

DATED SEPTEMBER 17, 2024

NEW ISSUE
Electronic Bidding via Parity®
Bank Interest Deduction Eligible
BOOK-ENTRY-ONLY SYSTEM

RATING
Moody's: " "

In the opinion of Bond Counsel, under existing law (i) interest on the Bonds will be excludable from gross income of the holders thereof for purposes of federal taxation and (ii) interest on the Bonds will not be a specific item of tax preference for purposes of the federal alternative minimum tax; however, with respect to certain corporations, interest on the Bonds is taken into account in determining the annual adjusted financial statement income for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022. All subject to the qualifications described herein under the heading "Tax Exemption." The Bonds and interest thereon are exempt from income taxation and ad valorem taxation by the Commonwealth of Kentucky and political subdivisions thereof (see "Tax Exemption" herein)

\$2,075,000*
BREATHITT COUNTY SCHOOL DISTRICT FINANCE CORPORATION
SCHOOL BUILDING REVENUE BONDS,
SERIES OF 2024

Dated with Delivery: OCTOBER 16, 2024

Due: as shown below

Interest on the Bonds is payable each April 1 and October 1, beginning April 1, 2025. The Bonds will mature as to principal on October 1, 2025, and thereafter as shown below. The Bonds are being issued in Book-Entry-Only Form and will be available for purchase in principal amounts of \$5,000 and integral multiples thereof.

Maturing		Interest			Reoffering		Maturing		Interest			Reoffering	
1-Oct	Amount*	Rate	Yield	CUSIP	1-Oct	Amount*	Rate	Yield	CUSIP				
2025	\$5,000	%	%		2032	\$45,000	%	%					
2026	\$5,000	%	%		2033	\$5,000	%	%					
2027	\$65,000	%	%		2034	\$5,000	%	%					
2028	\$80,000	%	%		2035	\$140,000	%	%					
2029	\$85,000	%	%		2036	\$145,000	%	%					
2030	\$80,000	%	%		2037	\$155,000	%	%					
2031	\$15,000	%	%		2038	\$260,000	%	%					
2032	\$40,000	%	%		2039	\$285,000	%	%					
2033	\$45,000	%	%		2040	\$300,000	%	%					
2034	\$5,000	%	%		2041	\$310,000	%	%					

The Bonds are subject to redemption prior to their stated maturity as described herein.

Notwithstanding the foregoing, the Corporation reserves the right to call, upon thirty (30) days notice, the Bonds in whole or in part on any date for redemption upon the total destruction by fire, lightning, windstorm or other hazard of any of the building(s) constituting the Project(s) and apply casualty insurance proceeds to such purpose.

The Bonds constitute a limited indebtedness of the Breathitt County School District Finance Corporation and are payable from and secured by a pledge of the gross income and revenues derived by leasing the Project (as hereinafter defined) on an annual renewable basis to the Breathitt County Board of Education.

The Breathitt County (Kentucky) School District Finance Corporation will until September 25, 2024, at 12:00 P.M., E.D.S.T., receive competitive bids for the Bonds at the office of the Executive Director of the Kentucky School Facilities Construction Commission, Carriage House, 700 Louisville Rd., Frankfort, Kentucky 40601.

***As set forth in the "Official Terms and Conditions of Bond Sale," the principal amount of Bonds sold to the successful bidder is subject to a Permitted Adjustment by increasing or decreasing the amount not to exceed \$210,000.**

PURCHASER'S OPTION: The Purchaser of the Bonds, within 24 hours of the sale, may specify to the Municipal Advisor that any Bonds may be combined immediately succeeding sequential maturities into a Term Bond(s), bearing a single rate of interest, with the maturities set forth above (or as may be adjusted as provided herein) being subject to mandatory redemption in such maturities for such Term Bond(s).

The Bonds will be delivered utilizing the BOOK-ENTRY-ONLY-SYSTEM administered by The Depository Trust Company.

The Corporation deems this preliminary Official Statement to be final for purposes of the Securities and Exchange Commission Rule 15c2-12(b)(1), except for certain information on the cover page hereof which has been omitted in accordance with such Rule and which will be supplied with the final Official Statement.



This Preliminary Official Statement and the information contained herein are subject to completion or amendment. Under no circumstances shall this Preliminary Official Statement constitute an offer to sell or the solicitation of an offer to buy, nor shall there be any sales of these Bonds in any jurisdiction in which such offer, solicitation or sale would be unlawful prior to registration or qualification under the laws of any such jurisdiction.

**BREATHITT COUNTY
BOARD OF EDUCATION**

Ruschelle Hamilton, Chairperson
Albert Little, Member
John Hollan, Member
Anna Morris, Member
Tiffany Combs, Member

Phillip Watts, Superintendent
Sheretta Haddix, Secretary

**BREATHITT COUNTY (KENTUCKY) SCHOOL DISTRICT
FINANCE CORPORATION**

Ruschelle Hamilton, President
Albert Little, Member
John Hollan, Member
Anna Morris, Member
Tiffany Combs, Member

Sheretta Haddix, Secretary
Stacy McKnight, Treasurer

BOND COUNSEL

Step toe & Johnson PLLC
Louisville, Kentucky

MUNICIPAL ADVISOR

RSA Advisors, LLC
Lexington, Kentucky

PAYING AGENT AND REGISTRAR

Citizens Bank & Trust Company of Jackson
Jackson, Kentucky

BOOK-ENTRY-ONLY-SYSTEM

REGARDING USE OF THIS OFFICIAL STATEMENT

This Official Statement does not constitute an offering of any security other than the original offering of the Breathitt County School District Finance Corporation School Building Revenue Bonds, Series of 2024, identified on the cover page hereof. No person has been authorized by the Corporation or the Board to give any information or to make any representation other than that contained in the Official Statement, and if given or made such other information or representation must not be relied upon as having been given or authorized. This Official Statement does not constitute an offer to sell or the solicitation of an offer to buy, and there shall not be any sale of the Bonds by any person in any jurisdiction in which it is unlawful to make such offer, solicitation or sale.

The information and expressions of opinion herein are subject to change without notice, and neither the delivery of this Official Statement nor any sale made hereunder shall, under any circumstances, create any implication that there has been no change in the affairs of the Corporation or the Board since the date hereof.

Neither the Securities and Exchange Commission nor any other federal, state or other governmental entity or agency, except the Corporation will pass upon the accuracy or adequacy of this Official Statement or approve the Bonds for sale.

The Official Statement includes the front cover page immediately preceding this page and all Appendices hereto.

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**OFFICIAL STATEMENT
Relating to the Issuance of**

\$2,075,000*

**BREATHITT COUNTY SCHOOL DISTRICT FINANCE CORPORATION
SCHOOL BUILDING REVENUE BONDS,
SERIES OF 2024**

**Subject to Permitted Adjustment*

INTRODUCTION

The purpose of this Official Statement, which includes the cover page and Appendices hereto, is to set forth certain information pertaining to the Breathitt County School District Finance Corporation (the "Corporation") School Building Revenue Bonds, Series of 2024 (the "Bonds").

The Bonds are being issued to finance HVAC improvements at Highland Turner Elementary School (the "Project").

The Bonds are revenue bonds and constitute a limited indebtedness of the Corporation. The Bonds will be secured by a statutory mortgage lien and a pledge of the rental income derived by the Corporation from leasing the school building Projects (as hereinafter defined) to the Breathitt County Board of Education (the "Board") on a year to year basis (see "Security" herein).

All financial and other information presented in this Official Statement has been provided by the Breathitt County Board of Education from its records, except for information expressly attributed to other sources. The presentation of financial and other information is not intended, unless specifically stated, to indicate future or continuing trends in the financial position or other affairs of the Board. No representation is made that past experience, as is shown by financial and other information, will necessarily continue or be repeated in the future.

This Official Statement should be considered in its entirety, and no one subject discussed should be considered more or less important than any other by reason of its location in the text. Reference should be made to laws, reports or other documents referred to in this Official Statement for more complete information regarding their contents.

Copies of the Bond Resolution authorizing the issuance of the Bonds and the Lease Agreement, dated October 16, 2024, may be obtained at the office of Steptoe & Johnson PLLC, Bond Counsel, 700 N. Hurstbourne Parkway, Suite 115, Louisville, Kentucky 40222.

BOOK-ENTRY-ONLY-SYSTEM

The Bonds shall utilize the Book-Entry-Only-System administered by The Depository Trust Company ("DTC").

The following information about the Book-Entry only system applicable to the Bonds has been supplied by DTC. Neither the Corporation nor the Paying Agent and Registrar makes any representations, warranties or guarantees with respect to its accuracy or completeness.

DTC will act as securities depository for the Bonds. The Securities will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee) or such other name as may be requested by an authorized representative of DTC.

DTC, the world's largest depository, is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds and provides asset servicing for over 3.5 million issues of U.S. and non-U.S. equity issues, corporate and municipal debt issues, and money market instruments from over 85 countries that DTC's participants ("Direct Participants") deposit with DTC. DTC also facilitates the post-trade settlement among Direct Participants

of sales and other securities transactions in deposited securities, through electronic computerized book-entry transfers and pledges between Direct Participants' accounts. This eliminates the need for physical movement of securities certificates. Direct Participants include both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is a wholly-owned subsidiary of The Depository Trust & Clearing Corporation ("DTCC"). DTCC, in turn, is owned by a number of Direct Participants of DTC and Members of the National Securities Clearing Corporation, Government Securities Clearing Corporation, MBS Clearing Corporation, and Emerging Markets Clearing Corporation, (NSCC, GSCC, MBSCC, and EMCC, also subsidiaries of DTCC), as well as by the New York Stock Exchange, Inc., the American Stock Exchange LLC, and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as both U.S. and non-U.S. securities brokers and dealers, banks, trust companies, and clearing corporations that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). DTC has a Standard & Poor's rating of AA+. The DTC Rules applicable to its Participants are on file with the Securities and Exchange Commission. More information about DTC can be found at www.dtcc.com.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participants' records. Beneficial Owners will not receive written confirmation from DTC of their purchase. Beneficial Owners are, however, expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the Beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds are to be accomplished by entries made on the books of Direct and Indirect Participants acting on behalf of Beneficial Owners.

To facilitate subsequent transfers, all Bonds deposited by Direct Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co., or such other name as may be requested by an authorized representative of DTC. The deposit of Bonds with DTC and their registration in the name of Cede & Co. or such other DTC nominee do not effect any change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Direct and Indirect Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time. Beneficial Owners of Bonds may wish to take certain steps to augment the transmission to them of notices of significant events with respect to the Bonds, such as redemptions, tenders, defaults, and proposed amendments to the Bond documents. For example, Beneficial Owners of Bonds may wish to ascertain that the nominee holding the Bonds for their benefit has agreed to obtain and transmit notices to Beneficial Owners. In the alternative, Beneficial Owners may wish to provide their names and addresses to the Paying Agent and Registrar and request that copies of notices be provided directly to them.

Redemption notices shall be sent to DTC. If less than all of the Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in such issue to be redeemed.

Neither DTC nor Cede & Co. (nor any other DTC nominee) will consent or vote with respect to the Bonds unless authorized by a Direct Participant in accordance with DTC's Procedures. Under its usual procedures, DTC mails an Omnibus Proxy to the Corporation as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Redemption proceeds, distributions, and interest payments on the Bonds will be made to Cede & Co., or such other nominee as may be requested by an authorized representative of DTC. DTC's practice is to credit Direct Participants' accounts upon DTC's receipt of funds and corresponding detail information from the Corporation or the Paying Agent and Registrar, on payable date in accordance with their respective holdings shown on DTC's records. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with Bonds held for the accounts of customers in bearer form or registered in "street name" and will be the responsibility of such Participant and not of DTC or its nominee, the Paying Agent and Registrar or the Corporation, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of redemption proceeds, distributions, and interest payments to Cede & Co. (or such other nominee as may be requested by an authorized representative of DTC) is the responsibility of the Corporation or the Paying Agent and Registrar, disbursement of such payments to Direct Participants will be the responsibility of DTC, and disbursement of such payments to the Beneficial Owners will be the responsibility of Direct and Indirect Participants.

DTC may discontinue providing its services as depository with respect to the Bonds at any time by giving reasonable notice the Corporation or the Paying Agent and Registrar. Under such circumstances, in the event that a successor depository is not obtained, Bond certificates are required to be printed and delivered. The Corporation may decide to discontinue use of the system of book-entry transfers through DTC (or a successor securities depository). In that event, Bond certificates will be printed and delivered.

The information in this section concerning DTC and DTC's Book-Entry system has been obtained from sources that the Corporation believes to be reliable but the Corporation takes no responsibility for the accuracy thereof.

THE CORPORATION

The Corporation has been formed in accordance with the provisions of Sections 162.120 through 162.300 and Section 162.385 of the Kentucky Revised Statutes ("KRS"), and KRS Chapter 273 and KRS 58.180, as a non-profit, non-stock corporation for the purpose of financing necessary school building facilities for and on behalf of the Board. Under the provisions of existing Kentucky law, the Corporation is permitted to act as an agency and instrumentality of the Board for financing purposes and the legality of the financing plan to be implemented by the Board herein referred to has been upheld by the Kentucky Court of Appeals (Supreme Court) in the case of White v. City of Middlesboro, Ky. 414 S.W.2d 569.

Any bonds, notes or other indebtedness issued or contracted by the Corporation shall, prior to the issuance or incurrence thereon, be specifically approved by the Board. The members of the Board of Directors of the Corporation are the members of the Board. Their terms expire when they cease to hold the office and any successor members of the Board are automatically members of the Corporation upon assuming their public offices.

KENTUCKY SCHOOL FACILITIES CONSTRUCTION COMMISSION; NO PARTICIPATION IN THIS ISSUE

The Kentucky School Facilities Construction Commission (the "Commission") is an independent corporate agency and instrumentality of the Commonwealth of Kentucky established pursuant to the provisions of KRS Sections 157.611 through 157.640, as amended, repealed and reenacted (the "Act") for the purpose of assisting local school districts in meeting the school construction needs of the Commonwealth in a manner which will ensure an equitable distribution of funds based upon unmet need.

The General Assembly of the Commonwealth adopted the State's Budget for the fiscal year ending June 30, 2026. Inter alia, the Budget provides \$116,928,400 in FY 23024-25 and \$126,269,500 in FY 2025-2026 to pay debt service on existing and future bond issues. There are \$75,900,000 of the Commission's previous Offers of Assistance made during the last biennium. It authorizes \$85,000,000 in additional Offers of Assistance for the current biennium to be funded in the Budget for the biennium ending June 30, 2026.

The 2000, 2003, 2005, 2006, 2008, 2010, 2012, 2014, 2016, 2018, 2020, 2022, and 2024 Regular Sessions of the Kentucky General Assembly appropriated funds to be used for new debt service of participating school districts. The appropriations for each biennium are shown in the following table:

<u>Biennium</u>	-	<u>Appropriation</u>
2000-02	-	8,100,000
2002-04		9,500,000
2004-06		14,000,000
2006-08		9,000,000
2008-10		10,968,000
2010-12		12,656,200
2012-14		8,469,200
2014-16		8,764,000
2016-18		23,019,400
2018-20		7,608,000
2020-22		2,946,900
2022-24		5,305,300
<u>2024-26</u>		<u>22,280,000</u>
Total		\$142,617,000

In addition to the appropriations for new financings as shown, appropriations subsequent to that for 2000 included additional funds to continue to meet the annual debt requirements for all bond issues involving Commission participation issued in prior years.

BIENNIAL BUDGET FOR PERIOD ENDING JUNE 30, 2026

The Kentucky General Assembly is required by the Kentucky Constitution to adopt measures providing for the state's revenues and appropriations for each fiscal year. The Governor is required by law to submit a biennial State Budget (the "State Budget") to the General Assembly during the legislative session held in each even numbered year. State Budgets have generally been adopted by the General Assembly during those legislative sessions, which end in mid-April, to be effective upon the Governor's signature for appropriations commencing for a two-year period beginning the following July 1.

In the absence of a legislatively enacted budget, the Supreme Court has ruled the Governor has no authority to spend money from the state treasury except where there is a statutory, constitutional or federal mandate and the Commonwealth may be prevented from expending funds for certain state governmental functions, including the ability to pay principal of, premium, if any, and interest, when due, on obligations that are subject to appropriation.

The General Assembly adopted a budget for the biennial period ending June 30, 2026 which was approved and signed recently by the Governor. Such budget became effective July 1, 2024.

The Office of the State Budget Director makes available on its website monthly updates to the General Fund receipts and other Funds of the commonwealth. When published, the updates can be found at www.osbd.ky.gov.

OUTSTANDING BONDS

The following table shows the outstanding Bonds of the Board by the original principal amount of each issue, the current principal outstanding, the amount of the original principal scheduled to be paid with the corresponding interest thereon by the Board or the School Facilities Construction Commission, the approximate interest range; and, the final maturity date of the Bonds:

Bond Series	Original Principal	Current Principal Outstanding	Principal Assigned to Board	Principal Assigned to Commission	Approximate Interest Rate Range	Final Maturity
2007-REF	\$2,690,000	\$0	\$2,690,000	\$0	4.300%	2024
2012-REF	\$765,000	\$0	\$346,497	\$418,503	2.250% - 2.375%	2024
2013-REF	\$750,000	\$200,000	\$750,000	\$0	2.150%	2025
2014-KISTA	\$279,368	\$125,596	\$279,368	\$0	2.500% - 3.000%	2024
2014	\$295,000	\$35,000	\$295,000	\$0	3.000%	2024
2015	\$530,000	\$80,000	\$530,000	\$0	3.100%	2030
2015 Energy	\$7,990,000	\$0	\$6,182,519	\$1,807,481	2.000% - 3.250%	2035
2016-REF	\$2,350,000	\$1,360,000	\$1,340,046	\$1,009,954	2.000% - 3.000%	2028
2019	\$1,235,000	\$1,045,000	\$223,900	\$1,011,100	2.000% - 2.850%	2039
2021	\$14,570,000	\$13,525,000	\$13,791,780	\$778,220	2.000% - 2.250%	2041
2021B	\$1,055,000	\$920,000	\$1,055,000	\$0	2.000% - 2.125%	2041
TOTALS:	\$32,509,368	\$17,290,596	\$27,484,110	\$5,025,258		

AUTHORITY

The Board of Directors of the Corporation has adopted a Bond Resolution which authorized among other things:

- i) the issuance of approximately \$2,075,000 of Bonds subject to a permitted adjustment of \$210,000;
- ii) the advertisement for the public sale of the Bonds;
- iii) the Official Terms and Conditions for the sale of the Bonds to the successful bidder; and,
- iv) the President and Secretary of the Corporation to execute certain documents relative to the sale and delivery of the Bonds.

THE BONDS

General

The Bonds will be dated October 16, 2024, will bear interest from that date as described herein, payable semi-annually on April 1 and October 1 of each year, commencing April 1, 2025, and will mature as to principal on October 1, 2025, and thereafter in the years and in the principal amounts as set forth on the cover page of this Official Statement.

Registration, Payment and Transfer

The Bonds are to be issued in fully-registered form (both principal and interest). Citizens Bank & Trust Company of Jackson, Jackson, Kentucky, the Bond Registrar and Paying Agent, shall remit interest on each semiannual due date to Cede & Co., as the nominee of The Depository Trust Company. Please see Book-Entry-Only-System. Interest on the Bonds will be paid at rates to be established upon the basis of competitive bidding as hereinafter set forth, such interest to be payable on April 1 and October 1 of each year, beginning April 1, 2025 (Record Date is 15th day of month preceding interest due date).

Redemption

The Bonds maturing on or after October 1, 2033, are subject to redemption at the option of the Corporation prior to their stated maturity on any date falling on or after October 1, 2032, in any order of maturities (less than all of a single maturity to be selected by lot), in whole or in part, upon notice of such prior redemption being given by the Paying Agent in accordance with DTC requirements not less than thirty (30) days prior to the date of redemption, upon terms of the face amount, plus accrued interest, but without redemption premium.

Redemption Date	Redemption Price
October 1, 2032, and thereafter	100%

Notwithstanding the foregoing, the Corporation reserves the right, upon thirty (30) days notice, to call the Bonds in whole or in part on any date at par for redemption upon the total destruction by fire, lightning, windstorm or other hazard of any building constituting the Project and apply casualty insurance proceeds to such purpose.

SECURITY

General

The Bonds are revenue bonds and constitute a limited indebtedness of the Corporation. The Bonds are payable as to both principal and interest solely from the income and revenues derived from the leasing of the school building Project financed from the Bond proceeds from the Corporation to the Board. The Bonds are secured by a statutory mortgage lien on and pledge of revenue from the school building Project; provided, however, said lien and pledge are on parity with a similar lien and pledge securing the Corporation's School Building Revenue Bonds previously issued to finance or refinance the school building(s) which constitute the school building Project (the "Parity Bonds"). Should the Board default in its obligations under the Lease or fail to renew the Lease, the Registered Owners of Bonds have the right to have a receiver appointed to administer the school building Project but foreclosure and sale are not available as remedies.

The Lease; Pledge of Rental Revenues

The Board has leased the school building Project securing the Bonds for an initial period from October 16, 2024, through June 30, 2025 with the option in the Board to renew said Lease from year to year for one year at a time, at annual rentals, sufficient in each year to enable the Corporation to pay, solely from the rental due under the Lease, the principal and interest on all of the Bonds as same become due. The Lease provides further that so long as the Board exercises its annual renewal options, its rentals will be payable according to the terms and provisions of the Lease until October 1, 2044, the final maturity date of the Bonds. Under the lease, the Corporation has pledged the rental revenue to the payment of the Bonds.

Authorization of General Obligation Bonds

The Kentucky Legislature recently passed and the Governor signed HB 727 which, 90 days after the adjournment of the Legislature, will authorize Kentucky Boards of Education to issue general obligation bonds within certain limitations prescribed by Kentucky law. The Board does not currently have any specific plan to issue general obligation bonds. Issuance by the Board of general obligation debt in the future would not affect either the Board's obligation to make lease payments to the Corporation for payment of debt service on the Bonds or the security for the Bonds.

STATE INTERCEPT

Under the terms of the Lease and any renewal thereof, so long as the Bonds remain outstanding and in conformance with the intent and purpose of KRS 157.627(5) and KRS 160.160(5), in the event of a failure by the Board to pay the rentals due under the Lease, and unless sufficient funds have been transmitted to the Paying Agent, or will be so transmitted, for paying said rentals when due, the Board has granted under the terms of the Lease and Participation Agreement to the Corporation the right to notify and request the Kentucky Department of Education to withhold from the Board a sufficient portion of any undisbursed funds then held, set aside, or allocated to the Board and to request said Department or Commissioner of Education to transfer the required amount thereof to the Paying Agent for the payment of such rentals.

THE PROJECT

After payment of the Bond issuance costs, the Board plans to deposit the net Bond proceeds to finance HVAC improvements to Highland Turner Elementary School (the "Project").

The Board has reported construction bids have been let for the Project and award of the construction contract is expected prior to the sale and delivery of the Bonds.

