting majority of an organization's governing body, and (1) the ability of the Department to impose its will on that organization, or (2) the potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Department. The Department is also considered financially accountable if an organization is fiscally dependent on and there is potential for the organization to provide specific financial benefits to, or impose specific financial burdens on, the Department regardless of whether the organization has (1) a separately elected governing board, (2) a governing board appointed by a higher level of government, or (3) a jointly appointed board.

These financial statements present the Program. No component units were identified. The Program is part of the primary government for the State of Nebraska's reporting entity.

C. Program-Wide Financial Statements

The Statement of Net Position – Cash Basis and the Statement of Activities – Cash Basis display information about the activities of the Program and are in the format of government-wide statements, as required by GASB Statement Number 34. These statements include all the financial activities of the Program. The Program reports governmental activities only.

The Statement of Net Position – Cash Basis presents the reporting entity's non-fiduciary assets and liabilities, with the difference reported as net position. Net position is reported as unrestricted net position. Unrestricted net position often has constraints on resources that are imposed by management, but those constraints can be removed or modified.

The Statement of Activities – Cash Basis demonstrates the degree to which the direct disbursement of a given function or segment is offset by program receipts. Direct disbursements are those that are clearly identifiable with a specific function or segment. Program receipts are requested on a reimbursement basis. Reimbursements are requested for allowable Program costs.

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

NOTES TO THE FINANCIAL STATEMENTS

(Continued)

1. **Summary of Significant Accounting Policies** (Concluded)

D. Measurement Focus, Basis of Accounting

The accounting and financial reporting treatment applied to a fund is determined by its measurement focus and basis of accounting. The Program-Wide financial statements were reported using the economic resources measurement focus and the cash basis of accounting. As such, the measurement focus includes only those assets and program balances arising from cash transactions on the Statement of Net Position – Cash Basis and the Statement of Activities – Cash Basis. Receipts are recognized when received, and disbursements are recognized when paid by the Program. This differs from governmental GAAP, which requires the Program-Wide financial statements to be reported using the economic resources measurement focus and the accrual basis of accounting. Under this measurement focus and basis of accounting, receipts are recorded when earned, and disbursements are recorded when a liability is incurred, regardless of the timing of related cash flows. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

E. Account Classifications

Account classifications used by the Program are:

Cash and Cash Equivalents – The Program’s cash and cash equivalents are considered to be cash on hand and demand deposits.

Payroll – Salaries, wages, and related employee benefits provided for all persons employed by the Program.

Operating – Disbursements directly related to the Program’s primary service activities.

Government Aid – Government Aid includes assets purchased on behalf of clients. The Department operates the Program as an ownership program. As such, the Program does not retain ownership rights for Program assets purchased on behalf of clients. Ownership transfers to the client.

Federal Reimbursements – Reimbursements received from the Federal Communications Commission (FCC).

2. **Contingencies and Commitments**

Risk Management. The Program is exposed to various risks of loss related to torts, theft of, damage to, or destruction of assets, errors or omissions, injuries to employees, and natural disasters. The Program, as part of the primary government for the State, participates in the State’s risk management program. The Nebraska Department of Administrative Services is responsible for maintaining the insurance and self-insurance programs for the State. The State generally self-insures for general liability, employee health care, employee indemnification, and workers’ compensation. The State has chosen to purchase insurance for:

- A. Motor vehicle liability, which includes \$4,700,000 with a self-insured retention of \$300,000 (coverage includes hot pursuit). There is an additional one-time corridor retention of \$300,000. Insurance is also purchased, with various limits and deductibles, for physical damage and uninsured and underinsured motorists. State agencies have the option to purchase coverage for physical damage to vehicles. There is a \$1,000 deductible for this coverage.

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

NOTES TO THE FINANCIAL STATEMENTS

(Continued)

2. Contingencies and Commitments (Concluded)

- B. Life insurance for eligible employees.
- C. Crime coverage, with a limit of \$10,975,000 for each loss and a \$25,000 self-insured retention per incident subject to specific conditions, limits, and exclusions.
- D. Real and personal property on a blanket basis for losses up to \$200,700,000, with a self-insured retention of \$300,000 per loss occurrence. Newly acquired properties are covered up to \$5 million for 30 days and \$1 million for 90 days, if the property has not been reported. If not reported after 90 days, the property is not covered. The perils of flood, earthquake, and acts of terrorism have various coverage, sub-limits, and self-insurance. State agencies have the option to purchase building contents and inland marine coverage.

Details of the various insurance coverages are available from the Nebraska Department of Administrative Services – Risk Management Division.