Contractors for the Project are required to furnish to the Board a one hundred percent completion bond to assure their performance of the construction contract.

ADDITIONAL PARITY BONDS

The Corporation has reserved the right and privilege of issuing additional bonds from time to time payable from the income and revenues of said lands and school building Project and secured by a statutory mortgage lien and pledge of revenues, but only if and to the extent the issuance of such additional parity bonds are in accordance with plans and specifications approved by the Board, Commissioner of Education, and filed in the office of the Secretary of the Corporation and a Lease shall be entered into whereunder the annual rental payments during the life of such additional bonds shall be increased by the amount of the annual principal and interest requirements of such additional bonds.

KENTUCKY DEPARTMENT OF EDUCATION SUPERVISION

Kentucky statutes, and the regulations of the Kentucky Department of Education (“KDE”) issued thereunder, generally require that a local school district submit to KDE for its prior approval the district’s plans for the funding, financing, design, construction, renovation, and modification of school facilities. House Bill 678 of the 2022 Regular Session of the Kentucky General Assembly (2022 Ky. Acts, Ch. 185, hereinafter referred to as “HB 678”), enacted and effective April 8, 2022, eliminates until June 30, 2024 this requirement of prior approval for local school districts which elect by resolution to proceed without such prior approval and which so notify the Department. The District has adopted such a resolution and has so notified KDE.

Notwithstanding HB 679, KDE’s supervision of local school districts continues to apply other areas of local school finance, including supervision of general operations such as the examination of business methods and accounts of a school district, requirements of prompt, detailed reports of receipts and expenditures and the annual approval of the district’s operating budget. All local school boards which have entered into contracts for the issuance of bonds must maintain insurance protection in an amount equal to the full insurable value of the buildings financed by the bonds. This State Department of Education supervision and control is believed to be a major contribution toward the maintenance of Kentucky’s perfect record of no defaults in payment of its revenue bonds for school purposes.

ESTIMATED BOND DEBT SERVICE

The following table shows by fiscal year the current bond payments of the Board. The plan of financing provides for the Board to meet 100% of the debt service of the Bonds.

Fiscal Year Ending June 30	Current Local Bond Payments	--- School Building Revenue Bonds, Series 2024 -- (100% Local)			Total Local Bond Payments
		Principal Portion	Interest Portion	Total Payment	
2024	\$1,182,536				\$1,182,536
2025	\$1,181,973	\$0	\$38,703	\$38,703	\$1,220,676
2026	\$1,180,708	\$5,000	\$84,344	\$89,344	\$1,270,052
2027	\$1,181,825	\$5,000	\$84,144	\$89,144	\$1,270,969
2028	\$1,120,672	\$65,000	\$82,744	\$147,744	\$1,268,416
2029	\$1,109,704	\$80,000	\$79,844	\$159,844	\$1,269,548
2030	\$1,105,674	\$85,000	\$76,544	\$161,544	\$1,267,218
2031	\$1,116,310	\$80,000	\$73,244	\$153,244	\$1,269,554
2032	\$1,181,249	\$15,000	\$71,344	\$86,344	\$1,267,592
2033	\$1,154,524	\$40,000	\$70,244	\$110,244	\$1,264,767
2034	\$1,152,847	\$45,000	\$68,544	\$113,544	\$1,266,391
2035	\$1,194,557	\$5,000	\$67,544	\$72,544	\$1,267,100
2036	\$1,155,955	\$45,000	\$66,544	\$111,544	\$1,267,498
2037	\$1,197,500	\$5,000	\$65,544	\$70,544	\$1,268,044
2038	\$1,197,676	\$5,000	\$65,344	\$70,344	\$1,268,020
2039	\$675,928	\$140,000	\$62,444	\$202,444	\$878,371
2040	\$675,257	\$145,000	\$56,744	\$201,744	\$877,001
2041	\$673,592	\$155,000	\$50,744	\$205,744	\$879,336
2042	\$65,691	\$260,000	\$42,281	\$302,281	\$367,972
2043		\$285,000	\$31,041	\$316,041	\$316,041
2044		\$300,000	\$18,975	\$318,975	\$318,975
2045		\$310,000	\$6,394	\$316,394	\$316,394
TOTALS:	\$19,504,177	\$2,075,000	\$1,263,294	\$3,338,294	\$ 22,842,471

Note: Numbers are rounded to the nearest \$1.00.

ESTIMATED USE OF BOND PROCEEDS

The table below shows the estimated sources of funds and uses of proceeds of the Bonds, other than any portions thereof representing accrued interest:

Sources:	
Par Amount of Bonds	<u>\$2,075,000.00</u>
Total Sources	\$2,075,000.00
Uses:	
Deposit to Construction Fund	\$2,000,650.00
Underwriter's Discount (2%)	41,500.00
Cost of Issuance	<u>32,850.00</u>
Total Uses	\$2,075,000.00

DISTRICT STUDENT POPULATION

Selected school census and average daily attendance for the Breathitt County School District is as follows:

Year	Average Daily Attendance	Year	Average Daily Attendance
2000-01	2,168.7	2012-13	1,833.5
2001-02	1,980.6	2013-14	1,827.2
2002-03	1,939.2	2014-15	1,820.3
2003-04	1,944.8	2015-16	1,775.3
2004-05	1,961.2	2016-17	1,735.5
2005-06	1,956.2	2017-18	1,710.6
2006-07	1,955.6	2018-19	1,628.0
2007-08	1,973.7	2019-20	1,610.2
2008-09	1,936.3	2020-21	1,603.0
2009-10	1,939.6	2021-22	1,663.5
2010-11	1,890.5	2022-23	1,663.5
2011-12	1,894.2	2023-24	1,656.8

Source: Kentucky Department of Education.

STATE SUPPORT

Support Education Excellence in Kentucky (SEEK). In determining the cost of the program to Support Education Excellence in Kentucky (SEEK), the statewide guaranteed base funding level is computed by dividing the amount appropriated by the prior year's statewide average daily attendance. The SEEK fund is a guaranteed amount of money per pupil in each school district of Kentucky. The current SEEK allotment is \$4,000 per pupil. The \$100 capital outlay allotment per each average daily attendance is included within the guaranteed amounts. Each district's base funding from the SEEK program is adjusted for the number of at-risk students, the number and types of exceptional children in the district, and cost of transporting students from and to school in the district.

Capital Outlay Allotment. The per pupil capital outlay allotment for each district from the public school fund and from local sources shall be kept in a separate account and may be used by the district only for capital outlay projects approved by the State Department of Education. These funds shall be used for the following capital outlay purposes:

- a. For direct payment of construction costs.
- b. For debt service on voted and funding bonds.
- c. For payment or lease-rental agreements under which the board will eventually acquire ownership of the school plant.
- d. For retirement of any deficit resulting from over-expenditure for capital construction, if such deficit resulted from certain declared emergencies.
- e. As a reserve fund for the above named purposes, to be carried forward in ensuing budgets.

The allotment for each school board of education in the Commonwealth for fiscal year 1978-79 was \$1,800 per classroom unit. The 1979 Session of the Kentucky General Assembly approved increases in this allotment in 1979-80 to \$1,900 per classroom unit. This rate remained unchanged in 1980-81. The 1981 Session of the Kentucky General Assembly decreased the allotment per classroom to \$1,800 and this allotment rate did not change from the 1981-82 rate, until the 1990-91 school year. Beginning with 1990-91, the Capital Outlay allotment for each district is based on \$100 per average daily attendance.

The following table shows the computation of the capital outlay allotment for the Breathitt County School District for certain preceding school years.

Capital Outlay		Capital Outlay	
Year	Allotment	Year	Allotment
2000-01	216,870.0	2012-13	183,350.0
2001-02	198,060.0	2013-14	182,723.0
2002-03	193,920.0	2014-15	182,027.0
2003-04	194,480.0	2015-16	177,526.0
2004-05	196,120.0	2016-17	173,550.0
2005-06	195,620.0	2017-18	171,060.0
2006-07	195,560.0	2018-19	162,798.2
2007-08	197,370.0	2019-20	161,020.0
2008-09	193,629.0	2020-21	160,302.4
2009-10	193,957.0	2021-22	166,353.6
2010-11	189,049.0	2022-23	166,353.6
2011-12	189,419.0	2023-24	165,676.1

Source: Kentucky Department of Education.

If the school district has no capital outlay needs, upon approval from the State, the funds can be used for school plant maintenance, repair, insurance on buildings, replacement of equipment, purchase of school buses and purchase of modern technological equipment for educational purposes. If any district has a special levy for capital outlay or debt service that is equal to the capital outlay allotment or a proportionate fraction thereof, and spends the proceeds of the levy for eligible purposes, the State may authorize the district to use all or a proportionate fraction of its capital outlay allotment for current expenses (school districts which use capital outlay allotments to meet current expenses are not eligible to participate in the School Facilities Construction Commission funds).

Facilities Support Program of Kentucky. School districts may be eligible to participate in the Facilities Support Program of Kentucky (FSPK), subject to the following requirements:

- 1) The district must have unmet needs as set forth and approved by the State Department of Education in a School Facilities Plan;
- 2) The district must commit to establish an equivalent tax rate of at least 5 cents, in addition to the 30 cents minimum current equivalent tax rate; and,
- 3) The new revenues generated by the 5 cent addition, must be placed in a restricted account for school building construction bonding.

LOCAL SUPPORT

Homestead Exemption. Section 170 of the Kentucky Constitution was amended at the General Election held November 2, 1971, to exempt from property taxes \$6,500 of value of single unit residential property of taxpayers 65 years of age or older. The 1972 General Assembly amended KRS Chapter 132 to permit counties and school districts to adjust their local tax revenues lost through the application of this Homestead Exemption. The "Single Unit" qualification has been enlarged to subsequent sessions of the General Assembly to provide that such exemption shall apply to such property maintained as the permanent resident of the owner and the dollar amount has been construed to mean \$6,500 in terms of the purchasing power of the dollar in 1972. Every two years thereafter, if the cost of living index of the U.S. Department of Labor has changed as much as 1%, the maximum exemption shall be adjusted accordingly. Under the cost of living formula, the maximum was increased to \$46,350 effective January 1, 2023.

Limitation on Taxation. The 1979 Special Session of the Kentucky General Assembly enacted House Bill 44 which provides that no school district may levy a general tax rate, voted general tax rate, or voted building tax rate which would generate revenues that exceeds the previous years revenues by four percent (4%).

The 1990 Regular Session of the Kentucky General Assembly in enacting the "School Reform" legislative package amended the provisions of KRS 160.470 which prohibited school districts from levying ad valorem property taxes which would generate revenues in excess of 4% of the previous year's revenues without said levy subject to recall to permit exceptions to the referendum under (1) KRS 160.470(12) [a new section of the statute] and (2) an amended KRS 157.440.

Under KRS 160.470(12)(a) for fiscal years beginning July 1, 1990 school districts are required to levy a "minimum equivalent tax rate" of thirty cents (\$.30) for general school purposes. The equivalent tax rate is defined as the rate which results when the income collected during the prior year from all taxes (including occupational or utilities) levied by the district for school purposes divided by the total assessed value of property plus the assessment for motor vehicles certified by the State Revenue Cabinet. Failure to levy the minimum equivalent rate subjects the board of the district to removal.

The exception provided by KRS 157.440(1)(a) permits school districts to levy an equivalent tax rate as defined in KRS 160.470(12)(a) which will produce up to 15% of those revenues guaranteed by the program to support education excellence in Kentucky. Levies permitted by this section of the statute are not subject to public hearing or recall provisions as set forth in KRS 160.470.

Local Thirty Cents Minimum. Effective for school years beginning after June 30, 1990, the board of education of each school district shall levy a minimum equivalent tax rate of thirty cents (\$.30) for general school purposes. If a board fails to comply, its members shall be subject to removal from office for willful neglect of duty.

Additional 15% Not Subject to Recall. Effective with the school year beginning July 1, 1990, each school district may levy an equivalent tax rate which will produce up to 15% of those revenues guaranteed by the SEEK program. Effective with the 1990-91 school year, the State will equalize the revenue generated by this levy at one hundred fifty percent (150%) of the statewide average per pupil equalized assessment. For 1993-94 and thereafter, this level is set at \$225,000. The additional 15% rate levy is not subject to the public hearing or recall provisions.

Assessment Valuation. No later than July 1, 1994, all real property located in the state and subject to local taxation shall be assessed at one hundred percent (100%) of fair cash value.

Special Voted and Other Local Taxes. Any district may, in addition to other taxes for school purposes, levy not less than four cents nor more than twenty cents on each one hundred dollars (\$100) valuation of property subject to local taxation, to provide a special fund for the purchase of sites for school buildings and the erection, major alteration, enlargement, and complete equipping of school buildings. In addition, districts may levy taxes on tangible and intangible property and on utilities, except generally any amounts of revenues generated above that provided for by House Bill 44 is subject to voter recall.

Local Tax Rates, Property Assessments and Revenue Collections

Tax Year	Combined Equivalent Rate	Total Property Assessment	Property Revenue Collections
2000-01	51.7	312,945,147	1,617,926
2001-02	51.6	318,913,322	1,645,593
2002-03	50.9	319,976,153	1,628,679
2003-04	50.9	352,233,065	1,792,866
2004-05	51.8	353,047,778	1,828,787
2005-06	52.2	369,219,598	1,927,326
2006-07	52.1	404,724,119	2,108,613
2007-08	52.2	456,165,820	2,381,186
2008-09	54.7	468,555,188	2,562,997
2009-10	54.7	487,944,455	2,669,056
2010-11	51	471,047,325	2,402,341
2011-12	55.3	471,109,063	2,605,233
2012-13	53.8	459,864,889	2,474,073
2013-14	50.8	520,308,293	2,643,166
2014-15	54.5	512,897,024	2,795,289
2015-16	55.9	503,225,734	2,813,032
2016-17	53.1	476,709,336	2,531,327
2017-18	62.5	415,072,977	2,594,206
2018-19	70.7	420,710,017	2,974,420
2019-20	75.9	419,556,452	3,184,433
2020-21	71.7	425,241,988	3,048,985
2021-22	70.6	426,616,474	3,011,912
2022-23	73.4	437,099,604	3,208,311
2023-24	72.4	456,348,450	3,303,963

Source: Kentucky Department of Education.

OVERLAPPING BOND INDEBTEDNESS

The following table shows any other overlapping bond indebtedness of the Breathitt County School District or other issuing agency within Breathitt County as reported by the State Local Debt Officer for the period ending June 30, 2024.

Issuer	Original Principal Amount	Amount of Bonds Redeemed	Current Principal Outstanding
County of Breathitt			
General Obligation	4,986,000	1,181,000	3,805,000
Improvement Project Revenue	350,000	82,500	267,500
Refunding Revenue	4,975,000	4,415,000	560,000
Vehicles Revenue	333,178	0	333,178
City of Jackson			
General Obligation	4,850,000	3,381,958	1,468,042
Water & Sewer Revenue	3,557,000	885,100	2,671,900
City Hall Revenue	830,000	657,043	172,957
Refinancing Revenue	2,825,000	560,833	2,264,167
Totals:	22,706,178	11,163,434	11,542,744

Source: 2024 Kentucky Local Debt Report.

SEEK ALLOTMENT

The Board has reported the following information as to the SEEK allotment to the District, and as provided by the State Department of Education.

SEEK	Base Funding	Local Tax Effort	Total State & Local Funding
2000-01	10,010,155	1,617,926	11,628,081
2001-02	9,373,706	1,645,593	11,019,299
2002-03	9,241,000	1,628,679	10,869,679
2003-04	9,473,567	1,792,866	11,266,433
2004-05	9,979,209	1,828,787	11,807,996
2005-06	10,270,461	1,927,326	12,197,787
2006-07	10,329,081	2,108,613	12,437,694
2007-08	11,232,216	2,381,186	13,613,402
2008-09	11,139,264	2,562,997	13,702,261
2009-10	9,812,107	2,669,056	12,481,163
2010-11	9,828,102	2,402,341	12,230,443
2011-12	10,790,379	2,605,233	13,395,612
2012-13	10,358,322	2,474,073	12,832,395
2013-14	10,069,802	2,643,166	12,712,968
2014-15	10,020,793	2,795,289	12,816,082
2015-16	10,009,501	2,813,032	12,822,533
2016-17	9,869,856	2,531,327	12,401,183
2017-18	10,061,270	2,594,206	12,655,476
2018-19	9,846,595	2,974,420	12,821,015
2019-20	9,749,989	3,184,433	12,934,422
2020-21	9,085,591	3,048,985	12,134,576
2021-22	9,856,573	3,011,912	12,868,485
2022-23	10,162,424	3,208,311	13,370,735
2023-24	10,221,078	3,003,963	13,525,041

- (1) Support Education Excellence in Kentucky (SEEK) replaces the minimum foundation program and power equalization funding. Capital Outlay is now computed at \$100 per average daily attendance (ADA). Capital Outlay is included in the SEEK base funding.
- (2) The Board established a current equivalent tax rate (CETR) of \$0.7240 for FY 2023-24. The equivalent tax rate" is defined as the rate which results when the income from all taxes levied by the district for school purposes is divided by the total assessed value of property plus the assessment for motor vehicles certified by the Commonwealth of Kentucky Revenue Cabinet.

State Budgeting Process

- i) Each district board of education is required to prepare a general school budget on forms prescribed and furnished by the Kentucky Board of Education, showing the amount of money needed for current expenses, debt service, capital outlay, and other necessary expenses of the school during the succeeding fiscal year and the estimated amount that will be received from all sources.
- ii) By September 15 of each year, after the district receives its tax assessment data from the Department of Revenue and the State Department of Education, 3 copies of the budget are forwarded to the State Department for approval or disapproval.
- iii) The State Department of Education has adopted a policy of disapproving a school budget if it is financially unsound or fails to provide for:

- a) payment of maturing principal and interest on any outstanding voted school improvement bonds of the district or payment of rental in connection with any outstanding school building revenue bonds issued for the benefit of the school district; or
- b) fails to comply with the law.

POTENTIAL LEGISLATION

No assurance can be given that any future legislation, including amendments to the Code, if enacted into law, or changes in interpretation of the Code, will not cause interest on the Bonds to be subject, directly or indirectly, to federal income taxation, or otherwise prevent owners of the Bonds from realizing the full current benefit of the tax exemption of such interest. In addition, current and future legislative proposals, if enacted into law, may cause interest on state or local government bonds (whether issued before, on the date of, or after enactment of such legislation) to be subject, directly or indirectly, to federal income taxation by, for example, changing the current exclusion or deduction rules to limit the amount of interest on such bonds that may currently be treated as tax exempt by certain individuals. For example, on August 16, 2022, President Biden signed the Inflation Reduction Act of 2022 (the “Inflation Reduction Act”). The Inflation Reduction Act imposes a minimum tax of 15 percent of the adjusted financial statement income on certain corporations whose income exceeds stated thresholds for tax years beginning after December 31, 2022. Under the Inflation Reduction Act, interest on debt obligations otherwise exempt from federal income tax would be included in the calculation of adjusted financial statement income for corporations subject to the minimum tax. Prospective purchasers of the Bonds should consult their own tax advisers regarding any pending or proposed federal tax legislation.

Further, no assurance can be given that the introduction or enactment of any such future legislation, or any action of the IRS, including but not limited to regulation, ruling, or selection of the Bonds for audit examination, or the course or result of any IRS examination of the Bonds or obligations which present similar tax issues, will not affect the market price for the Bonds.

CONTINUING DISCLOSURE

As a result of the Board and issuing agencies acting on behalf of the Board offering for public sale municipal securities in excess of \$1,000,000, the Corporation and the Board will enter into a written agreement for the benefit of all parties who may become Registered or Beneficial Owners of the Bonds whereunder said Corporation and Board will agree to comply with the provisions of the Municipal Securities Disclosure Rules set forth in Securities and Exchange Commission Rule 15c2-12 by filing annual financial statements and material events notices with the Electronic Municipal Market Access (EMMA) System maintained by the Municipal Securities Rule Making Board.

As of the date of this Official Statement, the Corporation and the Board are in compliance “in all material respects” with the reporting requirements of the Rule for the past five years.

Financial information regarding the Board may be obtained from Superintendent, Breathitt County Board of Education, 420 Court Street, Jackson, Kentucky 41339, Telephone (606) 666-2491.

TAX EXEMPTION; BANK QUALIFIED

Bond Counsel advises as follows with respect to the Bonds:

(A) The Bonds and the interest thereon are exempt from income and ad valorem taxation by the Commonwealth of Kentucky and all of its political subdivisions.

(B) The interest income from the Bonds is excludable from the gross income of the recipient thereof for Federal income tax purposes under existing law and will not be a specific item of tax preference for purposes of Federal income taxation. However, with respect to certain corporations, interest on the Bonds is taken into account in determining the annual adjusted financial statement income for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022.

(C) As a result of designations and certifications by the Board and the Corporation, indicating the issuance of less than \$10,000,000 of tax-exempt obligations during the calendar year ending December 31, 2024, the Bonds are "qualified tax-exempt obligations" within the meaning of the Internal Revenue Code of 1986, as amended.

The Corporation will provide the purchaser the customary no-litigation certificate, and the final approving Legal Opinions of Steptoe & Johnson PLLC, Bond Counsel, Louisville, Kentucky approving the legality of the Bonds. These opinions will accompany the Bonds when delivered, without expense to the purchaser.

Original Issue Premium

Certain of the Bonds may be initially offered and sold to the public at a premium ("Acquisition Premium" from the amounts payable at maturity thereon. "Acquisition Premium" is the excess of the cost of a bond over the stated redemption price of such bond at maturity or, for bonds that have one or more earlier call dates, the amount payable at the next earliest call date. The Bonds that bear an interest rate that is higher than the yield (as shown on the cover page hereof), are being initially offered and sold to the public at an Acquisition Premium (the "Premium Bonds"). For federal income tax purposes, the amount of Acquisition Premium on each bond the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt bonds") must be amortized and will reduce the bondholder's adjusted basis in that bond. However, no amount of amortized Acquisition Premium on tax-exempt bonds may be deducted in determining bondholder's taxable income for federal income tax purposes. The amount of any Acquisition Premium paid on the Premium Bonds, or on any of the Bonds, that must be amortized during any period will be based on the "constant yield" method, using the original bondholder's basis in such bonds and compounding semiannually. This amount is amortized ratably over that semiannual period on a daily basis.

Holders of any Bonds, including any Premium Bonds, purchased at an Acquisition Premium should consult their own tax advisors as to the actual effect of such Acquisition Premium with respect to their own tax situation and as to the treatment of Acquisition Premium for state tax purposes.

Original Issue Discount

Certain of the Bonds (the "Discount Bonds") may be initially offered and sold to the public at a discount ("OID") from the amounts payable at maturity thereon. OID is the excess of the stated redemption price of a bond at maturity (the face amount) over the "issue price" of such bond. The issue price is the initial offering price to the public (other than to bond houses, brokers or similar persons acting in the capacity of underwriters or wholesalers) at which a substantial amount of bonds of the same maturity are sold pursuant to that initial offering. For federal income tax purposes, OID on each bond will accrue over the term of the bond. The amount accrued will be based on a single rate of interest, compounded semiannually (the "yield to maturity") and, during each semi-annual period, the amount will accrue ratably on a daily basis. The OID accrued during the period that an initial purchaser of a Discount Bond at its issue price owns it is added to the purchaser's tax basis for purposes of determining gain or loss at the maturity, redemption, sale or other disposition of that Discount Bond. In practical effect, accrued OID is treated as stated interest, that is, as excludable from gross income for federal income tax purposes.

In addition, original issue discount that accrues in each year to an owner of a Discount Bond is included in the calculation of the distribution requirements of certain regulated investment companies and may result in some of the collateral federal income tax consequences discussed above. Consequently, owners of any Discount Bond should be aware that the accrual of original issue discount in each year may result in an alternative minimum tax liability, additional distribution requirements or other collateral federal income tax consequences although the owner of such Discount Bond has not received cash attributable to such original issue discount in such year.

Holders of Discount Bonds should consult their own tax advisors as to the treatment of OID and the tax consequences of the purchase of such Discount Bonds other than at the issue price during the initial public offering and as to the treatment of OID for state tax purposes.

ABSENCE OF MATERIAL LITIGATION

There is no controversy or litigation of any nature now pending or threatened (i) restraining or enjoining the issuance, sale, execution or delivery of the Bonds, or in any way contesting or affecting the validity of the Bonds or any proceedings of the Board or Corporation taken with respect to the issuance or sale thereof or (ii) which if successful would have a material adverse effect on the financial condition of the Board.

APPROVAL OF LEGALITY

Legal matters incident to the authorization and issuance of the Bonds are subject to the approving legal opinion of Steptoe & Johnson PLLC, Bond Counsel. The form of the approving legal opinion of Bond Counsel will appear on each printed Bond.

NO LEGAL OPINION EXPRESSED AS TO CERTAIN MATTERS

Bond Counsel has reviewed the information contained in the Official Statement describing the Bonds and the provisions of the Bond Resolution and related proceedings authorizing the Bonds, but Bond Counsel has not reviewed any of the financial data, computations, tabulations, balance sheets, financial projections, and general information concerning the Corporation or District, and expresses no opinion thereon, assumes no responsibility for same and has not undertaken independently to verify any information contained herein.

BOND RATING

As noted on the cover page of this Official Statement, Moody's Investors Service has given the Bonds the indicated rating. Such rating reflects only the respective views of such organization. Explanations of the significance of the rating may be obtained from the rating agency. There can be no assurance that such rating will be maintained for any given period of time or will not be revised or withdrawn entirely by the rating agency, if in their judgement circumstances so warrant. Any such downward revision or withdrawal of such rating may have an adverse effect on the market price of the Bonds.

MUNICIPAL ADVISOR

Prospective bidders are advised that RSA Advisors, LLC ("RSA") has been employed as Municipal Advisor in connection with the issuance of the Bonds. RSA's fee for services rendered with respect to the sale of the Bonds is contingent upon the issuance and delivery thereof. Bidders may submit a bid for the purchase of the Bonds at the time of the advertised public sale, either individually or as a member of a syndicate organized to submit a bid for the purchase of the Bonds.

APPROVAL OF OFFICIAL STATEMENT

The Corporation has approved and caused this "Official Statement" to be executed and delivered by its President. In making this "Official Statement" the Corporation relied upon information furnished to it by the Board of Education of the Breathitt County School District and does not assume any responsibility as to the accuracy or completeness of any of the information in this Official Statement except as to copies of documents denominated "Official Terms and Conditions" and "Bid Form." The financial information supplied by the Board of Education is represented by the Board of Education to be correct. The Corporation deems this preliminary Official Statement to be final for purposes of Securities Exchange Commission Rule 15c2-12(b)(1) as qualified by the cover hereof.

APPENDIX A

Breathitt County School District Finance Corporation School Building Revenue Bonds, Series of 2024

Demographic and Economic Data

BREATHITT COUNTY, KENTUCKY

Jackson, the county seat of Breathitt County, is located in the Eastern Kentucky Coal Field. Jackson is located 85 miles southeast of Lexington, Kentucky; 156 miles southeast of Louisville, Kentucky; 161 miles southeast of Cincinnati, Ohio; and 186 miles north of Knoxville, Tennessee. Jackson had an estimated population of 2,095 in 2023.

Breathitt County covers a total land area of 495 square miles. The topography of Breathitt County is characterized by irregular ridges and deep, v-shaped valleys. Breathitt County had an estimated 2023 population of 12,975.

The Economic Framework

In 2023, Breathitt County had a labor force of 4,958 people, with an unemployment rate of 10.10%. The top 5 jobs by occupation were as follows: Office and Administrative Support - 338 (13.33%); Education, Training/Library - 332 (13.09%); Sales - 254 (10.02%); Executive, Managers, and Administrators - 241 (9.50%); and Health Diagnosing and Treating Practitioners - 185 (7.29%).

Transportation

Jackson is served directly by Kentucky Highways 15, 30, and 52, all AAA-rated trucking highways. The Mountain Parkway, a multi-lane highway, is accessible 28 miles southeast. Interstate and/or intrastate trucking service is provided by twelve firms. Main line rail service is provided to Jackson by CSX Transportation. The nearest scheduled commercial airline service is available at Blue Grass Airport near Lexington, 90 miles northwest of Jackson. Local airport facilities include the Julian Carroll Airport, five miles east of Jackson, and the Wendell H. Ford Regional Airport, 17 miles southeast of Jackson.

Power and Fuel

Electric power is provided to Jackson and portions of Breathitt County by American Electric Power. Breathitt County is also served by East Kentucky Power Cooperative. Natural gas service is provided by Public Gas Company.

LOCAL GOVERNMENT

Structure

The City of Jackson is governed by a mayor and six council members. The mayor is elected to a four-year term while the council members each serve two-year terms. Breathitt County is served by a county judge/executive and four magistrates. Each county official serves a four year term.

Planning and Zoning

City agency - Jackson Planning and Zoning Commission

Zoning enforced - Within city limits

Subdivision regulations enforced - Within city limits

Local codes enforced - Building and Housing

Mandatory state codes enforced - Kentucky Plumbing Code, National Electric code, Kentucky Boiler Regulations and Standards, Kentucky Building Code (modeled after BOCA code)

LABOR MARKET STATISTICS

The Jackson Labor Market Area includes Breathitt County and the adjoining Kentucky counties of Knott, Lee, Magoffin, Owsley, Perry, and Wolfe.

Population

Area	<u>2021</u>	<u>2022</u>	<u>2023</u>
Jackson	2,181	2,267	2,321
Breathitt County	13,630	13,764	13,421

Source: Kentucky Cabinet for Economic Development.

Population Projections

Area	<u>2025</u>	<u>2030</u>	<u>2035</u>
Breathitt County	12,078	11,244	10,352

Source: Kentucky State Data Center, University of Louisville and Kentucky Cabinet for Economic Development.

EDUCATION

Public Schools

	<u>Breathitt County</u>	<u>Jackson Ind.</u>
Total Enrollment (2022-23)	1,602	318
Pupil to Teacher Ratio	14 - 1	14 - 1

Source: Kentucky Department of Education

Vocational - Technical Schools

<u>Institution</u>	<u>Location</u>	<u>Enrollment (2022-2023)</u>
Bell County ATC	Pineville, KY	486
Breathitt County ATC	Jackson, KY	399
Clark County ATC	Winchester, KY	559
Clay County ATC	Manchester, KY	347
Corbin ATC	Corbin, KY	526
Floyd County ATC (GARTH)	Martin, KY	273
Jackson County ATC	McKee, KY	337
Knott County ATC	Hindman, KY	315
Knox County ATC	Barbourville, KY	372
Lee County ATC	Beattyville, KY	265
Leslie County ATC	Hyden, KY	403
Letcher County ATC	Whitesburg, KY	468
Madison County ATC	Richmond, KY	723
Martin County ATC	Inez, KY	335
Millard ATC	Millard, KY	294
Montgomery County ATC	Mount Sterling, KY	350
Morgan County ATC	West Liberty, KY	411
Rockcastle County ATC	Mount Vernon, KY	402

Source: Kentucky Department of Education

Colleges and Universities

<u>Institution</u>	<u>Location</u>	<u>Undergraduate Enrollment (Fall 2022)</u>
Alice Lloyd College	Pippa Passes, KY	570
Berea College	Berea, KY	1,433
Eastern Kentucky University	Richmond, KY	12,072
Morehead State University	Morehead, KY	8,218
Union College	Barbourville, KY	789
University of Pikeville	Pikeville, KY	1,483

Source: Kentucky Department of Education

APPENDIX B

**Breathitt County School District Finance Corporation
School Building Revenue Bonds
Series of 2024**

Audited Financial Statement ending June 30, 2023

BREATHITT COUNTY SCHOOL DISTRICT
Jackson, Kentucky

FINANCIAL STATEMENTS
June 30, 2023

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INDEPENDENT AUDITORS' REPORT

To the State Committee for School District Audits and
Members of the Board of Education
Breathitt County School District

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Breathitt County School District, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Breathitt County School District's basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Breathitt County School District, as of June 30, 2023, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States and the audit requirements prescribed by the Kentucky State Committee for School District Audits in the *Independent Auditor's Contract, including Appendix II – Instructions for Submissions of the Audit Report*. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Breathitt County School District 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.

Responsibilities of Management for the Financial Statements

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

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

Auditors' 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 generally accepted auditing standards and *Government Auditing Standards* and the audit requirements prescribed by the Kentucky State Committee for School District Audits in the *Independent Auditor's Contract, including Appendix II – Instructions for Submissions of the Audit Report* 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 generally accepted auditing standards 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 Breathitt County School District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Breathitt County School District's ability to continue as a going concern for a reasonable period of time.

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

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information and pension and OPEB schedules on pages 4-9 and 53-64 be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Breathitt County School District's basic financial statements. The accompanying combining nonmajor fund financial statements, the school activity fund statements and the schedule of expenditures of federal awards, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining nonmajor fund financial statements, the school activity fund statements and the schedule of expenditures of federal awards are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 13, 2023, on our consideration of the Breathitt County School District'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 Breathitt County School District'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 Breathitt County School District's internal control over financial reporting and compliance.

RFH

RFH, PLLC
Lexington, Kentucky
November 13, 2023

BREATHITT COUNTY SCHOOL DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A)
YEAR ENDED June 30, 2023

The management of Breathitt County School District offers readers this narrative overview and analysis of the financial activities and educational programs of the District for the fiscal year ended June 30, 2023. We encourage readers to review the information presented here in conjunction with additional information found within the body of this audit.

This Management Discussion and Analysis (MD&A) is an element of the reporting model adopted by the Governmental Accounting Standards Board (GASB) in their Statement No. 34, Basic Financial Statements - and Management's Discussion and Analysis - for State and Local Governments, issued June 1999; GASB Statement No. 37, Basic Financial Statement - and Management Discussion and Analysis - for State and Local Governments: Omnibus, an amendment to GASB Statements No. 21 and No. 34, issued in June 2001; and in GASB Statement No. 38, Certain Financial Statement Note Disclosures, issued in 2001. Certain comparative information between the current year and the prior year is required to be presented in the MD&A.

FINANCIAL HIGHLIGHTS

- The ending cash balance for the District was \$14,838,678 in 2023 and \$20,248,453 in 2022.
- The General Fund had \$20,222,543 in revenue, excluding interfund transfers and proceeds from the sale of assets, which primarily consisted of the state program (SEEK) and property, utilities, and motor vehicle taxes. Excluding interfund transfers, there was \$18,879,266 in General Fund expenditures.
- During the 2022-2023 school year, the District closed Marie Roberts-Caney Elementary School and opened the brand new Breathitt Elementary School. This move prompted a re-configuration of Sebastian Elementary School, which now holds grades 3-6. Breathitt Elementary School holds grades PK – 2. Breathitt Elementary School provides our young students a state of the art, energy efficient facility that is safe, clean and beautiful. It also provides our district and community with an auditorium for meetings, performances, and shows. The District is proud of the new school and proud of our community for supporting its construction with the passage of the nickel tax in September 2018.
- Breathitt County faced an historic and catastrophic flood on July 28, 2022, which has presented significant challenges for our community over the past year, and continue. We still have families working to get into new or repaired homes; and the District is in the process of replacing the Bus Garage and Area Technology Center due to flood damage. The District remains concerned with declining enrollment, and a loss of Property Tax Revenue as a result of the flood.
- Remaining ESSER funds are being used to address issues with regard to Covid, including learning loss. Spending Plans have been developed with input from all stakeholders in order to spend the funds in the most effective, efficient way possible. The District is currently installing a new HVAC system in the Breathitt Coliseum to improve air quality in classrooms and the gymnasium. All ESSER Funds must be obligated by September 30, 2024; therefore, the District has several projects in development and/or process for air quality improvement; instruction and learning loss; and social distancing.
- Current ongoing facility projects include the Football Locker Room renovation (prompted by the Flood of 2022); BHS Coliseum HVAC to address air quality; BHS Coliseum Balcony Replacement to address an urgent safety issue; Baseball/Softball Training Facility Replacement (prompted by the Flood of 2021); Closeout of the New Elementary School Construction; Bus Garage Replacement to include Maintenance Shop and Central Storage (prompted by the Flood of 2022); Area Technology Center Replacement (prompted by the Flood of 2021/2022).

OVERVIEW OF FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the District's basic financial statements. The District's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information to the basic financial statements themselves.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the District's finances, in a manner similar to a private-sector business.

The statement of net position presents information on all of the District's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The statement of activities presents information showing how the District's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods.

The government-wide financial statements outline functions of the District that are primarily supported by property taxes and intergovernmental revenues (governmental activities). The governmental activities of the District include instruction, support services, operation and maintenance of plant, student transportation, and operation of non-instructional services. Fixed asset acquisitions and related debt are also supported by taxes and intergovernmental revenues.

The government-wide financial statements can be found on the table of contents of this report.

Fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities and objectives. There is a state mandated uniform system and chart of accounts for all Kentucky public school districts utilizing the MUNIS administrative software. The District uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the District can be divided into two categories: governmental and proprietary funds. The proprietary funds are our food service operations. All other activities of the District are included in the governmental funds. The basic governmental fund financial statements can be found on the table of contents of this report.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The financial statements can be found on pages 10 to 16 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

The largest portion of the District's net position reflects its investment in capital assets (e.g., land and improvements, buildings and improvements, vehicles, furniture and equipment and construction in progress), less any related debt used to acquire those assets that are still outstanding. The District used these capital assets to provide services to its students; consequently, these assets are not available for future spending.

Although the District's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities. The District's financial position is the product of several financial transactions including the net results of activities, the acquisition and payment of debt, the acquisition and disposal of capital assets, and the depreciation of capital assets.

BREATHITT COUNTY SCHOOL DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A) - CONTINUED
YEAR ENDED June 30, 2023

Fiscal year 2023 government-wide net position compared to 2022 is as follows:

	2023	2022
Current assets	\$ 5,870,339	\$ 5,663,550
Noncurrent assets	<u>49,229,491</u>	<u>45,063,253</u>
 Total assets	 <u>55,099,830</u>	 <u>50,726,803</u>
 Total deferred outflows	 <u>4,755,697</u>	 <u>2,720,551</u>
Current liabilities	3,181,146	3,215,649
Noncurrent liabilities	<u>38,096,816</u>	<u>36,336,267</u>
 Total liabilities	 <u>41,277,962</u>	 <u>39,551,916</u>
 Total deferred outflows	 <u>3,030,265</u>	 <u>4,309,198</u>
Net position		
Net investment in capital assets	24,003,019	8,917,878
Restricted	125,554	10,088,277
Unrestricted	<u>(8,581,273)</u>	<u>(9,419,915)</u>
 Total net position	 <u>\$ 15,547,300</u>	 <u>\$ 9,586,240</u>

Net Position may serve over time as a useful indicator of a government's financial position.

The District had an overall increase in net position of \$5,961,060. The following table presents an accounting comparison and summary of revenue and expense for the fiscal years 2023 and 2022.

BREATHITT COUNTY SCHOOL DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A) - CONTINUED
YEAR ENDED June 30, 2023

	2023	2022
Revenues		
Program revenues		
Charges for services	\$ 15,453	\$ 15,022
Operating grants	10,709,751	9,535,177
Capital grants	<u>730,575</u>	<u>9,760,595</u>
Total program revenues	<u>11,455,779</u>	<u>19,310,794</u>
General revenues		
Taxes	\$ 3,202,179	\$ 3,155,056
State aid formula grants	19,059,536	15,612,818
Investment earnings	33,708	4,659
Miscellaneous	<u>483,480</u>	<u>420,448</u>
Total general revenues	<u>22,778,903</u>	<u>19,192,981</u>
Total revenues	<u>34,234,682</u>	<u>38,503,775</u>
Expenses		
Instruction	\$ 14,275,394	\$ 14,160,866
Student support services	1,555,738	1,402,514
Instructional support	1,601,752	1,604,121
District administrator	1,221,200	903,550
School administrator	1,150,829	1,051,922
Business operations	562,445	451,853
Plant operation and maintenance	4,653,011	2,942,995
Student transportation	1,953,891	1,935,672
Food service operator	1,816,040	1,290,230
Community services	334,356	273,056
Interest on long-term debt	629,112	735,222
Bond issuance cost	<u>-</u>	<u>27,744</u>
Total expenses	<u>29,753,768</u>	<u>26,779,745</u>
Gain (loss) on disposal of assets	<u>1,480,146</u>	<u>5,514</u>
Change in net position	<u>\$ 5,961,060</u>	<u>\$ 11,729,544</u>

BREATHITT COUNTY SCHOOL DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A) - CONTINUED
YEAR ENDED June 30, 2023

On-behalf payments are included in the above amounts. On-behalf, as defined by the KDE, are payments the state makes on behalf of employees to the various agencies for health and life insurance, retirement, and administration fees. The on-behalf payments are allocated to expense as mandated by the KDE and are credited to revenues; therefore, have no effect on the District's level fund balance.

BUDGETARY IMPLICATION

In Kentucky the public school fiscal year is July 1 through June 30; other programs, such as, some federal programs operate on a different fiscal calendar, but are reflected in the District's overall budget. By law, the budget must have a minimum 2% contingency. The District adopted a working budget with \$1,582,575 in contingency. Significant variations in the actual results of operations and the final budget are primarily due to on-behalf payments that are included in the financial statements, but are not budgeted by the District. The District is conservative in budgeting for its General Fund; therefore, in an effort to address potential shortfalls in revenue, or other extraordinary events that might occur during the budget cycle, variances between budget and actual amounts are common.

CAPITAL ASSETS AND LONG-TERM DEBT

	Beginning	Additions	Deductions	Ending
Governmental:				
Capital Assets	\$ 59,092,470	\$10,899,125	\$ 242,550	\$ 69,749,045
Accumulated Depreciation	\$ 31,153,744	\$ 1,481,708	\$ 237,949	\$ 32,397,503
Business-type:				
Capital Assets	\$ 801,476	\$ 55,068	\$ -	\$ 856,544
Accumulated Depreciation	\$ 506,390	\$ 45,107	\$ -	\$ 551,497
Governmental:				
Bonds Payable	\$ 25,985,000	\$ -	\$ 1,330,000	\$ 24,655,000
KISTA Notes Payable	\$ 484,928	\$ -	\$ 125,899	\$ 359,029
Compensated Absences	\$ 193,564	\$ -	\$ 74,687	\$ 118,877
KSBIT	\$ 232,820	\$ -	\$ 75,209	\$ 157,611
Net Pension liability – CERS	\$ 5,048,420	\$ 1,173,733	\$ -	\$ 6,222,153
Net OPEB liability – CERS	\$ 1,515,524	\$ 182,835	\$ -	\$ 1,698,359
Net OPEB liability – KTRS	\$ 2,550,745	\$ 1,614,221	\$ -	\$ 4,164,966
Business-type:				
Net Pension liability – CERS	\$ 847,204	\$ 199,850	\$ -	\$ 1,047,054
Net OPEB liability – CERS	\$ 254,328	\$ 31,464	\$ -	\$ 285,792

BREATHITT COUNTY SCHOOL DISTRICT
MANAGEMENT'S DISCUSSION AND ANALYSIS (MD&A) - CONTINUED
YEAR ENDED June 30, 2023

Comments on Budget Comparisons

- The District's total general fund revenues, excluding transfers and proceeds from the sale of assets, for the fiscal year ended June 30, 2023 were \$20,222,543.
- General fund budgeted revenue compared to actual revenue varied from line item to line item with the ending actual balance being \$4,719,522 more than budget or 30.4% more than budget. The majority of the over budget amounts are related to on-behalf payments from the state that were higher than expected.
- The total cost of all general fund programs and services for the fiscal year ended June 30, 2023 was \$18,879,266, excluding transfers.
- General fund budgeted expenditures compared to actual expenditures varied from line item to line item with the ending actual balance being \$33,321 less than budget or 0.18% less than budget.

Contacting the District's Financial Management

This financial report is designed to provide our citizens, taxpayers, customers, investors and creditors with a general overview of the District's finances and to demonstrate the District's accountability for the money it receives. Questions regarding this report should be directed to the Superintendent at 606-666-2491, Director of Financial Services at 606-666-2491, or by mail at 420 Court Street, PO Box 750 Jackson, Kentucky 41339.

BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF NET POSITION
June 30, 2023

	Governmental Activities	Business-type Activities	Total
ASSETS			
Current assets			
Cash and cash equivalents	\$ 2,862,946	\$ 402,830	\$ 3,265,776
Accounts receivable	2,469,310	9,595	2,478,905
Prepays	102,428	-	102,428
Inventory	<u>-</u>	<u>23,230</u>	<u>23,230</u>
Total current assets	<u>5,434,684</u>	<u>435,655</u>	<u>5,870,339</u>
Noncurrent assets			
Restricted cash and cash equivalents	11,572,902	-	11,572,902
Land	566,402	-	566,402
Construction in progress	18,684,957	-	18,684,957
Leased equipment, net	123,210	-	123,210
Other capital assets, net of depreciation	<u>17,976,973</u>	<u>305,047</u>	<u>18,282,020</u>
Total noncurrent assets	<u>48,924,444</u>	<u>305,047</u>	<u>49,229,491</u>
Total assets	<u>54,359,128</u>	<u>740,702</u>	<u>55,099,830</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflows - pension - CERS	1,040,077	174,970	1,215,047
Deferred outflows - OPEB - CERS	750,767	126,300	877,067
Deferred outflows - OPEB - KTRS	2,558,077	-	2,558,077
Defeasance on refunding	<u>105,506</u>	<u>-</u>	<u>105,506</u>
Total deferred outflows of resources	<u>4,454,427</u>	<u>301,270</u>	<u>4,755,697</u>
Total assets and deferred outflows of resources	<u>\$ 58,813,555</u>	<u>\$ 1,041,972</u>	<u>\$ 59,855,527</u>
LIABILITIES			
Current liabilities			
Accounts payable	\$ 756,874	\$ -	\$ 756,874
Unearned revenues	707,119	-	707,119
Interest payable	141,850	-	141,850
Lease liability - current	19,918	-	19,918
KSBIT assessment - current	77,549	-	77,549
KISTA notes - current	102,836	-	102,836
Bond obligations - current	<u>1,375,000</u>	<u>-</u>	<u>1,375,000</u>
Total current liabilities	<u>3,181,146</u>	<u>-</u>	<u>3,181,146</u>
Noncurrent liabilities			
Compensated absences	118,877	-	118,877
Retainage payable	645,329	-	645,329
Lease liability - noncurrent	103,292	-	103,292
KSBIT assessment - noncurrent	80,062	-	80,062
KISTA notes - noncurrent	256,193	-	256,193
Bond obligations - noncurrent	23,474,739	-	23,474,739
Net pension liability - CERS	6,222,153	1,047,054	7,269,207
Net OPEB liability - CERS	1,698,359	285,792	1,984,151
Net OPEB liability - KTRS	<u>4,164,966</u>	<u>-</u>	<u>4,164,966</u>
Total noncurrent liabilities	<u>36,763,970</u>	<u>1,332,846</u>	<u>38,096,816</u>
Total liabilities	<u>39,945,116</u>	<u>1,332,846</u>	<u>41,277,962</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred inflows - pension - CERS	133,721	22,493	156,214
Deferred inflows - OPEB - CERS	750,913	126,364	877,277
Deferred inflows - OPEB - KTRS	<u>1,996,774</u>	<u>-</u>	<u>1,996,774</u>
Total deferred inflows of resources	<u>2,881,408</u>	<u>148,857</u>	<u>3,030,265</u>
NET POSITION			
Net investment in capital assets	23,697,972	305,047	24,003,019
Restricted for			
Other	125,554	-	125,554
Unrestricted	<u>(7,836,495)</u>	<u>(744,778)</u>	<u>(8,581,273)</u>
Total net position	<u>15,987,031</u>	<u>(439,731)</u>	<u>15,547,300</u>
Total liabilities, deferred inflows of resources and net position	<u>\$ 58,813,555</u>	<u>\$ 1,041,972</u>	<u>\$ 59,855,527</u>

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

**BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF ACTIVITIES
for the year ended June 30, 2023**

Functions/Programs	Program Revenues			Net (Expense) Revenue and Changes in Net Position Primary Government			
	Expenses	Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-type Activities	Total
Primary government							
Governmental activities							
Instruction	\$ 14,275,394	\$ -	\$ 6,264,769	\$ 640,581	\$ (7,370,044)	\$ -	\$ (7,370,044)
Support Services:							
Student	1,555,738	-	513,465	-	(1,042,273)	-	(1,042,273)
Instruction staff	1,601,752	-	782,284	-	(819,468)	-	(819,468)
District administrative	1,221,200	-	-	-	(1,221,200)	-	(1,221,200)
School administrative	1,150,829	-	-	-	(1,150,829)	-	(1,150,829)
Business	562,445	-	-	-	(562,445)	-	(562,445)
Plant operation and maintenance	4,653,011	-	947,268	-	(3,705,743)	-	(3,705,743)
Student transportation	1,953,891	-	164,384	-	(1,789,507)	-	(1,789,507)
Food service	29,093	-	24,645	-	(4,448)	-	(4,448)
Community service activities	334,356	-	417,625	-	83,269	-	83,269
Interest on long-term debt	629,112	-	-	89,994	(539,118)	-	(539,118)
Total governmental activities	<u>27,966,821</u>	<u>-</u>	<u>9,114,440</u>	<u>730,575</u>	<u>(18,121,806)</u>	<u>-</u>	<u>(18,121,806)</u>
Business-type activities							
Food service	<u>1,786,947</u>	<u>15,453</u>	<u>1,595,311</u>	<u>-</u>	<u>-</u>	<u>(176,183)</u>	<u>(176,183)</u>
Total business-type activities	<u>1,786,947</u>	<u>15,453</u>	<u>1,595,311</u>	<u>-</u>	<u>-</u>	<u>(176,183)</u>	<u>(176,183)</u>
Total school district	<u>\$ 29,753,768</u>	<u>\$ 15,453</u>	<u>\$ 10,709,751</u>	<u>\$ 730,575</u>	<u>(18,121,806)</u>	<u>(176,183)</u>	<u>(18,297,989)</u>
General revenues							
Taxes:							
Property taxes					2,229,263	-	2,229,263
Motor vehicle taxes					402,913	-	402,913
Utility taxes					570,003	-	570,003
State aid-formula grants					19,059,536	-	19,059,536
Investment earnings					32,676	1,032	33,708
Miscellaneous					483,480	-	483,480
Total general revenues					22,777,871	1,032	22,778,903
Operating transfers in (out)					54,532	(54,532)	-
Gain on disposal of assets					<u>1,480,146</u>	<u>-</u>	<u>1,480,146</u>
Change in Net Position					6,190,743	(229,683)	5,961,060
Net position-beginning					<u>9,796,288</u>	<u>(210,048)</u>	<u>9,586,240</u>
NET POSITION-ENDING					<u>\$ 15,987,031</u>	<u>\$ (439,731)</u>	<u>\$ 15,547,300</u>

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

**BREATHITT COUNTY SCHOOL DISTRICT
BALANCE SHEET
GOVERNMENTAL FUNDS
June 30, 2023**

	<u>General Fund</u>	<u>Special Revenue Fund</u>	<u>Construction Fund</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
ASSETS					
Cash and cash equivalents	\$ 2,737,392	\$ -	\$ 11,572,902	\$ 125,554	\$ 14,435,848
Accounts receivable	178,696	2,290,614	-	-	2,469,310
Prepays	-	102,428	-	-	102,428
Due from other funds	<u>1,679,340</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>1,679,340</u>
Total assets	<u>\$ 4,595,428</u>	<u>\$ 2,393,042</u>	<u>\$ 11,572,902</u>	<u>\$ 125,554</u>	<u>\$ 18,686,926</u>
LIABILITIES					
Accounts payable	\$ 44,248	\$ 6,583	\$ 706,043	\$ -	\$ 756,874
Due to other funds	-	1,679,340	-	-	1,679,340
Unearned revenues	<u>-</u>	<u>707,119</u>	<u>-</u>	<u>-</u>	<u>707,119</u>
Total liabilities	<u>44,248</u>	<u>2,393,042</u>	<u>706,043</u>	<u>-</u>	<u>3,143,333</u>
FUND BALANCE					
Nonspendable					
Prepays	-	102,428	-	-	102,428
Restricted					
Other	-	-	10,866,859	125,554	10,992,413
Committed					
Compensated absences	59,438	-	-	-	59,438
Assigned	-	-	-	-	-
Purchase orders	-	-	-	-	-
Unassigned	<u>4,491,742</u>	<u>(102,428)</u>	<u>-</u>	<u>-</u>	<u>4,389,314</u>
Total fund balance	<u>4,551,180</u>	<u>-</u>	<u>10,866,859</u>	<u>125,554</u>	<u>15,543,593</u>
Total liabilities and fund balance	<u>\$ 4,595,428</u>	<u>\$ 2,393,042</u>	<u>\$ 11,572,902</u>	<u>\$ 125,554</u>	<u>\$ 18,686,926</u>

Amounts reported for *governmental activities* in the statement of net position are different because:

Fund balance reported above	\$ 15,543,593
Capital assets used in governmental activities are not financial resources and therefore are not reported in the funds.	37,351,542
Long-term retainage payable is not due and payable in the current period and is not reported in the funds.	(645,329)
Interest accrued on general long term debt is not a current expenditure and is not reported in the funds.	(141,850)
Net deferred inflows/outflows related to the long-term net pension and OPEB liabilities are not reported in the funds.	1,573,019
Long-term liabilities, including bond obligations, KSBIT assessment, net pension liability, net OPEB liability, capital leases and compensated absences are not due and payable in the current period and therefore are not reported in the funds.	<u>(37,693,944)</u>
Net position of governmental activities	<u>\$ 15,987,031</u>

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

BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
for the year ended June 30, 2023

	<u>General</u>	<u>Special Revenue Fund</u>	<u>Construction Fund</u>	<u>Other Governmental Funds</u>	<u>Total Governmental Funds</u>
REVENUES					
From local sources					
Property taxes	\$ 1,792,163	\$ -	\$ -	\$ 437,100	\$ 2,229,263
Motor vehicle taxes	402,913	-	-	-	402,913
Utility taxes	570,003	-	-	-	570,003
Earnings on investments	32,676	-	-	-	32,676
Other local revenues	83,256	358,075	76,524	323,700	841,555
Intergovernmental - State	17,245,595	1,636,550	-	1,807,998	20,690,143
Intergovernmental - Federal	<u>95,937</u>	<u>7,752,396</u>	<u>-</u>	<u>-</u>	<u>7,848,333</u>
Total revenues	<u>20,222,543</u>	<u>9,747,021</u>	<u>76,524</u>	<u>2,568,798</u>	<u>32,614,886</u>
EXPENDITURES					
Instruction	8,813,965	5,047,489	-	292,810	14,154,264
Support services					
Student	1,122,431	407,257	-	-	1,529,688
Instructional staff	989,766	629,539	-	-	1,619,305
District administration	1,223,342	-	-	-	1,223,342
School administration	1,149,494	-	-	-	1,149,494
Business	560,861	-	-	-	560,861
Plant operation and maintenance	2,440,605	762,309	557,384	-	3,760,298
Student transportation	1,585,990	132,287	-	-	1,718,277
Food Service	4,256	24,645	-	-	28,901
Community service activities	-	336,081	-	-	336,081
Capital outlay	783,010	632,581	9,377,290	-	10,792,881
Debt service	<u>205,546</u>	<u>-</u>	<u>-</u>	<u>1,947,921</u>	<u>2,153,467</u>
Total expenditures	<u>18,879,266</u>	<u>7,972,188</u>	<u>9,934,674</u>	<u>2,240,731</u>	<u>39,026,859</u>
Excess (deficiency) of revenues over expenditures	<u>1,343,277</u>	<u>1,774,833</u>	<u>(9,858,150)</u>	<u>328,067</u>	<u>(6,411,973)</u>
OTHER FINANCING SOURCES (USES)					
Proceeds from sale of assets	1,484,747	-	-	-	1,484,747
Lease proceeds	123,210	-	-	-	123,210
Proceeds from bonds	-	-	-	-	-
Operating transfers in	258,045	142,789	4,786,963	1,559,329	6,747,126
Operating transfers out	<u>(2,525,425)</u>	<u>(1,917,622)</u>	<u>-</u>	<u>(2,249,547)</u>	<u>(6,692,594)</u>
Total other financing sources and uses	<u>(659,423)</u>	<u>(1,774,833)</u>	<u>4,786,963</u>	<u>(690,218)</u>	<u>1,662,489</u>
Net change in fund balance	683,854	-	(5,071,187)	(362,151)	(4,749,484)
Fund balance-beginning	<u>3,867,326</u>	<u>-</u>	<u>15,938,046</u>	<u>487,705</u>	<u>20,293,077</u>
Fund balance-ending	<u>\$ 4,551,180</u>	<u>\$ -</u>	<u>\$ 10,866,859</u>	<u>\$ 125,554</u>	<u>\$ 15,543,593</u>
Reconciliation to government-wide change in net position:					
Net change in fund balance					\$ (4,749,484)
add: capital outlay expenditures capitalized					10,792,881
add: donated capital assets					8,000
add: gain from disposal of assets					1,480,146
add: debt service expenditures					2,153,467
add: change in long term compensated absences					74,687
add: change in net pension liability					69,090
add: change in net OPEB liability					80,733
less: proceeds from capital leases					(123,210)
less: proceeds from sale of assets					(1,484,747)
less: depreciation on governmental activities assets					(1,481,708)
less: interest on long term debt					<u>(629,112)</u>
Change in net position governmental activities					<u>\$ 6,190,743</u>

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

**BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
June 30, 2023**

	Food Service Fund
ASSETS	
Current assets	
Cash and cash equivalents	\$ 402,830
Accounts receivable	9,595
Inventory	23,230
Total current assets	435,655
Noncurrent assets	
Capital assets, net of depreciation	305,047
Total assets	740,702
DEFERRED OUTFLOWS OF RESOURCES	
Deferred outflows - pension - CERS	174,970
Deferred outflows - OPEB - CERS	126,300
Total deferred outflows of resources	301,270
Total assets and deferred outflows of resources	\$ 1,041,972
LIABILITIES	
Current liabilities	
Accounts payable	\$ -
Noncurrent liabilities	
Net pension liability - CERS	1,047,054
Net OPEB liability - CERS	285,792
Total noncurrent liabilities	1,332,846
Total liabilities	1,332,846
DEFERRED INFLOWS OF RESOURCES	
Deferred inflows - pension - CERS	22,493
Deferred inflows - OPEB - CERS	126,364
Total deferred inflows of resources	148,857
NET POSITION	
Net investment in capital assets	305,047
Unrestricted net position	(744,778)
Total net position	(439,731)
Total liabilities, deferred inflows of resources and net position	\$ 1,041,972

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

**BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF REVENUES, EXPENSES, AND
CHANGES IN NET POSITION
PROPRIETARY FUNDS
for the year ended June 30, 2023**

	Food Service Fund
Operating revenues	
Lunchroom sales	\$ 15,453
Other revenues	-
	-
Total operating revenues	15,453
Operating expenses	
Salaries and wages	759,022
Contract services	26,487
Materials and supplies	950,420
Other expenses	5,911
Depreciation	45,107
	45,107
Total operating expenses	1,786,947
Operating (loss)	(1,771,494)
Nonoperating revenues	
Federal grants	1,352,354
Commodities received	97,722
State grants	8,724
State on-behalf payments	136,511
Interest income	1,032
	1,032
Total nonoperating revenue	1,596,343
Income (loss) before transfers	(175,151)
Transfers in	-
Transfers (out)	(54,532)
	(54,532)
Change in net position	(229,683)
Total net position-beginning of year	(210,048)
TOTAL NET POSITION-ENDING	\$ (439,731)

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

**BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
for the year ended June 30, 2023**

	<u>Food Service Fund</u>
CASH FLOWS FROM OPERATING ACTIVITIES	
Cash received from customers	\$ 15,453
Cash paid to employees, including benefits	(612,042)
Cash paid to suppliers	<u>(883,144)</u>
Net cash (used) by operating activities	<u>(1,479,733)</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES	
Transfers (to) other funds	(54,532)
Cash received from government funding	<u>1,477,476</u>
Net cash provided by noncapital financing activities	<u>1,422,944</u>
CASH FLOWS FROM CAPITAL AND RELATED FINANCING ACTIVITIES	
Purchase of capital assets	<u>(55,067)</u>
Net cash (used) by capital and related financing activities	<u>(55,067)</u>
CASH FLOWS FROM INVESTING ACTIVITIES	
Interest income	<u>1,032</u>
Net cash provided by investing activities	<u>1,032</u>
Net increase (decrease) in cash and cash equivalents	(110,824)
Balances-beginning of the year	<u>513,654</u>
BALANCES-END OF THE YEAR	<u><u>\$ 402,830</u></u>
Reconciliation of operating (loss) to net cash provided (used) by operating activities:	
Operating (loss)	\$ (1,771,494)
Adjustments to reconcile operating (loss) to net cash (used) by operating activities:	
Depreciation expense	45,107
Net change in pension liability	35,405
Net change in OPEB liability	(24,936)
Commodities received	97,722
State on-behalf payments	136,511
Change in assets and liabilities	
(Increase) decrease in inventory	1,952
Increase (decrease) in accounts payable	<u>-</u>
Net cash (used) by operating activities	<u><u>\$ (1,479,733)</u></u>
Schedule of non-cash activities	
Donated commodities received from federal government	<u>\$ 97,722</u>
On-behalf payments received from the state government	<u>\$ 136,511</u>

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

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Reporting Entity

The Breathitt County Board of Education (“Board”), a five-member group, is the level of government which has oversight responsibilities over all activities related to public elementary and secondary school education within the jurisdiction of Breathitt County School District (“District”). The District receives funding from Local, State and Federal government sources and must comply with the commitment requirements of these funding source entities. However, the District is not included in any other governmental “reporting entity” as defined in Section 2100, Codification of Governmental Accounting and Financial Reporting Standards. Board members are elected by the public and have decision making authority, the power to designate management, the responsibility to develop policies which may influence operations and primary accountability for fiscal matters.

The District, for financial purposes, includes all of the funds and activities relevant to the operation of the Breathitt County Board of Education. The basic financial statements presented herein do not include funds of groups and organizations, which, although associated with the school system, have not originated within the Board itself such as Band Boosters, Parent-Teacher Associations, etc. Such funds or groups have been considered as prospective component units under GASB Statement Number 61, *The Financial Reporting Entity: Omnibus an amendment of GASB Statements No. 14 and No. 34*, and have been determined to have insignificant assets, liabilities, equity, revenue and expenditures to be considered component units. In addition, the Board has the ability to exert little control over the fiscal activities of the funds or groups.

The basic financial statements of the District include those of separately administered organizations that are controlled by or dependent on the Board. Control or dependence is determined on the basis of budget adoption, funding, and appointment of the respective governing board.

Based on the foregoing criteria, the financial statements of the following organization is included in the accompanying financial statements:

Breathitt County School District Finance Corporation - The Breathitt County Board of Education resolved to authorize the establishment of the Breathitt County School District Finance Corporation (a non-profit, non-stock, public and charitable corporation pursuant to Section 162.385 of the School Bond Act and Chapter 273 and Section 58.180 of the Kentucky Revised Statutes) (the “Corporation”) to act as an agency for the District for financing the costs of school building facilities. The members of the Board also comprise the Corporation’s Board of Directors.

B. Basis of Presentation

The financial statements of the District have been prepared in conformity with generally accepted accounting principles (GAAP) as applied to governmental units. The Governmental Accounting Standards Board (GASB) is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B. Basis of Presentation, continued

The following is a summary of the basis of presentation:

Government-wide Financial Statements - The statement of net position and the statement of activities display information about the District as a whole. These statements include the financial activities of the primary government. The statements distinguish between those activities of the District that are governmental, which normally are supported by tax revenues, and those that are considered business-type activities, which rely significantly on fees and charges for support.

The government-wide statements are prepared using the economic resources measurement focus and the accrual basis of accounting. This is the same approach used in the preparation of the proprietary fund financial statements but differs from the manner in which governmental fund financial statements are prepared. Governmental fund financial statements therefore include reconciliations with brief explanations to better identify the relationship between the government-wide statements and the statements for governmental funds.

The government-wide statement of activities presents a comparison between direct expenses and program revenues for each segment of the business-type activities of the District and for each function or program of the District's governmental activities. Direct expenses are those that are specifically associated with a service, program or department and are therefore clearly identifiable to a particular function. Program revenues include charges paid by the recipient of the goods or services offered by the program and grants and contributions that are restricted to meeting the operational or capital requirements of a particular program. Revenues that are not classified as program revenues are presented as general revenues of the District. The comparison of direct expenses with program revenues identifies the extent to which each business segment or governmental function is self-financing or draws from the general revenues of the District.

Fund Financial Statements - Fund financial statements report detailed information about the District. The focus of governmental and enterprise fund financial statements is on major funds rather than reporting funds by type. Each major fund is presented in a separate column. Nonmajor funds are aggregated and presented in a single column.

The accounting and reporting treatment applied to a fund is determined by its measurement focus. All governmental fund types are accounted for using a flow of current financial resources measurement focus. The financial statements for governmental funds are a balance sheet, which generally includes only current assets and current liabilities; and a statement of revenues, expenditures and changes in fund balance, which reports on the changes in total fund balance. Proprietary funds are reported using the economic resources measurement focus. The financial statements for proprietary funds are the statement of net position, which includes assets, deferred outflows, liabilities, deferred inflows and net position; and the statement of revenues, expenses, and changes in net position which reports the changes in total net position. The statement of cash flows provides information about how the District finances and meets the cash flow needs of its proprietary activities.

Accounting principles generally accepted in the United States of America require that the General Fund be reported as a major fund. All other governmental and proprietary funds whose assets, liabilities, revenues, or expenditures comprise at least 10% of the total for the relevant fund category and at least 5% of the corresponding total for all governmental and proprietary funds combined must also be reported as major funds.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

B. Basis of Presentation, continued

The District has the following funds:

Governmental Fund Types:

The General Fund is the main operating fund of the District. It accounts for all revenues and expenditures of the District not encompassed within other funds. All general tax revenues and other receipts that are not allocated by law or contractual agreement to some other fund are accounted for in this fund. General operating expenditures and the capital improvement costs that are not paid through other funds are paid from the General Fund. This is a budgeted fund, and any fund balances are considered as resources available for use. This is always a major fund of the District.

The Special Revenue (Grant) Fund accounts for proceeds of specific revenue sources (other than expendable trusts or major capital projects) that are legally restricted to disbursements for specified purposes. It includes federal financial programs where unused balances are returned to the grantor at the close of the specified project periods as well as the state grant programs. Project accounting is employed to maintain integrity for the various sources of funds. The separate projects of federally-funded grant programs are identified in the Schedule of Expenditures of Federal Awards included in this report. This is a major fund of the District.

The School Activity Fund is a special revenue fund used to account for funds collected at individual schools for activities of student groups and other types of activities requiring clearing accounts. These funds are accounted for in accordance with the *Accounting Procedures for Kentucky School Activity Funds*.

Capital Project Funds are used to account for financial resources to be used for the acquisition or construction of major capital facilities and equipment (other than those financed by Proprietary Funds). The Capital Project Funds account for revenue and expenditures from three sources:

- A. The Support Education Excellence in Kentucky (SEEK) Capital Outlay Fund receives those funds designated by the state as Capital Outlay Funds and is restricted for use in financing projects identified in the District's facility plan.
- B. The Facility Support Program of Kentucky (FSPK) accounts for funds generated by the building tax levy required to participate in the School Facilities Construction Commission's construction funding and state matching funds, where applicable. Funds may be used for projects identified in the District's facility plan.
- C. The Construction Fund accounts for proceeds from sales of bonds and other revenues to be used for authorized construction and/or remodeling. This is a major fund of the District.

The Debt Service Fund is used to account for the accumulation of resources for, and the payment of, general long-term debt principal and interest and related cost; and for the payment of interest on general obligation notes payable, as required by Kentucky law.

Proprietary Fund Types (Enterprise Funds):

The Food Service Fund is used to account for school food service activities, including the National School Lunch Program and the National School Breakfast Program, which are conducted in cooperation with the U.S. Department of Agriculture (USDA). Amounts have been recorded for in-kind contribution of commodities from the USDA. The Food Service Fund is a major fund.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

C. Basis of Accounting

Basis of accounting determines when transactions are recorded in the financial records and reported on the financial statements. Government-wide financial statements are prepared using the accrual basis of accounting. Governmental funds use the modified accrual basis of accounting. Proprietary funds also use the accrual basis of accounting.