No settlements exceeded commercial insurance coverage in any of the past three fiscal years. Workers' compensation is funded in the Workers' Compensation Internal Service Fund through assessments on each agency based on total agency payroll and past experience. Tort claims, theft of, damage to, or destruction of assets, errors or omissions, and natural disasters would be funded through the State General Fund or by individual agency assessments, as directed by the Legislature, unless covered by purchased insurance. No amounts for estimated claims have been reported in the Program's financial statements. Health care insurance is funded in the Insurance Trust Funds through a combination of employee and State contributions.

Litigation. The potential amount of liability involved in litigation pending against the Program, if any, could not be determined at this time. However, it is the Program's opinion that final settlement of those matters should not have an adverse effect on the Program's ability to administer current programs. Any judgment against the Program would have to be processed through the State Claims Board and be approved by the Legislature.

3. State Employees Retirement Plan (Plan)

The single-employer Plan became effective by statute on January 1, 1964. The Plan consists of a defined contribution option and a cash balance benefit, and is administered by the Nebraska Public Employees Retirement Systems. The cash balance benefit is a type of defined benefit plan. Each member employed and participating in the retirement system prior to January 1, 2003, elected either to continue participation in the defined contribution option or to begin participation in the cash balance benefit. The defined contribution option is closed to new entrants. All new members of the Plan on and after January 1, 2003, become members of the cash balance benefit. The benefits and funding policy of the Plan is established and can only be amended by the Nebraska Legislature.

All permanent full-time employees are required to begin participation in the retirement system upon employment. All permanent part-time employees, who have attained the age of eighteen years, may exercise the option to begin participation in the retirement system.

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM

NOTES TO THE FINANCIAL STATEMENTS
(Concluded)

3. State Employees Retirement Plan (Plan) (Concluded)

Contribution. Per statute, each member contributes 4.8% of his or her monthly compensation. The Program matches the member's contribution at a rate of 156%. The employee's and employer's contributions are kept in separate accounts.

The employee's account is fully vested. The employer's account is fully vested after a total of three years of participation in the system, including credit for participation in another Nebraska governmental plan prior to actual contribution to the State Plan.

Defined Contribution Option. Upon attainment of age 55, regardless of service, the retirement allowance shall be equal to the sum of the employee and employer account. Members have several forms of payment available, including withdrawals, deferrals, annuities, or a combination of these.

Cash Balance Benefit. Upon attainment of age 55, regardless of service, the retirement allowance shall be equal to the accumulated employee and employer cash balance accounts, including interest credits, annuitized for payment in the normal form. The normal form of payment is single life annuity with five year certain, payable monthly. Members will have the option to convert their member cash balance account to a monthly annuity with built in cost-of-living adjustments of 2.5% annually. Also available are additional forms of payment allowed under the Plan that are actuarially equivalent to the normal form, including the option of lump-sum or partial lump-sum.

For the fiscal year ended June 30, 2022, employees contributed \$220, and the Program contributed \$343. A separate plan report is issued by and can be obtained from the Nebraska Public Employees' Retirement Systems. This report contains full pension-related disclosures.

The State of Nebraska Annual Comprehensive Financial Report (ACFR) also includes pension-related disclosures. The ACFR report is available from the Nebraska Department of Administrative Services – Accounting Division or on the Nebraska Auditor of Public Accounts website at auditors.nebraska.gov.



NEBRASKA AUDITOR OF PUBLIC ACCOUNTS

Mike Foley
State Auditor

Mike.Foley@nebraska.gov
PO Box 98917
State Capitol, Suite 2303
Lincoln, Nebraska 68509
402-471-2111, FAX 402-471-3301
auditors.nebraska.gov

NEBRASKA DEPARTMENT OF EDUCATION
NATIONAL DEAF-BLIND EQUIPMENT DISTRIBUTION PROGRAM
INDEPENDENT AUDITOR'S REPORT
ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND
ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF
FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE
WITH *GOVERNMENT AUDITING STANDARDS*

Nebraska State Board of Education
Nebraska Department of Education
Lincoln, NE

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities of the Nebraska Department of Education National Deaf-Blind Equipment Distribution Program (Program), as of and for the year ended June 30, 2022, and the related notes to the financial statements, which collectively comprise the Program's basic financial statements, and have issued our report thereon dated May 9, 2023. The report was modified to emphasize that the financial statements present only the funds of the Program. The report notes the financial statements were prepared on the basis of cash receipts and disbursements.

Report on Internal Control Over Financial Reporting

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

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

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

Report on Compliance and Other Matters

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

Purpose of this Report

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



Zachary Wells, CPA, CISA
Assistant Deputy Auditor
Lincoln, NE

May 9, 2023