Revenues, Exchange and Non-exchange Transactions - Revenues resulting from exchange transactions, in which each party receives essentially equal value, is recorded on the accrual basis when the exchange takes place. On a modified accrual basis, revenues are recorded in the fiscal year in which the resources are measurable and available. Available means that the resources will be collected within the current fiscal year or are expected to be collected soon enough thereafter to be used to pay liabilities of the current fiscal year. For the District, available typically means expected to be received within sixty days of the fiscal year-end. Nonexchange transactions, in which the District receives value without directly giving equal value in return, include property taxes, grants, entitlements and donations. On an accrual basis, revenue from property taxes is recognized in the fiscal year for which the taxes are levied. Revenue from grants, entitlements and donations are recognized in the fiscal year in which all eligibility requirements have been satisfied. Eligibility requirements include timing requirements, which specify the year when the resources are required to be used or the fiscal year when use is first permitted; matching requirements, in which the District must provide local resources to be used for a specified purpose; and expenditure requirements, in which the resources are provided to the District on a reimbursement basis. On a modified accrual basis, revenues must also be available before they can be recognized.

Unearned Revenue/Advances from grantors - Unearned revenue arises when assets are recognized before revenue recognition criteria have been satisfied. Grants and entitlements received before the eligibility requirements are met are recorded as unearned revenue. The District reports unearned revenue on its statement of net position and governmental fund's balance sheet. In both the government-wide and governmental fund statements, grants that are intended to finance future periods are reported as unearned revenue. In subsequent periods, the liability for unearned revenue is removed from the statement of net position and governmental fund's balance sheet and revenue is recognized.

Expenses/Expenditures - On the accrual basis of accounting, expenses are recognized at the time they are incurred. The measurement focus of governmental fund accounting is on the flow of current financial resources. Expenditures are generally recognized in the accounting period in which the related fund liability is incurred except for (1) principal and interest on general long-term debt, which is recorded when due, and (2) the costs of accumulated unpaid vacation and sick leave, which are reported as fund liabilities in the period in which they will be liquidated with available financial resources rather than in the period earned by employees.

The fair value of donated commodities used during the year is reported in the statement of revenues, expenses, and changes in net position as an expense with a like amount reported as donated commodities revenue.

The measurement focus of governmental fund accounting is on decreases in net financial resources (expenditures) rather than expenses. Expenditures are generally recognized in the accounting period in which the related fund liability is incurred, if measurable. Allocations of cost, such as depreciation, are not recognized in governmental funds.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

C. Basis of Accounting, continued

Property Taxes

Property taxes are levied by September 30 on the assessed value listed as of the prior January 1, for all real and personal property in the county. The billings are considered due upon receipt by the taxpayer; however, the actual date is based on a period ending 30 days after the tax bill mailing. Property taxes collected are recorded as revenues in the fiscal year for which they were levied. All taxes collected are initially deposited into the General Fund and then transferred to the appropriate fund.

The property tax rates (including exonerations) assessed for the year ended June 30, 2023, to finance the General Fund operations were \$.627 per \$100 valuation for real property, \$.627 per \$100 valuation for business personal property and \$.492 per \$100 valuation for motor vehicles.

The District levies a utility gross receipts license tax in the amount of 3% of the gross receipts derived from the furnishings, within the county, of telephonic and telegraphic communications services, cablevision services, electric power, water, and natural, artificial and mixed gas.

D. Prepaid Assets

Payments made that will benefit periods beyond the end of the fiscal year are recorded as prepaid items using the consumption method. A current asset for the prepaid amount is recorded at the time of the purchase and an expenditure/expense is reported in the year in which services are consumed.

E. Capital Assets

General capital and leased assets are those assets not specifically related to activities reported in the proprietary funds. These assets generally result from expenditures in the governmental funds. These assets are reported in the governmental activities column of the government-wide statement of net position but are not reported in the fund financial statements. Capital assets utilized by the proprietary funds are reported both in the business-type activities column of the government-wide statement of net position and in the respective funds.

All capital assets are capitalized at cost (or estimated historical cost) and updated for additions and retirements during the year. Leased assets are recorded at the amount of the initial measurement of the lease liability, plus any payments made at or before the commencement of the lease term. Donated capital assets are recorded at their fair market values as of the date received. The District maintains a capitalization threshold of \$5,000. The District does not possess any infrastructure. Improvements are capitalized; the cost of normal maintenance and repairs that do not add to the value of the asset or materially extend an asset's life are not capitalized.

All reported capital assets, except land and construction-in-progress, are depreciated. Improvements are depreciated over the remaining useful lives of the related capital assets.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

E. Capital Assets, continued

Depreciation is computed using the straight-line method over the following useful lives for both general capital assets and proprietary fund assets:

Description	Estimated Lives
Buildings and improvements	25-50 years
Land improvements	20 years
Technology equipment	5 years
School buses	10 years
Other vehicles	5 years
Audio-visual equipment	15 years
Food service equipment	12 years
Furniture and fixtures	7 years
Rolling stock	15 years
Other general equipment	10 years

All leased assets are amortized over the shorter of the lease term or the useful life of the underlying asset.

F. Interfund Receivables and Payables

On fund financial statements, receivables and payables resulting from short-term interfund loans are classified as "interfund receivables/payables." These amounts are eliminated in the governmental and business-type activities columns of the statements of net position, except for the net residual amounts due between governmental and business-type activities, which are presented as internal balances.

G. Accumulated Unpaid Sick Leave Benefits

Upon retirement from the school system, an employee will receive from the District an amount equal to 30% of the value of accumulated sick leave. Sick leave benefits are accrued as a liability using the vesting method, in which leave amounts for both employees who are currently eligible to receive termination payments and other employees who are expected to become eligible in the future to receive such payments upon termination are included.

The entire compensated absence liability includes the remaining 70% plus any accrued sick leave for people not eligible and is reported on the government-wide financial statements. For governmental fund financial statements, the amount of accumulated vacation and sick leave of employees has been recorded as a committed portion of fund balance. The balance of the liability is not recorded.

For governmental fund financial statements the current portion, if any, of unpaid accrued sick leave is the amount expected to be paid using expendable available resources. These amounts are recorded in the account "accumulated sick leave payable" in the General Fund. The noncurrent portion of the liability is not reported.

H. Bonds and Related Premiums, Discounts, and Issuance Costs

In the government-wide financial statements, bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premiums or discounts. Bond issuance costs are expensed when bonds are issued.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

H. Bonds and Related Premiums, Discounts, and Issuance Costs, continued

In governmental fund financial statements, bond premiums and discounts, as well as debt issuance costs are recognized in the current period. The face amount of the debt is reported as other financing sources. Premiums received on debt issuance are also reported as other financing sources. Discounts related to debt issuance are reported as other financing uses. Issuance costs are reported as debt service expenditures.

I. Budgetary Process

The District's budgetary process accounts revenues and expenditures on the modified accrual basis. Once the budget is approved by the Board, it can be amended. Amendments are presented to the Board at their regular meetings. Such amendments are made before the fact, are reflected in the official minutes of the Board, and are not made after fiscal year-end as dictated by law. Budgetary receipts represent original estimates modified for adjustments, if any, during the fiscal year. Budgetary disbursements represent original appropriations adjusted for budget transfers and additional appropriations, if any, approved during the fiscal year.

Each budget is prepared and controlled at the revenue and expenditure function/object level. All budget appropriations lapse at year-end.

J. Cash and Cash Equivalents

The District considers demand deposits, certificates of deposit, money market funds, and other investments with an original maturity of 90 days or less, to be cash equivalents. As of June 30, 2023, the District did not have any cash equivalents.

K. Receivables

The District recognizes revenues as receivables when they are measurable and receipt is probable. Concentration of credit risk with respect to the receivables from federal and state governments is limited due to the historical stability of those institutions. Federal and state grants to be used or expended as specified by the grantor are recognized as revenue and recorded as receivables as qualifying expenditures are made.

L. Inventories

The Food Service Fund inventory consists of food, supplies and U.S. Government commodities.

The Food Service Fund inventory is stated at cost and uses the specific identification method.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

M. Accrued Liabilities and Long-Term Obligations

All payables, accrued liabilities and long-term obligations are reported in the government-wide financial statements; and all payables, accrued liabilities and long-term obligations payable from proprietary funds are reported on the proprietary fund financial statements.

In general, payables and accrued liabilities that will be paid from governmental funds are reported on the governmental fund financial statements regardless of whether they will be liquidated with current resources.

However, claims and judgments, accumulated sick leave, contractually required pension contributions and special termination benefits that will be paid from governmental funds are reported as a liability in the fund financial statements only to the extent that they will be paid with current, expendable, available financial resources. In general, payments made within sixty days after year-end are considered to have been made with current available financial resources. Bonds and other long-term obligations that will be paid from governmental funds are not recognized as a liability in the fund financial statements until due.

N. Fund Balance

Fund balance is separated into five categories, as follows:

Nonspendable fund balance - amounts that cannot be spent either because they are in nonspendable form or because they are legally or contractually required to be maintained intact.

Restricted fund balance - arise when constraints placed on the use of resources are either externally imposed by creditors (such as through debt covenants), grantors, contributors, or laws or regulations of other governments or imposed by law through constitutional provisions or enabling legislation.

Committed fund balance - are those amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority, which, for the District is the Board of Education. The Board of Education must approve by majority vote the establishment (and modification or rescinding) of a fund balance commitment.

Assigned fund balance - are those amounts that are constrained by the government's *intent* to be used for specific purposes, but are neither restricted nor committed. The Board of Education allows program supervisors to complete purchase orders which result in the encumbrance of funds. Assigned fund balance also includes (a) all remaining amounts (except for negative balances) that are reported in governmental funds, other than the General Fund, that are not classified as nonspendable and are neither restricted nor committed and (b) amounts in the General Fund that are intended to be used for a specific purpose.

Unassigned fund balance - is the residual classification for the General Fund. This classification represents fund balance that has not been assigned to other funds and that has not been restricted, committed, or assigned to specific purposes within the General Fund.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

N. Fund Balance, continued

It is the Board's practice to liquidate funds when conditions have been met releasing these funds from legal, contractual, Board, or managerial obligations, using restricted funds first, followed by committed funds, assigned funds, then unassigned funds.

O. Encumbrances

Encumbrances are not liabilities and, therefore, are not recorded as expenditures until receipt of material or service. For budgetary purposes, appropriations lapse at fiscal year-end, and outstanding encumbrances at year-end are appropriated in the next year. Encumbrances are considered a managerial assignment of fund balance at June 30, 2023, in the governmental funds balance sheet.

P. Net Position

Net position represents the difference between assets and deferred outflows of resources and liabilities and deferred inflows of resources. Net investment in capital assets, consists of capital assets, net of accumulated depreciation, reduced by the outstanding balances of any borrowings used for the acquisition, construction or improvement of those assets. Net position is reported as restricted when there are limitations imposed on their use either through the enabling legislation adopted by the School District or through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

Q. Operating and Non-Operating Revenues and Expenses

Proprietary fund operating revenues are those revenues that are generated directly from the respective primary activity. For the School District, those revenues are primarily charges for meals provided by the various schools. Non-operating revenues are not generated directly from the primary activity of the proprietary funds. For the School District those revenues come in the form of grants (federal and state), donated commodities, and earnings from investments.

R. Contributions of Capital

Contributions of capital in proprietary fund financial statements arise from outside contributions of fixed assets, or from grants or outside contributions of resources restricted to capital acquisition and construction.

S. Interfund Activity

Exchange transactions between funds are reported as revenues in the seller funds and as expenditures/expenses in the purchaser funds. Flows of cash or goods from one fund to another without a requirement for repayment are reported as interfund transfers. Interfund transfers are reported as other financing sources/uses in governmental funds and after nonoperating revenues/expenses in proprietary funds. Repayments from funds responsible for particular expenditures/expenses to the funds that initially paid for them are not presented on the financial statements.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

T. Estimates

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires the District's management to make estimates and assumptions that affect reported amounts of assets, liabilities, designated fund balances, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the reporting period. Actual results could differ from those estimates.

U. Deferred Inflows and Deferred Outflows of Resources

Deferred inflows and deferred outflows are recorded on the government-wide and proprietary financial statements. The deferred outflows of resources presented were primarily created by differences in pension expectations, the prior refunding of revenue bonds, and deferral of pension contributions. Deferred inflows were primarily created by actuarial determinations of net pension liability changes.

V. Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pension, and pension expense, information about the fiduciary net position of the County Employees Retirement System Non-Hazardous (CERS) and Teachers Retirement System of the State of Kentucky (KTRS) and additions to/deductions from fiduciary net position have been determined on the same basis as they are reported by the pensions. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

W. Postemployment Benefits Other Than OPEBs (OPEB)

For purposes of measuring the liability, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the Teachers' Retirement System of the State of Kentucky (KTRS) and the County Employees Retirement System Non-Hazardous (CERS) and additions to/deductions from the fiduciary net position have been determined on the same basis as they are reported by the pension plans. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

X. Leases

Effective July 1, 2021, the District implemented Governmental Accounting Standards Board (GASB) Statement No.87, *Leases*. GASB Statement No. 87 enhances the relevance and consistency of information of the District's leasing activities. It establishes requirements for lease accounting based on the principle that leases are financings of the right to use an underlying asset. A lessee is required to recognize a lease receivable and an intangible right to use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. See Note 4 for right of use assets and lease liabilities recorded by the District.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Y. Change in Accounting Policy

Effective July 1, 2022, the District implemented Governmental Accounting Standards Board (GASB) Statement No. 96, *Subscription-based Information Technology Arrangements*. GASB Statement No. 96 requires recognition of a right-to-use subscription asset – an intangible asset – and a corresponding subscription liability for subscription-based information technology arrangements (SBITA) that were previously classified as operating expenses. It establishes uniform guidance for SBITA accounting based on the foundational principle that SBITA are financings of the right to use vendor-provided information technology assets. Government entities are required to recognize a subscription liability and an intangible right-to-use subscription asset. These changes had no effect on the financial statements.

Z. Management's Review of Subsequent Events

The District has evaluated and considered the need to recognize or disclose subsequent events through November 13, 2023, which represents the date that these financial statements were available to be issued. Subsequent events past this date, as they pertain to the fiscal year ended June 30, 2023, have not been evaluated by the District.

2. CASH

Interest rate risk – In accordance with the District's investment policy, interest rate risk is limited by investing in public funds with the highest rate of return with the maximum security of principal. Investments are undertaken in a manner that seeks to ensure preservation of the capital in its portfolio.

Credit risk – The District's investment policy limits the types of authorized investment instruments to obligations of the United States, its agencies, and instrumentalities. In addition, certificates of deposit or bonds of a bank or the Commonwealth of Kentucky, securities issued by a state or local government or shares of mutual funds are acceptable investments.

Concentration of credit risk – The District may invest, at any one time, funds in any one of the above listed categories with no limitation of the total amount of funds invested on behalf of the District.

Custodial credit risk – For deposits, this is the risk that in the event of a bank failure, the District's deposits may not be returned. The District maintains deposits with financial institutions insured by the Federal Deposit Insurance Corporation (FDIC). As allowed by law, the depository bank should pledge securities along with FDIC insurance at least equal to the amount on deposit at all times.

At year end, the bank balances of the District's total cash was \$17,253,914. Of the total cash balance, \$12,846,766 was covered by Federal Depository insurance and the remainder was covered by collateral agreements and collateral held by the pledging banks' trust department in the District's name.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

2. CASH (CONTINUED)

Cash at June 30, 2023 consisted of the following:

	<u>Bank Balance</u>	<u>Book Balance</u>
General checking account		\$ 2,737,392
General Fund		—
Special Revenue Fund		—
Food Service Fund		<u>402,830</u>
Total general checking account	\$ 4,530,816	3,140,222
Construction fund checking account	12,596,766	11,572,902
School activity fund bank accounts	<u>126,332</u>	<u>125,554</u>
Total	<u>\$ 17,253,914</u>	<u>\$ 14,838,678</u>

Cash by fund type are as follows:

Governmental funds	\$ 14,435,848
Proprietary funds	<u>402,830</u>
Total	<u>\$ 14,838,678</u>

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

3. CAPITAL ASSETS

	<u>June 30, 2022</u>		<u>Transfers/</u>	<u>June 30, 2023</u>
	<u>Balance</u>	<u>Additions</u>	<u>Retirements</u>	<u>Balance</u>
Governmental Activities				
Land	\$ 491,402	\$ 75,000	\$ -	\$ 566,402
Land improvements	1,140,103	-	(5,486)	1,134,617
Buildings	36,385,709	907,892	(237,064)	37,056,537
Technology equipment	4,243,484	31,956	-	4,275,440
Vehicles	4,945,405	480,097	-	5,425,502
General equipment	2,319,935	162,445	-	2,482,380
Leased equipment	-	123,210	-	123,210
Construction work in progress	<u>9,566,432</u>	<u>9,118,525</u>	<u>-</u>	<u>18,684,957</u>
Total historical cost	59,092,470	10,899,125	(242,550)	69,749,045
Less accumulated depreciation	<u>31,153,744</u>	<u>1,481,708</u>	<u>(237,949)</u>	<u>32,397,503</u>
Governmental capital assets, net	<u>\$ 27,938,726</u>	<u>\$ 9,417,417</u>	<u>\$ (4,601)</u>	<u>\$ 37,351,542</u>
Business-type Activities				
Buildings	\$ 67,500	\$ -	\$ -	\$ 67,500
Technology equipment	15,873	-	-	15,873
General equipment	671,643	55,067	-	726,710
Vehicles	<u>46,461</u>	<u>-</u>	<u>-</u>	<u>46,461</u>
Total historical cost	801,477	55,067	-	856,544
Less accumulated depreciation	<u>506,390</u>	<u>45,107</u>	<u>-</u>	<u>551,497</u>
Business-type capital assets, net	<u>\$ 295,087</u>	<u>\$ 9,960</u>	<u>\$ -</u>	<u>\$ 305,047</u>

Depreciation expense for business-type activities was entirely incurred in the operation of the School Food Services. Depreciation for governmental activities was charged to governmental functions as follows:

Instruction	\$ 338,057
Student support	31,345
District administrative	297
School administrative	3,745
Plant operation and maintenance	885,050
Student transportation	<u>223,214</u>
	<u>\$ 1,481,708</u>

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

4. LEASE LIABILITIES

Governmental Activities

On October 3, 2022 the City entered into a lease agreement for multiple copiers. The lease calls for monthly payments of \$2,382 over a period of 60 months and bears interest at 6%. Monthly payments did not begin until August 2023, because the City was not able to take possession of the copiers until June 2023. The balance of the lease liability as of June 30, 2023 totaled \$123,210.

Year ended	Principal	Interest	Total
2024	\$ 19,918	\$ 6,284	\$ 26,202
2025	23,012	5,572	28,584
2026	24,432	4,152	28,584
2027	25,939	2,645	28,584
2028	27,539	1,045	28,584
2029	<u>2,370</u>	<u>12</u>	<u>2,382</u>
	<u>\$ 123,210</u>	<u>\$ 19,710</u>	<u>\$ 142,920</u>

5. LONG-TERM OBLIGATIONS

KISTA Notes Payable

The District has entered into a “lease” agreement for buses under which the buses will become the property of the District when all the terms of the agreement are met. Since title of the buses transfers to the District, the District has recorded the “lease” as a financed note payable. The following schedule presents the notes payable activity for the year ended June 30, 2023:

<u>Maturity</u>	<u>Interest Rates</u>	<u>Original Issue</u>	<u>Balance 06/30/2022</u>	<u>Debt Issued</u>	<u>Debt Paid</u>	<u>Balance 06/30/2023</u>	<u>Due Within One Year</u>
March, 2023	2.00% - 3.00%	\$ 258,815	\$ 23,412	\$ -	\$ 23,412	\$ -	\$ -
March, 2024	2.00% - 3.00%	279,368	51,312	-	25,249	26,063	26,063
June, 2034	3.00% - 3.50%	213,648	146,250	-	10,175	136,075	10,479
March, 2025	1.00% - 2.625%	201,361	59,026	-	21,135	37,891	19,215
March, 2026	2.00% - 2.625%	182,336	71,175	-	18,768	52,407	19,214
March, 2027	2.00% - 2.625%	<u>268,845</u>	<u>133,753</u>	<u>-</u>	<u>27,160</u>	<u>106,593</u>	<u>27,865</u>
		<u>\$ 1,404,373</u>	<u>\$ 484,928</u>	<u>\$ -</u>	<u>\$ 125,899</u>	<u>\$ 359,029</u>	<u>\$ 102,836</u>

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

5. LONG-TERM OBLIGATIONS (CONTINUED)

The following table presents the annual debt service requirements, to maturity, for the KISTA notes payable as of June 30, 2023:

Year	Principal	Interest	Total
2024	\$ 102,836	\$ 10,306	\$ 113,142
2025	74,416	7,634	82,050
2026	52,698	5,682	58,380
2027	36,876	4,248	41,124
2028	11,852	3,227	15,079
2029-2033	65,782	9,615	75,397
2034	14,569	510	15,079
	<u>\$ 359,029</u>	<u>\$ 41,222</u>	<u>\$ 400,251</u>

KSBIT

During a prior fiscal year, the District was notified that the Kentucky School Board Insurance Trust (KSBIT) would be dissolving as the self-insurance provider for school districts in Kentucky. On June 4, 2014, the Franklin Circuit Court issued an order informing the former members of the Kentucky School Board Insurance Trust Workers' Compensation Fund that they would be assessed a portion of the fund's unfunded liability. The court approved assessment requires the District to pay the following future amount that is included in long term debt:

FY 2024	\$ 77,549
FY 2025	<u>80,062</u>
Total	<u>\$ 157,611</u>

Bond Obligations

The amounts shown in the accompanying basic financial statements as bond obligations represent the District's future obligations to make debt payments relating to the bonds issued by the Breathitt County School District Finance Corporation.

The original amount of each issue, the issue date, and interest rates of bonded debt are summarized below:

Issue Date	Proceeds	Rates
2007R	\$ 2,690,000	3.5% - 4.3%
2012	\$ 765,000	1.5% - 2.375%
2013R	\$ 750,000	2.15%
2014	\$ 295,000	2.00% - 3.00%
2015	\$ 7,990,000	2.00% - 3.25%
2015WW	\$ 530,000	3.10%
2016R	\$ 2,350,000	2.00% - 3.00%
2019R	\$ 1,235,000	2.00% - 2.85%
2021R	\$ 14,570,000	2.00% - 2.25%
2021-R-2	\$ 1,055,000	2.00%-2.125%

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

5. LONG-TERM OBLIGATIONS (CONTINUED)

The District, through the General Fund, including utility taxes and the Support Education Excellence in Kentucky (SEEK) Capital Outlay Fund, is obligated to make payments in amounts sufficient to satisfy debt service requirements on bonds issued by the Breathitt County School District Finance Corporation to construct school facilities. The District has an option to purchase the property at any time by retiring the bonds then outstanding.

The District entered into “participation agreements” with the Kentucky School Facility Construction Commission (Commission). The Commission was created by the Kentucky General Assembly for the purpose of assisting local school districts in meeting school construction needs. The participation agreements generally provide for the Commission to assist the District in meeting bond obligations and are renewable, at the Commission’s option, bi-annually. In 2008, the District also entered into an agreement with the Urgent Needs Trust Fund. The Urgent Needs Trust Fund was established by the 2003 Kentucky General Assembly for the purpose of assisting school districts that have urgent and critical construction needs. The Urgent Needs Trust Fund is administered by the School Facility Construction Commission. Should the Kentucky General Assembly choose to not fund the Commission in the future, the District would be responsible for meeting the full requirements of the bond issues. The table below sets forth the amount to be paid by the District and the Commission for each year until maturity of all bond issues.

The liability for the total bond amount remains with the District and, as such, the total principal outstanding has been recorded in the financial statements.

The bonds may be called prior to maturity and redemption premiums are specified in each issue. Assuming no bonds are called prior to scheduled maturity, the minimum obligations of the District, including amounts to be paid by the Commission at June 30, 2023 for debt service (principal and interest) are as follows:

Year	Breathitt County School District		Kentucky School Facility Construction Commission		Total Principal	Total Interest
	Principal	Interest	Principal	Interest		
2024	\$ 1,070,259	\$ 490,612	\$ 304,741	\$ 83,850	\$ 1,375,000	\$ 574,462
2025	1,109,621	467,724	265,379	77,472	1,375,000	545,196
2026	1,149,088	443,869	270,912	71,939	1,420,000	515,808
2027	1,193,217	417,870	276,783	66,066	1,470,000	483,936
2028	1,245,691	388,601	284,309	58,540	1,530,000	447,141
2029	1,298,417	356,675	181,583	50,744	1,480,000	407,419
2030	1,343,657	326,161	186,343	45,985	1,530,000	372,146
2031	1,398,704	294,455	191,296	41,033	1,590,000	335,488
2032	1,453,586	262,014	196,414	35,914	1,650,000	297,928
2033	1,508,196	226,602	201,804	30,525	1,710,000	257,127
2034	1,572,653	191,763	207,347	24,983	1,780,000	216,746
2035	1,686,779	152,354	213,221	19,107	1,900,000	171,461
2036	1,045,174	110,781	99,826	13,027	1,145,000	123,808
2037	1,107,796	89,704	102,204	10,650	1,210,000	100,354
2038	1,130,293	67,383	104,707	8,147	1,235,000	75,530
2039	632,603	43,325	107,397	5,457	740,000	48,782
2040	645,626	29,631	99,374	2,849	745,000	32,480
2041	658,116	15,476	46,884	-	705,000	15,476
2042	65,000	691	-	-	65,000	691
TOTAL	\$ 21,314,476	\$ 4,375,691	\$ 3,340,524	\$ 646,288	\$ 24,655,000	\$ 5,021,979

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

5. LONG-TERM OBLIGATIONS (CONTINUED)

A summary of the changes in long-term liabilities during the fiscal year ended June 30, 2023 is as follows:

Long-term debt	Balance July 1, 2022	Additions	Deductions	Balance June 30, 2023
2007R	\$ 20,000	\$ -	\$ 10,000	\$ 10,000
2012	295,000	-	145,000	150,000
2013R	495,000	-	145,000	350,000
2014	105,000	-	35,000	70,000
2015	6,480,000	-	300,000	6,180,000
2015WW	375,000	-	40,000	335,000
2016R	1,780,000	-	210,000	1,570,000
2019R	1,145,000	-	50,000	1,095,000
2021R	14,235,000	-	350,000	13,885,000
2021R-2	1,055,000	-	45,000	1,010,000
Premium on bonds	207,754	-	13,015	194,739
Direct Placement - KISTA notes	484,928	-	125,899	359,029
Net pension liability	5,895,624	1,373,583	-	7,269,207
Net OPEB - CERS	1,769,852	214,299	-	1,984,151
Net OPEB - KTRS	2,550,745	1,614,221	-	4,164,966
KSBIT bonded debt	232,820	-	75,209	157,611
Retainage payable	547,088	98,241	-	645,329
Accrued sick leave	193,564	-	74,687	118,877
	<u>\$ 37,867,375</u>	<u>\$ 3,300,344</u>	<u>\$ 1,618,810</u>	<u>\$ 39,548,909</u>

6. RETIREMENT PLANS

The School District is a participating employer of the County Employees' Retirement System (CERS) and the Kentucky Teachers' Retirement System (KTRS). KTRS requires that members of KTRS occupy a position requiring either a four (4) year college degree or certification by the Kentucky Department of Education (KDE). Job classifications that permit experience to substitute for either of these requirements do not participate in KTRS. CERS covers employees whose position does not require a college degree or teaching certificate.

KTRS

Plan description – Teaching-certified employees of the Kentucky School District are provided pensions through the Teachers' Retirement System of the State of Kentucky (TRS)—a cost-sharing multiple-employer defined benefit pension plan with a special funding situation established to provide retirement annuity plan coverage for local school districts and other public educational agencies in the state. TRS was created by the 1938 General Assembly and is governed by Chapter 161 Section 220 through Chapter 161 Section 990 of the Kentucky Revised Statutes (KRS). TRS is a blended component unit of the Commonwealth of Kentucky and therefore is included in the Commonwealth's financial statements. TRS issues a publicly available financial report that can be obtained at <https://trs.ky.gov/financial-reports-information>.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

6. RETIREMENT PLANS (CONTINUED)

KTRS, continued

Benefits provided – For members who have established an account in a retirement system administered by the Commonwealth prior to July 1, 2008, members become vested when they complete five (5) years of credited service. To qualify for monthly retirement benefits, payable for life, members must either:

- 1.) Attain age fifty-five (55) and complete five (5) years of Kentucky service, or
- 2.) Complete 27 years of Kentucky service.

Non-university members receive monthly payments equal to two (2) percent (service prior to July 1, 1983) and two and one-half (2.5) percent (service after July 1, 1983) of their final average salaries for each year of credited service. Non-university members who became members on or after July 1, 2002 will receive monthly benefits equal to 2% of their final average salary for each year of service if, upon retirement, their total service is less than ten years. New members after July 1, 2002 who retire with ten or more years of total service will receive monthly benefits equal to 2.5% of their final average salary for each year of service, including the first ten years. In addition, members who retire July 1, 2004 and later with more than 30 years of service will have their multiplier increased for all years over 30 from 2.5% to 3.0% to be used in their benefit calculation.

Final average salary is defined as the member's five (5) highest annual salaries for those with less than 27 years of service. Members at least age 55 with 27 or more years of service may use their three (3) highest annual salaries to compute the final average salary. For all members, the annual allowance is reduced by 5% per year from the earlier of age 60 or the date the member would have completed 27 years of service. The minimum annual service allowance for all members is \$440 multiplied by credited service.

Benefits provided - For members who have established an account in a retirement system by the Commonwealth on or after July 1, 2008:

- 1.) Attain age sixty (60) and complete five (5) years of Kentucky service, or
- 2.) Complete 27 years of Kentucky service, or
- 3.) Attain age fifty-five (55) and complete ten (10) years of Kentucky service.

The annual retirement allowance for non-university members is equal to: (a) one and seven tenths percent (1.7%) of final average salary for each year of credited service if their service is 10 years or less; (b) two percent (2.0%) of final average salary for each year of credited service if their service is greater than 10 years but no more than 20 years; (c) two and three tenths percent (2.3%) of final average salary for each year of credited service if their service is greater than 20 years but no more than 26 years; (d) two and one half percent (2.5%) of final average salary for each year of credited service if their service is greater than 26 years but no more than 30 years; (e) three percent (3.0%) of final average salary for years credited service greater than 30 years.

The final average salary is the member's five (5) highest annual salaries except members at least age fifty-five (55) with twenty-seven (27) or more years of service may use their three (3) highest annual salaries. For all members, the annual allowance is reduced by 6% per year from earlier of age 60 or the date the member would have completed 27 years of service.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

KTRS, continued

Other benefits – KTRS also provides disability benefits for vested members at the rate of sixty (60) percent of the final average salary. A life insurance benefit, payable upon the death of a member, is \$2,000 for active contributing members and \$5,000 for retired or disabled members, and TRS also provides post-employment healthcare benefits to eligible members and dependents.

Cost of living increases are one and one-half (1.5%) percent annually. Additional ad hoc increases and any other benefit amendments must be authorized by the General Assembly.

Contributions – Contribution rates are established by Kentucky Revised Statutes (KRS). Non-university members are required to contribute 12.855% of their salaries to the System.

The Commonwealth of Kentucky, as a non-employer contributing entity, pays matching contributions of the amount 13.105% of salaries for local school district and regional cooperative employees hired before July 1, 2008 and 14.105% for those hired after July 1, 2008. For local school district and regional cooperative members whose salaries are federally funded, the employer contributes 16.105% of salaries. If an employee leaves covered employment before accumulating five (5) years of credited service, accumulated employee pension contributions plus interest are refunded to the employee upon the member's request.

CERS

The District is a participating employer of the County Employees' Retirement System (CERS). Under the provisions of Kentucky Revised Statute 61.645, the Board of Trustees of Kentucky Public Pensions Authority administers the CERS. The plan issues publicly available financial statements which may be downloaded from the Kentucky Public Pensions Authority's website.

Plan Description – CERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all regular full-time members employed in positions of each participating county, city, and school board, and any additional eligible local agencies electing to participate in the System. The plan provides for retirement, disability, and death benefits to plan members. Retirement benefits may be extended to beneficiaries of plan members under certain circumstances. Cost-of-living adjustments (COLA) are provided at the discretion of state legislature.

Contributions – For the year ended June 30, 2023, plan members were required to contribute 5% of wages for non-hazardous job classifications. Employees hired after September 1, 2008 are required to contribute an additional 1% to cover the cost of medical insurance that is provided through CERS. Participating employers were required to contribute at an actuarially determined rate. Per Kentucky Revised Statute Section 78.545(33), normal contribution and past service contribution rates shall be determined by the Board on the basis of an annual valuation last proceeding the July 1 of a new biennium. The Board may amend contribution rates as of the first day of July of the second year of a biennium, if it is determined on the basis of a subsequent actuarial valuation that amended contributions rates are necessary to satisfy requirements determined in accordance with actuarial basis adopted by the Board. For the year ended June 30, 2023, participating employers contributed 26.79% of each employee's wages, for non-hazardous job classifications. The contributions are allocated to both the pension and insurance trusts. The insurance trust is more fully described in Note 7. Plan members contributed 23.40% to the pension trust for non-hazardous job classifications. The contribution rates are equal to the actuarially determined rate set by the Board. Administrative costs of Kentucky Public Pensions Authority are financed through employer contributions and investment earnings.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

CERS, continued

Plan members who began participating on, or after, January 1, 2014, are required to contribute to the Cash Balance Plan. The Cash Balance Plan is known as a hybrid plan because it has characteristics of both a defined benefit plan and a defined contribution plan. Members in the plan contribute a set percentage of their salary each month to their own account. Plan members contribute 5% of wages to their own account and 1% to the health insurance fund. The employer contribution rate is set annually by the Board based on an actuarial valuation. The employer contributes a set percentage of each member's salary. Each month, when employer contributions are received, an employer pay credit is deposited to the member's account. For non-hazardous members, their account is credited with a 4% employer pay credit. The employer pay credit represents a portion of the employer contribution.

The District contributed \$738,714 for the year ended June 30, 2023, or 100% of the required contribution. The contribution was allocated \$645,237 to the CERS pension fund and \$93,477 to the CERS insurance fund.

Benefits – CERS provides retirement, health insurance, death and disability benefits to Plan employees and beneficiaries. Employees are vested in the plan after five years' service.

For retirement purposes, employees are grouped into three tiers based on hire date:

Tier 1	Participation date	Before September 1, 2008
	Unreduced retirement	27 years service or 65 years old and 4 years service
	Reduced retirement	At least 5 years service and 55 years old or at least 25 years service and any age
Tier 2	Participation date	September 1, 2008 - December 31, 2013
	Unreduced retirement	At least 5 years service and 65 years old or age 57+ and sum of service years plus age equal to 87+
	Reduced retirement	At least 10 years service and 60 years old
Tier 3	Participation date	After December 31, 2013
	Unreduced retirement	At least 5 years service and 65 years old or age 57+ and sum of service years plus age equal to 87+
	Reduced retirement	Not available

Cost of living adjustments are provided at the discretion of the General Assembly. Retirement is based on a factor of the number of years' service and hire date multiplied by the average of the highest five years' earnings. Reduced benefits are based on factors of both of these components. Participating employees become eligible to receive the health insurance benefit after at least 180 months of service. Death benefits are provided for both death after retirement and death prior to retirement. Death benefits after retirement are \$5,000 in lump sum. Five years' service is required for death benefits prior to retirement and the employee must have suffered a duty-related death. The decedent's beneficiary will receive the higher of the normal death benefit and \$10,000 plus 25% of the decedent's monthly final rate of pay and any dependent child will receive 10% of the decedent's monthly final rate of pay up to 40% for all dependent children. Five years' service is required for nonservice-related disability benefits.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

CERS and KTRS:

Pension Liabilities, Expense, Deferred Outflows of Resources and Deferred Inflows of Resources - At June 30, 2023, the District reported a liability of \$7,269,207 for its proportionate share of the net pension liability for CERS. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as June 30, 2021, and rolled forward using generally accepted actuarial procedures. The District's proportion of the net pension liability was based on a projection of the District's long-term share of contributions to the pension plan relative to the projected contributions of all participating entities, actuarially determined. At June 30, 2022 the District's proportionate share was .1006 percent.

The District did not report a liability for the District's proportionate share of the net pension liability for KTRS because the Commonwealth of Kentucky provides the pension support directly to KTRS on behalf of the District. The Commonwealth of Kentucky recognized \$38,878,132 as its proportionate share of the net pension liability for KTRS. The net pension liability was measured as of June 30, 2022, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as June 30, 2021, and rolled forward using generally accepted actuarial procedures. The District's proportion of the net pension liability was based on the actual liability of the employees and former employees relative to the total liability of the System as determined by the actuary. At June 30, 2023, the State's proportion was .2295 percent.

For the year ended June 30, 2023, the District recognized pension expense of \$597,665 related to CERS and \$3,547,280 related to KTRS. The District also recognized revenue of \$3,547,280 for KTRS support provided by the Commonwealth of Kentucky. At June 30, 2023, the District reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual results	\$ 7,772	\$ 64,735
Changes of assumptions	-	-
Net difference between projected and actual earnings on plan investments	186,357	-
Changes in proportion and differences between District contributions and proportionate share of contributions	392,930	91,479
District contributions subsequent to the measurement date	<u>627,988</u>	<u>-</u>
 Total	 <u>\$ 1,215,047</u>	 <u>\$ 156,214</u>

The \$627,988 of deferred outflows of resources resulting from the District's contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending June 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources at June 30, 2023 will be recognized in pension expense as follows:

Year ending June 30,	
2024	\$ 105,983
2025	\$ 179,444
2026	\$ (61,086)
2027	\$ 206,504

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

CERS and KTRS, continued:

Actuarial Assumptions – The total pension liability reported at June 30, 2022, was determined using the following actuarial assumptions, applied to all periods included in the measurement:

CERS:

Inflation	2.30%
Salary increases	3.30% to 10.30%, varies by service, including inflation
Investment rate of return	6.25%, net of Plan investment expense, including inflation

Mortality rates were based on the Pub-2010 General Mortality Table projected with the ultimate rates from the MP-2014 Mortality Improvement Scale using a base year of 2010. The Mortality Table used for healthy retired members was a system-specific mortality table based on mortality experience from 2013-2018, projected with the ultimate rates from MP-2014 Mortality Improvement Scale using a base year of 2019. The Mortality Table used for disabled members was PUB-2010 Disabled Mortality Table, with a 4-year set-forward for both male and female rates, projected with the ultimate rates from MP-2014 Mortality Improvement Scale using a base year of 2010.

The actuarial assumptions used in the June 30, 2022, actuarial valuation were based on the results of an actuarial experience study for the period July 1, 2013 - June 30, 2018. The total pension liability was rolled-forward from the valuation date (June 30, 2021) to the plan's fiscal year ending June 30, 2022.

KTRS:

Valuation date	6/30/21
Actuarial cost method	Entry age
Investment rate of return	7.10%, net of plan investment expense, including inflation
Projected salary increases	3.0 – 7.50%, including inflation
Inflation rate	2.50%
Municipal Bond Index Rate	2.13%
Single Equivalent Interest Rate	7.10%

Mortality rates were based on the Pub2010 (Teachers Benefit-Weighted) Mortality Table projected generationally with MP-2020 with various set-forwards, set-backs and adjustments for each of the groups; service retirees, contingent annuitants, disabled retirees and active members. The actuarial assumptions used were based on the results of an actuarial experience study for the 5- year period ending June 30, 2021, adopted by the board on September 20, 2022. The assumed long-term investment rate of return was 7.1% and the price inflation assumption was 2.5%. The Municipal Bond Index. Rate used for this purpose is the June average of the Bond Buyer General Obligation 20-year Municipal Bond Index.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

Target Allocations

CERS

The long-term expected rate of return was determined by using a building-block method in which best estimate ranges of expected future real rate of returns are developed for each asset class. The ranges are combined by weighting the expected future real rate of return by the target asset allocation percentage.

The long-term expected rate of return on pension plan investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. The target allocation and best estimates of arithmetic nominal real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Growth	60.00%	
Public Equity	50.00%	4.45%
Private Equity	10.00%	10.15%
Liquidity	20.00%	
Core Bonds	10.00%	0.28%
Specialty Credit/High Yield	10.00%	2.28%
Cash	0.00%	-0.91%
Diversifying Strategies	20.00%	
Real Estate	7.00%	3.67%
Real Return	13.00%	4.07%
Total	100.00%	4.28%
Long term inflation assumption		2.30%
Expected nominal return for portfolio		6.58%

KTRS

The target allocation and best estimates of arithmetic real rates of return for each major asset class, as provided by TRS's investment consultant, are summarized in the following table:

Asset Class	Target Allocation	Long-term Expected Real Rate of Return
Large cap U.S. Equity	37.4%	4.20%
Small cap U.S. Equity	2.6%	4.70%
Developed international equity	16.5%	5.30%
Emerging markets equity	5.5%	5.40%
Fixed income	15.0%	- .1%
High yield bonds	2.0%	1.7%
Other additional categories	5.0%	2.2%
Real estate	7.0%	4.0%
Private equity	7.0%	6.9%
Cash	<u>2.0%</u>	-0.3%
	100%	

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

6. RETIREMENT PLANS (CONTINUED)

Discount Rate

CERS

Discount Rate – The discount rate used to measure the total pension liability was 6.25%. The projection of cash flows used to determine the discount rate assumed that local employers would contribute the actuarially determined contribution rate of projected compensation over the closed 30-year amortization period of the unfunded actuarial accrued liability. The actuarial determined contribution rate is adjusted to reflect the phase in of anticipated gains on actuarial value of assets over the first four years of the projection period. The discount rate does not use a municipal bond rate.

KTRS

The discount rate used to measure the total pension liability was 7.1%. The projection of cash flows used to determine the discount rate assumed that plan member contributions will be made in full at the current contribution rates and the employer contributions will be made at ADC rates for all future fiscal years. Based on those assumptions, the pension plan’s fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the District’s Proportionate Share of the Net Pension Liability to Changes in the Discount Rate – The following presents the District’s proportionate share of the net pension liability calculated using the current discount rate, as well as what the District’s proportionate share of the net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.25 percent) or 1-percentage-point higher (7.25 percent) than the current rate:

	CERS Discount rate	CERS District’s proportionate share of net pension liability
1% decrease	5.25%	\$ 9,085,607
Current discount rate	6.25%	\$ 7,269,207
1% increase	7.25%	\$ 5,766,893

7. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) - CERS

Plan Description – As more fully described in Note 6, the District participates in the County Employees’ Retirement System (CERS). CERS is a cost-sharing multiple-employer defined benefit pension plan that covers substantially all regular full-time members employed in positions of each participating county, city, and school board, and any additional eligible local agencies electing to participate in the System. In addition to retirement benefits, the plan provides for health insurance benefits to plan members (other postemployment benefits or OPEB). OPEB benefits may be extended to beneficiaries of plan members under certain circumstances.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

7. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – CERS (CONTINUED)

Contributions – As more fully described in Note 6, plan members contribute to CERS for non-hazardous job classifications. For the year ended June 30, 2023, the employer’s contribution was 3.39% to the insurance trust for non-hazardous job classifications. Employees hired after September 1, 2008, are required to contribute an additional 1% to cover the cost of medical insurance that is provided through CERS. Participating employers are required to contribute at an actuarially determined rate. Per Kentucky Revised Statute Section 78.545(33), normal contribution and past service contribution rates shall be determined by the Board on the basis of an annual valuation last proceeding the July 1 of a new biennium. The Board may amend contribution rates as of the first day of July of the second year of a biennium, if it is determined on the basis of a subsequent actuarial valuation that amended contribution rates are necessary to satisfy requirements determined in accordance with actuarial basis adopted by the Board. The contribution rates are equal to the actuarially determined rate set by the Board. Administrative costs of Kentucky Retirement System are financed through employer contributions and investment earnings.

For the year ended June 30, 2023, the District contributed \$93,477 or 100% of the required contribution for non-hazardous job classifications.

Benefits – CERS provides health insurance benefits to Plan employees and beneficiaries.

For retirement purposes, employees are grouped into three tiers based on hire date:

Tier 1	Participation date Insurance eligibility Benefit	Before July 1, 2003 10 years of service credit required Set percentage of single coverage health insurance based on service credit accrued at retirement
Tier 1	Participation date Insurance eligibility Benefit	Before September 1, 2008 but after July 1, 2003 10 years of service credit required Set dollar amount based on service credit accrued, increased annually
Tier 2	Participation date Insurance eligibility Benefit	After September 1, 2008 and before December 31, 2013 15 years of service credit required Set dollar amount based on service credit accrued, increased annually
Tier 3	Participation date Insurance eligibility Benefit	After December 31, 2013 15 years of service credit required Set dollar amount based on service credit accrued, increased annually

OPEB Liabilities, Expense, Deferred Outflows of Resources and Deferred Inflows of Resources – At June 30, 2023, the District reported a liability for its proportionate share of the net OPEB liability of \$1,984,151.

The net OPEB liability was measured as of June 30, 2022, and the total OPEB liability used to calculate the net OPEB liability was determined by an actuarial valuation as of June 30, 2021 and rolled forward using generally accepted actuarial procedures. The District’s proportion of the net OPEB liability was based on a projection of the District’s long-term share of contributions to the OPEB plan relative to the projected contributions of all participating entities, actuarially determined. The District’s proportionate share at June 30, 2022 was .1005%.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

7. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – CERS (CONTINUED)

For the year ended June 30, 2023, the District recognized OPEB expense of \$255,767. At June 30, 2023, the District reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual results	\$ 199,720	\$ 455,012
Changes of assumptions	24,870	258,575
Net difference between projected and actual earnings on Plan investments	369,469	-
Changes in proportion and differences between District contributions and proportionate share of contributions	120,494	163,690
District contributions subsequent to the measurement date	<u>162,514</u>	<u>-</u>
 Total	 <u>\$ 877,067</u>	 <u>\$ 877,277</u>

The \$162,514 of deferred outflows of resources resulting from the District's contributions subsequent to the measurement date will be recognized as a reduction of the net OPEB liability in the year ending June 30, 2024. This includes an adjustment of \$71,536 related to the implicit subsidy, which is required to be recognized as a deferred outflow of resources. Other amounts reported as deferred outflows of resources and deferred inflows of resources will be recognized in OPEB expense as follows:

Year ending June 30,

2024	\$ (48,747)
2025	\$ (39,363)
2026	\$ (109,976)
2027	\$ 35,362

Actuarial Assumptions – The total OPEB liability reported at June 30, 2022, was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Non-hazardous

Inflation	2.30%
Salary increases	3.30% to 10.30%, varies by service, including inflation
Investment rate of return	6.25%, net of Plan investment expense, including inflation
Healthcare trend	
Pre – 65:	Initial trend starting at 6.30% at January 1, 2024, and gradually decreasing to an ultimate trend rate of 4.05% over a period of 13 years.
Post – 65:	Initial trend starting at 9.00% at January 1, 2024, then gradually decreasing to an ultimate trend rate of 4.05% over a period of 13 years.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

7. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – CERS (CONTINUED)

The mortality table used for active members was a Pub-2010 General Mortality table, projected with the ultimate rates from the MP-2014 mortality improvement scale using a base year of 2010. The mortality table used for healthy retired members was a system-specific mortality table based on mortality experience from 2013-2018, projected with the ultimate rates from MP-2014 mortality improvement scale using a base year of 2019. The mortality table used for the disabled members was PUB-2010 Disabled Mortality table, with a 4-year set-forward for both male and female rates, projected with the ultimate rates from the MP-2014 mortality improvement scale using a base year of 2010.

The actuarial assumption used in the June 30, 2022, valuation was based on the results of an actuarial experience study for the period July 1, 2013 - June 30, 2018. The total OPEB liability was rolled-forward from the valuation date (June 30, 2021) to the plan's fiscal year ending June 30, 2022.

The long-term expected rate of return was determined by using a building-block method in which best estimate ranges of expected future real rate of returns are developed for each asset class. The ranges are combined by weighting the expected future real rate of return by the target asset allocation percentage.

The target allocation and best estimates of arithmetic real rate of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Growth	60.00%	
Public Equity	50.00%	4.45%
Private Equity	10.00%	10.15%
Liquidity	20.00%	
Core Bonds	10.00%	0.28%
Specialty Credit/High Yield	10.00%	2.28%
Cash	0.00%	-0.91%
Diversifying Strategies	20.00%	
Real Estate	7.00%	3.67%
Real Return	13.00%	4.07%
Total	100.00%	4.28%
Long term inflation assumption		2.30%
Expected nominal return for portfolio		6.58%

Discount Rate – The discount rate used to measure the total OPEB liability as of June 30, 2022, was 5.70%, for non-hazardous classifications. The projection of cash flows used to determine the discount rate assumed that local employers would contribute the actuarially determined contribution rate of projected compensation over the remaining 24-year amortization period of the unfunded actuarial accrued liability. As of June 30, 2022, the discount rate determination used an expected rate of return of 6.25%, and a municipal bond rate of 2.45%, as reported in Fidelity Index's "20 –Year Municipal GO AA Index". However, the cost associated with the implicit employer subsidy was not included in the calculation of the System's actuarial determined contributions, and any cost associated with the implicit subsidy will not be paid out of the System's trusts. Therefore, the municipal bond rate was applied to future expected benefit payments associated with the implicit subsidy.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

7. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – CERS (CONTINUED)

Sensitivity of the District's Proportionate Share of the Net OPEB Liability to Changes in the Discount Rate – The following presents the District's proportionate share of the net OPEB liability calculated using the discount rate as well as what the District's proportionate share of the net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower or 1-percentage-point higher than the current rate:

	Discount rate	District's proportionate share of net OPEB liability
1% decrease	4.70%	\$ 2,652,493
Current discount rate	5.70%	\$ 1,984,151
1% increase	6.70%	\$ 1,431,654

Sensitivity of the District's Proportionate Share of the Net OPEB Liability to Changes in the Healthcare Cost Trend Rate – The following presents the District's proportionate share of the net OPEB liability calculated using healthcare cost trend rates that are 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	District's proportionate share of net OPEB liability
1% decrease	\$ 1,475,172
Current trend rate	\$ 1,984,151
1% increase	\$ 2,595,338

OPEB plan fiduciary net position – Detailed information about the OPEB plan's fiduciary net position is available in the separately issued financial report.

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS

Plan description – Teaching-certified employees of the Kentucky School District are provided OPEBs through the Teachers' Retirement System of the State of Kentucky (TRS)—a cost-sharing multiple-employer defined benefit OPEB plan with a special funding situation established to provide retirement annuity plan coverage for local school districts and other public educational agencies in the state. TRS was created by the 1938 General Assembly and is governed by Chapter 161 Section 220 through Chapter 161 Section 990 of the Kentucky Revised Statutes (KRS). TRS is a blended component unit of the Commonwealth of Kentucky and therefore is included in the Commonwealth's financial statements. TRS issues a publicly available financial report that can be obtained at <https://trs.ky.gov/financial-reports-information>.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

The District reports a liability, deferred outflows of resources and deferred inflows of resources, and expense as a result of its statutory requirement to contribute to the TRS Medical Insurance and Life Insurance Plans. The following information is about the TRS plans:

Medical Insurance Plan

Plan description – In addition to the OPEB benefits described above, Kentucky Revised Statute 161.675 requires TRS to provide post-employment healthcare benefits to eligible members and dependents. The TRS Medical Insurance benefit is a cost-sharing multiple employer defined benefit plan with a special funding situation. Changes made to the medical plan may be made by the TRS Board of Trustees, the Kentucky Department of Employee Insurance and the General Assembly.

Benefits provided – To be eligible for medical benefits, the member must have retired either for service or disability. The TRS Medical Insurance Fund offers coverage to members under the age of 65 through the Kentucky Employees Health Plan administered by the Kentucky Department of Employee Insurance. TRS retired members are given a supplement to be used for payment of their health insurance premium. The amount of the member’s supplement is based on a contribution supplement table approved by the TRS Board of Trustees. The retired member pays premiums in excess of the monthly supplement. Once retired members and eligible spouses attain age 65 and are Medicare eligible, coverage is obtained through the TRS Medicare Eligible Health Plan.

Contributions – In order to fund the post-retirement healthcare benefit, seven and one-half percent (7.50%) of the gross annual payroll of members is contributed. Three percent (3.00%) is paid by member contributions and three quarters percent (.75%) from state appropriation and three percent (3.00%) from the employer. The state contributes the net cost of health insurance premiums for members who retired on or after July 1, 2010 who are in the non-Medicare eligible group. Also, the premiums collected from retirees as described in the plan description and investment interest help meet the medical expenses of the plan.

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEBs – At June 30, 2023, the District reported a liability of \$4,164,966 for its proportionate share of the collective net OPEB liability that reflected a reduction for state OPEB support provided to the District. The collective net OPEB liability was measured as of June 30, 2022 and rolled forward using generally accepted actuarial procedures. The District’s proportion of the total OPEB liability used to calculate the collective net OPEB liability was based on a projection of the District’s long-term share of contributions to the OPEB plan relative to the projected contributions of all participating employers, actuarially determined. At June 30, 2022 and June 30, 2021, the District’s proportion was .1678 percent and .1189 percent, respectively.

The amount recognized by the District as its proportionate share of the OPEB liability, the related State support, and the total portion of the net OPEB liability that was associated with the District were as follows:

District’s proportionate share of the net OPEB liability	\$ 4,164,966
State’s proportionate share of the net OPEB liability associated with the District	<u>1,368,253</u>
 Total	 <u>\$ 5,533,219</u>

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

For the year ended June 30, 2023, the District recognized OPEB expense of \$23,000 and revenue of \$73,131 for support provided by the State. At June 30, 2023, the District reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual results	\$ -	\$ 1,750,774
Changes of assumptions	845,846	-
Net difference between projected and actual earnings on Plan investments	221,409	-
Changes in proportion and differences between District contributions and proportionate share of contributions	1,276,000	246,000
District contributions subsequent to the measurement date	<u>214,822</u>	<u>-</u>
 Total	 <u>\$ 2,558,077</u>	 <u>\$ 1,996,774</u>

Of the total amount reported as deferred outflows of resources related to OPEB, \$214,822 resulting from District contributions subsequent to the measurement date and before the end of the fiscal year will be included as a reduction of the collective net OPEB liability in the year ended June 30, 2024. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to OPEB will be recognized in the District's OPEB expense as follows:

Year ending June 30,

2024	\$ (128,000)
2025	\$ (85,000)
2026	\$ (28,000)
2027	\$ 259,000
2028	\$ 223,000
2029	\$ 105,481

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

Actuarial assumptions – The total OPEB liability reported at June 30, 2022, was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Investment rate of return	7.1% net of OPEB plan investment expense, including inflation.
Projected salary increases	3.0 – 7.5%, including wage inflation
Inflation rate	2.5%
Real Wage Growth	0.25%
Wage Inflation	2.75%
Healthcare cost trend rates	
KEHP Group	7.0% for FY 2022 decreasing to an ultimate rate of 4.5% by FY 2032
MEHP Group	5.125% for FY 2022 decreasing to an ultimate rate of 4.5% by FY 2025
Medicare Part B Premiums	6.97% for FY 2022 with an ultimate rate of 4.5% by 2034
Municipal Bond Index Rate	2.13%
Discount Rate	7.1%
Single Equivalent Interest Rate	7.1%, net of OPEB plan investment expense, including inflation.

Mortality rates were based on the Pub2010 (Teachers Benefit-Weighted) Mortality Table projected generationally with MP-2020 with various set-forwards, set-backs and adjustments for each of the groups; service, retirees, contingent annuitants, disabled retirees and active members. The demographic actuarial assumptions for retirement, disability incidence, withdrawal, rates of plan participation and rates of plan election used in the June 30, 2021, valuation were based on the results of the most recent actuarial experience study for the system, which covered the five-year period ending June 30, 2020, adopted by the board on September 20, 2021. The remaining actuarial assumptions (e.g., initial per capita costs, health care cost trends) used in the June 30, 2021, valuation of the health trust were based on a review of recent plan experience done concurrently with the June 30, 2021, valuation. The health care cost trend rate assumption was updated for the June 30, 2021, valuation and was shown as an assumption change in the total OPEB liability (TOL) roll-forward while the change in initial per capita claims costs were included with experience in the TOL roll-forward. The Municipal Bond Index Rate used for this purpose is the June average of the Bond Buyer General Obligation 20-year Municipal Bond Index published weekly by the Board of Governors of the Federal Reserve System.

The long-term expected rate of return on OPEB investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

The target allocation and best estimates of arithmetic real rates of return for each major asset class, as provided by TRS's investment consultant, are summarized in the following table:

Asset Class	Target Allocation	Expected Real Rate of Return
Global Equity	58.0%	5.1%
Fixed Income	9.0%	(.1)%
Real Estate	6.5%	4.0%
Private Equity	8.5%	6.9%
Additional Category: High Yield	8.0%	1.7%
Other Additional Categories	9.0%	2.2%
Cash	<u>1.0%</u>	(.3)%
Total	100%	

Discount rate - The discount rate used to measure the total OPEB liability was 7.1%. The projection of cash flows used to determine the discount rate was performed in accordance with GASB 74.

The following table presents the District's proportionate share of the collective net OPEB liability of the System, calculated using the discount rate of 7.1%, as well as what the District's proportionate share of the collective net OPEB liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.1%) or 1-percentage-point higher (8.1%) than the current rate:

	1% Decrease (6.1%)	Current Discount Rate (7.1%)	1% Increase (8.1%)
District's net OPEB liability	<u>\$ 5,225,639</u>	<u>\$ 4,164,966</u>	<u>\$ 3,286,837</u>

Sensitivity of the District's proportionate share of the collective net OPEB liability to changes in the healthcare cost trend rates – The following presents the District's proportionate share of the collective net OPEB liability, as well as what the District's proportionate share of the collective net OPEB liability would be if it were calculated using healthcare cost trend rates that were 1-percentage-point lower or 1-percentage-point higher than the current healthcare cost trend rates:

	1% Decrease	Current Trend Rate	1% Increase
District's net OPEB liability	<u>\$ 3,122,329</u>	<u>\$ 4,164,966</u>	<u>\$ 5,461,676</u>

OPEB plan fiduciary net position – Detailed information about the OPEB plan's fiduciary net position is available in the separately issued TRS financial report.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

Life Insurance Plan

Plan description – Life Insurance Plan – TRS administers the life insurance plan as provided by Kentucky Revised Statute 161.655 to eligible active and retired members. The TRS Life Insurance benefit is a cost-sharing multiple employer defined benefit plan with a special funding situation. Changes made to the life insurance plan may be made by the TRS Board of Trustees and the General Assembly.

Benefits provided – TRS provides a life insurance benefit of five thousand dollars payable for members who retire based on service or disability. TRS provides a life insurance benefit of two thousand dollars payable for its active contributing members. The life insurance benefit is payable upon the death of the member to the member’s estate or to a party designated by the member.

Contributions – In order to fund the post-retirement life insurance benefit, three hundredths of one percent (.03%) of the gross annual payroll of members is contributed by the state.

OPEB Liabilities, OPEB Expense, and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEBs – At June 30, 2023, the District did not report a liability for its proportionate share of the collective net OPEB liability for life insurance benefits because the State of Kentucky provides the OPEB support directly to TRS on behalf of the District. The amount recognized by the District as its proportionate share of the OPEB liability, the related State support, and the total portion of the net OPEB liability that was associated with the District were as follows:

District’s proportionate share of the net OPEB liability	\$ -
State’s proportionate share of the net OPEB liability associated with the District	<u>68,000</u>
 Total	 <u>\$ 68,000</u>

For the year ended June 30, 2023, the District recognized revenue of \$5,194 for support provided by the State.

Actuarial assumptions – The total OPEB liability reported at June 30, 2022, was determined using the following actuarial assumptions, applied to all periods included in the measurement:

Investment rate of return	7.1%, net of OPEB plan investment expense, including inflation.
Projected salary increases	3.0 – 7.5%, including wage inflation
Inflation rate	2.5%
Real Wage Growth	0.25%
Wage Inflation	2.75%
Municipal Bond Index Rate	2.13%
Discount Rate	7.1%
Single Equivalent Interest Rate	7.1%, net of OPEB plan investment expense, including inflation.

Mortality rates were based on the Pub2010 (Teachers Benefit-Weighted) Mortality Table projected generationally with MP-2020 with various set-forwards set-backs and adjustments for each of the groups: service, retirees, contingent annuitants, disabled retirees and active members. The demographic actuarial assumptions for retirement, disability incidence, withdrawal, rates of plan participation and rates of plan election used in the June 30, 2021, valuation were based on the results of the most recent actuarial experience study for the system, which covered the five-year period ending June 30, 2021, adopted by the board on September 20, 2022. The Municipal Bond Index Rate used for this purpose is the June average of the Bond Buyer General Obligation 20-year Municipal Bond Index published weekly by the Board of Governors of the Federal Reserve System.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

8. POSTEMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB) – KTRS (CONTINUED)

The long-term expected rate of return on OPEB investments was determined using a log-normal distribution analysis in which best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

The target allocation and best estimates of arithmetic real rates of return for each major asset class, as provided by TRS's investment consultant, are summarized in the following table:

Asset Class	Target Allocation	Expected Real Rate of Return
U.S. Equity	40.0%	4.4%
International Equity	23.0%	5.6%
Fixed Income	18.0%	(.1)%
Real Estate	6.0%	4.0%
Private Equity	5.0%	6.9%
Additional Categories	6.0%	2.1%
Cash	<u>2.0%</u>	(.3)%
Total	100%	

Discount rate - The discount rate used to measure the total OPEB liability for life insurance was 7.1%. The projection of cash flows used to determine the discount rate was performed in accordance with GASB 74.

OPEB plan fiduciary net position – Detailed information about the OPEB plan's fiduciary net position is available in the separately issued TRS financial report.

9. DEFERRED COMPENSATION

The District offers its employees participation in a deferred compensation program administered by the Kentucky Public Employees' Deferred Compensation Authority. This program offers a plan authorized by Section 457(b) of the Internal Revenue Code and a plan authorized by Section 401(k) of the Internal Revenue Code. Both plans are available to all employees and permit them to defer up to 25% of their compensation (subject to limits) until future years. The District makes no contributions to these plans.

10. CONTINGENCIES

The District receives funding from federal, state, and local government agencies and private contributions. These funds are to be used for designated purposes only. For government agency grants, if the grantor's review indicates that the funds have not been used for the intended purpose, the grantors may request a refund of monies advanced or refuse to reimburse the District for its disbursements. The amount of such future refunds and unreimbursed disbursements, if any, is not expected to be significant. Continuation of the District's grant programs is predicated upon the grantors' satisfaction that the funds provided are being spent as intended and the grantors' intent to continue the programs.

11. LITIGATION

The District is subject to legal actions in various states of litigation, the outcome of which is not determinable at this time. Management of the District and its legal counsel do not anticipate that there will be any material effect on the financial statements as a result of the cases presently in progress.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023**

12. RISK MANAGEMENT

The District is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. To obtain insurance for workers' compensation, errors and omissions, and general liability coverage, the District purchases various insurance policies.

The District purchased unemployment insurance through the Kentucky School Boards Insurance Trust Unemployment Compensation Fund; however, risk has not been transferred to such fund. In addition, the District continues to carry commercial insurance for all other risks of loss. Settled claims resulting from these risks have not exceeded commercial insurance coverage in any of the past three fiscal years.

13. COBRA

Under COBRA, employers are mandated to notify terminated employees of available continuing insurance coverage. Failure to comply with this requirement may put the school district at risk for a substantial loss. There were no instances of noncompliance noted.

14. TRANSFER OF FUNDS

The following transfers were made during the year:

<u>Type</u>	<u>From Fund</u>	<u>To Fund</u>	<u>Purpose</u>	<u>Amount</u>
Operating	Special Revenue	General Fund	Indirect Costs	\$ 203,512
Capital Projects	Special Revenue	Construction	Capital Projects	\$ 1,627,264
Operating	Special Revenue	Special Revenue	Federal Grants	\$ 86,846
Operating	Food Service	General Fund	Indirect Costs	\$ 54,532
Capital Projects	General Fund	Construction	Capital Projects	\$ 2,160,869
Capital Projects	General Fund	Debt Service	Bond Payments	\$ 364,555
Capital Projects	Capital Outlay	Construction	Capital Projects	\$ 166,354
Operating	Student Activity	Special Revenue	COFT	\$ 11,322
Capital Projects	Building	Construction	Capital Projects	\$ 832,475
Capital Projects	Building	Special Revenue	Capital Projects	\$ 44,621
Capital Projects	Building	Debt Service	Debt Service	\$ 1,194,775

15. ON-BEHALF PAYMENTS

The Commonwealth of Kentucky pays certain expenses on behalf of the District. These expenses include employee health insurance, the employer match of Kentucky Teachers' Retirement System, certain other employee benefits, specific technology expense and debt service. These amounts are included in the fund financial statements; however, the revenues and related expenditures are not budgeted amounts.

The following payments for fringe benefits are included as revenues and expenses on the statement of activities:

Retirement contributions to the Teachers' Retirement System of Kentucky	\$ 3,547,280
Medical insurance contributions to KTRS	78,325
Health and Life insurance	2,001,302
Other	(204,417)
Technology	99,252
Debt Service	<u>388,591</u>
	<u>\$ 5,910,333</u>

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS
June 30, 2023

16. INTERFUND RECEIVABLES AND PAYABLES

The General Fund presented an interfund receivable from the Special Revenue Fund of \$1,679,340 and there was a corresponding presentation of an interfund payable in the Special Revenue Fund. The interfund receivable/payable is the result of timing at fiscal year end between when funds are expended in the Special Revenue Fund and when the related grant funds are received. The Special Revenue Fund repaid to the General Fund the interfund balance in full in July 2023.

17. SUBSEQUENT EVENTS

School Building Revenue Bonds, Series 2023 and sale of Mary Caney Roberts School Building

In July 2023 the District entered into an agreement to sell the Marie Caney Roberts school building for \$350,000. Before the sale could be completed, the District was required to refund portions of the Series 2015 revenue bonds. On July 3, 2023, the District issued School Building Revenue Bonds, Series 2023 to refund the portion of the Series 2015 revenue bonds related to construction for the Marie Caney Roberts school building. The School Building Revenue Bonds, Series 2023 proceeds totaled approximately \$434,000. The District paid off the School Building Revenue Bonds, Series 2023 immediately following their issuance in July 2023.

**BREATHITT COUNTY SCHOOL DISTRICT
BUDGETARY COMPARISON SCHEDULE - GENERAL FUND
for the year ended June 30, 2023**

	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Taxes	\$ 2,292,602	\$ 2,092,602	\$ 2,765,079	\$ 672,477
Other local sources	24,500	26,500	115,932	89,432
State sources	13,372,858	13,325,052	17,245,595	3,920,543
Federal sources	<u>58,867</u>	<u>58,867</u>	<u>95,937</u>	<u>37,070</u>
TOTAL REVENUES	<u>15,748,827</u>	<u>15,503,021</u>	<u>20,222,543</u>	<u>4,719,522</u>
EXPENDITURES				
Instruction	8,545,568	8,492,562	8,813,965	(321,403)
Support services				
Student	1,054,066	1,072,108	1,122,431	(50,323)
Instructional staff	868,688	887,749	989,766	(102,017)
District administration	913,703	1,246,063	1,223,342	22,721
School administration	1,054,210	1,028,935	1,149,494	(120,559)
Business	343,908	348,184	560,861	(212,677)
Plant operation and maintenance	1,690,901	2,555,205	2,440,605	114,600
Student transportation	1,375,295	1,492,660	1,585,990	(93,330)
Food Service	-	1,000	4,256	(3,256)
Contingency	1,854,754	1,582,575	-	1,582,575
Capital outlay (Note 1)	-	-	783,010	(783,010)
Debt service	<u>205,546</u>	<u>205,546</u>	<u>205,546</u>	<u>-</u>
TOTAL EXPENDITURES	<u>17,906,639</u>	<u>18,912,587</u>	<u>18,879,266</u>	<u>33,321</u>
Excess (Deficit) of Revenues Over Expenditures	<u>(2,157,812)</u>	<u>(3,409,566)</u>	<u>1,343,277</u>	<u>4,752,843</u>
OTHER FINANCING SOURCES (USES)				
Proceeds from sale of assets	2,500	2,500	1,484,747	1,482,247
Loan/Lease proceeds	-	-	123,210	123,210
Operating transfers in	56,867	56,867	258,045	201,178
Operating transfers out	<u>(401,555)</u>	<u>(401,555)</u>	<u>(2,525,425)</u>	<u>(2,123,870)</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>(342,188)</u>	<u>(342,188)</u>	<u>(659,423)</u>	<u>(317,235)</u>
NET CHANGE IN FUND BALANCE	(2,500,000)	(3,751,754)	683,854	4,435,608
Fund balances-beginning	<u>2,500,000</u>	<u>3,751,754</u>	<u>3,867,326</u>	<u>115,572</u>
Fund balances-ending	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 4,551,180</u>	<u>\$ 4,551,180</u>

Note 1: Capital outlay expenditures were budgeted with their respective function.

**BREATHITT COUNTY SCHOOL DISTRICT
BUDGETARY COMPARISON SCHEDULE - SPECIAL REVENUE FUND
for the year ended June 30, 2023**

	Original Budget	Final Budget	Actual	Variance Favorable (Unfavorable)
REVENUES				
Local sources	\$ 154,549	145,773	\$ 358,075	\$ 212,302
State sources	1,177,351	1,627,167	1,636,550	9,383
Federal sources	<u>3,014,189</u>	<u>3,077,935</u>	<u>7,752,396</u>	<u>4,674,461</u>
TOTAL REVENUES	<u>4,346,089</u>	<u>4,850,875</u>	<u>9,747,021</u>	<u>4,896,146</u>
EXPENDITURES				
Instruction	2,888,298	3,457,784	5,047,489	(1,589,705)
Support services				
Student	139,623	136,532	407,257	(270,725)
Instructional staff	870,651	945,581	629,539	316,042
Plant operation and maintenance	114,699	131,540	762,309	(630,769)
Student transportation	75,023	75,516	132,287	(56,771)
Food Service Operation	-	-	24,645	(24,645)
Community services activities	295,928	315,990	336,081	(20,091)
Capital outlay (Note 1)	<u>-</u>	<u>-</u>	<u>632,581</u>	<u>(632,581)</u>
TOTAL EXPENDITURES	<u>4,384,222</u>	<u>5,062,943</u>	<u>7,972,188</u>	<u>(2,909,245)</u>
Excess (Deficit) of Revenues Over Expenditures	(38,133)	(212,068)	1,774,833	1,986,901
OTHER FINANCING SOURCES (USES)				
Operating transfers in	45,000	35,000	142,789	107,789
Operating transfers out	<u>(6,867)</u>	<u>(6,867)</u>	<u>(1,917,622)</u>	<u>(1,910,755)</u>
TOTAL OTHER FINANCING SOURCES (USES)	<u>38,133</u>	<u>28,133</u>	<u>(1,774,833)</u>	<u>(1,802,966)</u>
NET CHANGE IN FUND BALANCE	-	(183,935)	-	183,935
Fund balances-beginning	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Fund balances-ending	<u>\$ -</u>	<u>\$ (183,935)</u>	<u>\$ -</u>	<u>\$ 183,935</u>

Note 1: Capital outlay expenditures were budgeted with their respective function.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY SCHEDULE OF
PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
COUNTY EMPLOYEES' RETIREMENT SYSTEM
Last Nine Fiscal Years**

Reporting Fiscal Year (Measurement Date)	2015 (2014)	2016 (2015)	2017 (2016)	2018 (2017)	2019 (2018)	2020 (2019)	2021 (2020)	2022 (2021)	2023 (2022)
District's proportion of the net pension liability	0.1300%	0.1200%	0.1200%	0.1200%	0.1100%	0.1000%	0.1000%	0.1000%	0.1006%
District's proportionate share of the net pension liability (asset)	\$ 4,111,000	\$ 5,006,264	\$ 5,827,679	\$ 6,805,114	\$ 6,662,184	\$ 6,946,749	\$ 7,381,683	\$ 5,895,624	\$ 7,269,207
District's covered employee payroll	\$ 2,960,407	\$ 2,960,407	\$ 2,845,655	\$ 2,873,687	\$ 2,711,255	\$ 2,463,291	\$ 2,468,639	\$ 2,377,460	\$ 2,835,317
District's share of the net pension liability (asset) as a percentage of its covered employee payroll	138.87%	169.11%	204.79%	236.81%	245.72%	282.01%	299.02%	247.98%	256.38%
Plan fiduciary net position as a percentage of the total pension liability	66.80%	59.97%	55.50%	53.32%	53.54%	50.45%	47.81%	57.33%	52.42%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY SCHEDULE OF
PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Eight Fiscal Years**

Reporting Fiscal Year (Measurement Date)	2016 (2015)	2017 (2016)	2018 (2017)	2019 (2018)	2020 (2019)	2021 (2020)	2022 (2021)	2023 (2022)
District's proportion of the net pension liability	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%
District's proportionate share of the net pension liability (asset)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State's proportionate share of the net pension liability (asset)	<u>61,724,475</u>	<u>78,611,888</u>	<u>69,382,889</u>	<u>31,940,686</u>	<u>31,564,055</u>	<u>31,871,503</u>	<u>28,666,448</u>	<u>38,878,132</u>
	<u>\$ 61,724,475</u>	<u>\$ 78,611,888</u>	<u>\$ 69,382,889</u>	<u>\$ 31,940,686</u>	<u>\$ 31,564,055</u>	<u>\$ 31,871,503</u>	<u>\$ 28,666,448</u>	<u>\$ 38,878,132</u>
Total								
District's covered employee payroll	unavailable	unavailable	unavailable	\$ 8,883,972	\$ 7,247,745	\$ 7,179,467	\$ 7,109,920	\$ 7,422,203
District's share of the net pension liability (asset) as a percentage of its covered employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Plan fiduciary net position as a percentage of the total pension liability	42.49%	35.22%	39.83%	59.30%	58.80%	58.30%	65.60%	56.40%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY SCHEDULE OF
PROPORTIONATE SHARE OF THE NET OPEB LIABILITY
COUNTY EMPLOYEES' RETIREMENT SYSTEM
Last Seven Fiscal Years**

Reporting Fiscal Year (Measurement Date)	2017 (2016)	2018 (2017)	2019 (2018)	2020 (2019)	2021 (2020)	2022 (2021)	2023 (2022)
District's proportion of the net OPEB liability	0.0990%	0.0990%	0.0970%	0.0970%	0.0970%	0.0970%	0.1005%
District's proportionate share of the net OPEB liability (asset)	\$ 5,968,055	\$ 2,337,244	\$ 1,942,127	\$ 1,660,897	\$ 2,323,275	\$ 1,769,852	\$ 1,984,151
District's covered employee payroll	\$ 2,845,655	\$ 2,873,687	\$ 2,711,255	\$ 2,463,291	\$ 2,468,639	\$ 2,377,460	\$ 2,835,317
District's share of the net OPEB liability (asset) as a percentage of its covered employee payroll	209.73%	81.33%	71.63%	67.43%	94.11%	74.44%	69.98%
Plan fiduciary net position as a percentage of the total OPEB liability	unavailable	52.39%	57.62%	60.44%	51.67%	62.91%	60.95%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY SCHEDULE OF
PROPORTIONATE SHARE OF THE NET OPEB LIABILITY - MEDICAL INSURANCE PLAN
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Seven Fiscal Years**

Reporting Fiscal Year (Measurement Date)	2017 (2016)	2018 (2017)	2019 (2018)	2020 (2019)	2021 (2020)	2022 (2021)	2023 (2022)
District's proportion of the collective net OPEB liability	0.1400%	0.1400%	0.1300%	0.1300%	0.1200%	0.1200%	0.1678%
District's proportionate share of the collective net OPEB liability (asset)	\$ 4,850,000	\$ 4,899,000	\$ 4,423,076	\$ 3,645,776	\$ 3,077,126	\$ 2,550,745	\$ 4,164,966
State's proportionate share of the collective net OPEB liability (asset) associated with the District	<u>3,962,000</u>	<u>4,002,000</u>	<u>3,811,727</u>	<u>2,944,000</u>	<u>2,464,876</u>	<u>2,071,499</u>	<u>1,368,253</u>
Total	<u>\$ 8,812,000</u>	<u>\$ 8,901,000</u>	<u>\$ 8,234,803</u>	<u>\$ 6,589,776</u>	<u>\$ 5,542,002</u>	<u>\$ 4,622,244</u>	<u>\$ 5,533,219</u>
District's covered employee payroll	unavailable	unavailable	\$ 8,883,972	\$ 7,247,745	\$ 7,179,467	\$ 7,109,920	\$ 7,422,203
District's proportionate share of the collective net OPEB liability (asset) as a percentage of its covered employee payroll	unavailable	unavailable	49.79%	50.30%	42.86%	35.88%	56.11%
Plan fiduciary net position as a percentage of the total OPEB liability	unavailable	21.20%	25.50%	32.60%	39.00%	51.70%	47.80%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY SCHEDULE OF
PROPORTIONATE SHARE OF THE NET OPEB LIABILITY - LIFE INSURANCE PLAN
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Seven Fiscal Years**

Reporting Fiscal Year (Measurement Date)	2017 (2016)	2018 (2017)	2019 (2018)	2020 (2019)	2021 (2020)	2022 (2021)	2023 (2022)
District's proportion of the collective net OPEB liability	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%	0.0000%
District's proportionate share of the collective net OPEB liability (asset)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
State's proportionate share of the collective net OPEB liability (asset) associated with the District	<u>37,000</u>	<u>54,000</u>	<u>65,000</u>	<u>68,000</u>	<u>75,000</u>	<u>28,000</u>	<u>68,000</u>
Total	<u>\$ 37,000</u>	<u>\$ 54,000</u>	<u>\$ 65,000</u>	<u>\$ 68,000</u>	<u>\$ 75,000</u>	<u>\$ 28,000</u>	<u>\$ 68,000</u>
District's covered employee payroll	unavailable	unavailable	\$ 8,883,972	\$ 7,247,745	\$ 7,179,467	\$ 7,109,920	\$ 7,422,203
District's proportionate share of the collective net OPEB liability (asset) as a percentage of its covered employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
Plan fiduciary net position as a percentage of the total OPEB liability	unavailable	80.00%	74.97%	73.40%	71.60%	89.20%	74.00%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY
SCHEDULE OF PENSION CONTRIBUTIONS
COUNTY EMPLOYEES' RETIREMENT SYSTEM
Last Nine Fiscal Years**

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Contractually required employer contribution	\$ 349,012	\$ 353,281	\$ 395,269	\$ 394,918	\$ 403,475	\$ 476,447	\$ 450,647	\$ 599,611	\$ 645,237
Contributions relative to contractually required employer contribution	<u>349,012</u>	<u>353,281</u>	<u>395,269</u>	<u>394,918</u>	<u>403,475</u>	<u>476,447</u>	<u>450,647</u>	<u>599,611</u>	<u>645,237</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
District's covered employee payroll	\$ 2,960,407	\$ 2,845,655	\$ 2,873,687	\$ 2,711,255	\$ 2,463,291	\$ 2,468,639	\$ 2,377,460	\$ 2,835,317	\$ 2,722,111
Employer contributions as a percentage of covered-employee payroll	11.79%	12.41%	13.75%	14.57%	16.38%	19.30%	18.95%	21.15%	23.70%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY
SCHEDULE OF PENSION CONTRIBUTIONS
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Nine Fiscal Years**

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Contractually required employer contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions relative to contractually required employer contribution	-	-	-	-	-	-	-	-	-
Contribution deficiency (excess)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
District's covered employee payroll	unavailable	unavailable	unavailable	\$ 8,883,972	\$ 7,247,745	\$ 7,179,467	\$ 7,109,920	\$ 7,422,203	\$ 7,160,658
Employer contributions as a percentage of covered-employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY
SCHEDULE OF OPEB CONTRIBUTIONS
COUNTY EMPLOYEES' RETIREMENT SYSTEM
Last Nine Fiscal Years**

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Contractually required employer contribution	\$ 134,677	\$ 131,983	\$ 134,023	\$ 128,185	\$ 130,843	\$ 117,507	\$ 111,144	\$ 163,710	\$ 93,477
Contributions relative to contractually required employer contribution	<u>134,677</u>	<u>131,983</u>	<u>134,023</u>	<u>128,185</u>	<u>130,843</u>	<u>117,507</u>	<u>111,144</u>	<u>163,710</u>	<u>93,477</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
District's covered employee payroll	\$ 2,960,407	\$ 2,845,655	\$ 2,873,687	\$ 2,711,255	\$ 2,463,291	\$ 2,468,639	\$ 2,377,460	\$ 2,835,317	\$ 2,722,111
Employer contributions as a percentage of covered-employee payroll	4.55%	4.64%	4.66%	4.73%	5.31%	4.76%	4.67%	5.77%	3.43%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY
SCHEDULE OF OPEB CONTRIBUTIONS - MEDICAL INSURANCE PLAN
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Six Fiscal Years**

	2018	2019	2020	2021	2022	2023
Contractually required employer contribution	\$ 227,076	\$ 217,437	\$ 215,331	\$ 213,309	\$ 222,523	\$ 214,822
Contributions relative to contractually required employer contribution	<u>227,076</u>	<u>217,437</u>	<u>215,331</u>	<u>213,309</u>	<u>222,523</u>	<u>214,822</u>
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
 District's covered employee payroll	 \$ 8,883,972	 \$ 7,247,745	 \$ 7,179,467	 \$ 7,109,920	 \$ 7,422,203	 \$ 7,160,658
Employer contributions as a percentage of covered-employee payroll	2.56%	3.00%	3.00%	3.00%	3.00%	3.00%

The above schedule will present 10 years of historical data, once available.

**BREATHITT COUNTY SCHOOL DISTRICT
REQUIRED SUPPLEMENTARY
SCHEDULE OF OPEB CONTRIBUTIONS - LIFE INSURANCE PLAN
KENTUCKY TEACHERS' RETIREMENT SYSTEM
Last Nine Fiscal Years**

	2015	2016	2017	2018	2019	2020	2021	2022	2023
Contractually required employer contribution	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Contributions relative to contractually required employer contribution	-	-	-	-	-	-	-	-	-
Contribution deficiency (excess)	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
District's covered employee payroll	unavailable	unavailable	unavailable	\$ 8,883,972	\$ 8,825,670	\$ 8,578,491	\$ 8,589,160	\$ 10,037,048	\$ 9,556,782
Employer contributions as a percentage of covered-employee payroll	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%

The above schedule will present 10 years of historical data, once available.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
June 30, 2023

1. GENERAL INFORMATION

Contributions

Contractually required employer contributions reported on the Schedule of Pension Contributions exclude the portion of contributions paid to CERS but allocated to the insurance fund of the CERS. The insurance contributions are reported on the Schedule of OPEB Contributions.

Contractually required employer contributions reported on the Schedule of Pension Contributions exclude the portion of contributions paid to KTRS but allocated to the insurance fund of the KTRS. The insurance contributions are reported on the Schedule of OPEB Contributions.

Payroll

The District's covered payroll reported on the Proportionate Share of the Net Pension Liability - CERS and the Proportionate Share of the Net OPEB Liability - CERS Schedules is one year prior to the District's fiscal year payroll as reported on the Schedule of Contributions for CERS Pension and CERS OPEB.

The District's covered payroll reported on the Proportionate Share of the Net Pension Liability - KTRS and the Proportionate Share of the Net OPEB Liability - KTRS Schedules is one year prior to the District's fiscal year payroll as reported on the Schedule of Contributions for KTRS Pension and KTRS OPEB.

2. CHANGES OF ASSUMPTIONS

June 30, 2022 – CERS Pension and OPEB Nonhazardous

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2022, for CERS pension.

The following change in assumptions was made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2022, for OPEB:

- The initial healthcare trend rate for pre-65 was changed from 6.30% to 6.20%. The initial healthcare trend rate for post-65 was changed from 6.30% to 9.00%.

June 30, 2022 – KTRS Pension and KTRS OPEB

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2022, for KTRS OPEB – Medical Insurance Plan.

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2022, for KTRS OPEB – Life Insurance Plan:

- The assumed municipal bond index rate was increased from 2.13% to 3.37%.

June 30, 2021 – CERS Pension and OPEB Nonhazardous

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2021, for CERS pension.

The following change in assumptions was made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2021, for OPEB:

- The initial healthcare trend rate for pre-65 was changed from 6.4% to 6.30%. The initial healthcare trend rate for post-65 was changed from 2.9% to 6.30%.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
June 30, 2023

2. CHANGES OF ASSUMPTIONS (CONTINUED)

June 30, 2021 – KTRS Pension and KTRS OPEB

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2021, for KTRS OPEB – Medical Insurance Plan:

- The assumed investment rate of return decreased from 8.0% to 7.1%.

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2021, for KTRS OPEB – Life Insurance Plan:

- The assumed projected salary increases changed from a range of 3.50% – 7.2% to 3.0% – 7.5%.
- The assumed investment rate of return decreased from 8% to 7.1%.
- Assumed real wage growth decreased from .5% to .25%.
- The assumed inflation rate decreased from 3% to 2.5%.
- The assumed discount rate decreased from 8% to 7.1%.
- The assumed municipal bond index rate was decreased from 2.2% to 2.13%.

June 30, 2020 – CERS Pension and OPEB Nonhazardous

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2020, for CERS pension.

The following change in assumptions was made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2020, for OPEB:

- The initial healthcare trend rate for pre-65 was changed from 7% to 6.40%. The initial healthcare trend rate for post-65 was changed from 5% to 2.90%, which increases to 6.30% in 2023.

June 30, 2020 – KTRS Pension and KTRS OPEB

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2020, for KTRS OPEB – Medical Insurance Plan:

- The assumed investment rate of return increased from 7.50% to 8.0%.

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2020, for KTRS OPEB – Life Insurance Plan:

- The assumed projected salary increases decreased from a range of 3.50% – 7.45% to 3.50% – 7.2%.
- The assumed municipal bond index rate was decreased from 3.5% to 2.2%.

June 30, 2019 – CERS Pension and CERS OPEB Nonhazardous

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2019, for both CERS pension and CERS OPEB:

- The assumed rate of salary increases was increased from 3.05% to 3.3% to 10.3% on average.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
June 30, 2023

2. CHANGES OF ASSUMPTIONS (CONTINUED)

June 30, 2019 – KTRS Pension and KTRS OPEB

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2019, for KTRS pension:

- The assumed municipal bond index rate was decreased from 3.89% to 3.5%.

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2019, for KTRS OPEB – Medical Insurance Plan:

- The assumed projected salary decreased from 4.0% -8.10%, including wage inflation, to 3.50% - 7.20%, including wage inflation.
- The assumed wage inflation dropped from 4.0% to 3.5%.
- The assumed municipal bond index rate was decreased from 3.89% to 3.5%.

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2019, for KTRS OPEB – Life Insurance Plan:

- The assumed net investment rate of return decreased from 8.0% to 7.5%.
- The assumed municipal bond index rate was decreased from 3.89% to 3.5%.

June 30, 2018 – CERS Pension and CERS OPEB – Nonhazardous

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2018 for either CERS pension or CERS OPEB.

June 30, 2018 – KTRS Pension and KTRS OPEB

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2018, for KTRS pension and KTRS OPEB:

- For KTRS Pension the assumed discount rate was increased from 4.49% to 7.50%.
- For KTRS OPEB – Medical Insurance Plan health care trend rates were updated.

June 30, 2017 – CERS Pension – Nonhazardous

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2017:

- The assumed rate of return was decreased from 7.5% to 6.25%.
- The assumed rate of inflation was reduced from 3.25% to 2.3%.
- Payroll growth assumption was reduced from 4% to 2%.

BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
June 30, 2023

2. CHANGES OF ASSUMPTIONS (CONTINUED)

June 30, 2017 – KTRS Pension

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2017:

- In the 2016 valuation, rates of withdrawal, retirement, disability, mortality and rates of salary increase were adjusted to more closely reflect actual experience. In the 2016 valuation and later, the expectation of retired life mortality was changed to the RP-2000 Mortality Tables projected to 2025 with projection scale BB, set forward two project years for males and one year for females rather than the RP-2000 Mortality Tables projected to 2020 with scale AA, which was used prior to the 2016 valuation.

June 30, 2016 – CERS Pension and CERS OPEB – Nonhazardous

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2016 for either CERS pension or CERS OPEB.

June 30, 2016 – KTRS Pension

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2016, for KTRS pension:

- The assumed municipal bond index rate decreased from 3.82% to 3.01%, resulting in a change in the Single Equivalent Interest Rate from 4.88% to 4.20%.

June 30, 2015 – CERS Pension – Nonhazardous

The following changes in assumptions were made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2015:

- The assumed rate of return was decreased from 7.75% to 7.5%.
- The assumed rate of inflation was reduced from 3.5% to 3.25%.
- The assumed rate of wage inflation was reduced from 1% to .75%.
- Payroll growth assumption was reduced from 4.5% to 4%.
- Mortality rates were based on the RP-2000 Combined Mortality Table projected with Scale BB to 2013 (multiplied by 50% for males and 30% for females).
- For healthy retired members and beneficiaries, the mortality table used is the RP-2000 Combined Mortality Table projected with Scale BB to 2013 (set back 1 year for females).
- For Disabled members, the RP-2000 Combined Disabled Mortality Table projected with Scale BB to 2013 (set back 4 years for males) is used for the period after disability retirement.
- The assumed rates of retirement, withdrawal, and disability were updated to reflect experience more accurately.

June 30, 2015 – KTRS Pension

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2015 for KTRS pension.

**BREATHITT COUNTY SCHOOL DISTRICT
NOTES TO REQUIRED SUPPLEMENTARY INFORMATION
June 30, 2023**

2. CHANGES OF ASSUMPTIONS (CONTINUED)

June 30, 2014 – CERS Pension – Nonhazardous and KTRS Pension

There were no changes in assumptions made by the Kentucky Legislature and reflected in the valuation performed as of June 30, 2014.

June 30, 2013 – CERS Pension – Nonhazardous

The following assumptions were made by the Kentucky Legislature and reflected in the initial valuation performed as of June 30, 2013:

- The assumed rate of return was 7.75%.
- The assumed rate of inflation was 3.5%.
- The assumed rate of wage inflation was 1%.
- Payroll growth assumption was 4.5%.
- Mortality rates were based on the 1983 Group Annuity Mortality Table for all retired members and beneficiaries as of June 30, 2006. The 1994 Group Annuity Mortality Table was used for all other members.

SUPPLEMENTARY INFORMATION

**BREATHITT COUNTY SCHOOL DISTRICT
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
for the year ended June 30, 2023**

	SEEK Capital Outlay Fund	FSPK Fund	Debt Service Fund	Student Activity Fund	Total
ASSETS					
Cash and cash equivalents	\$ -	\$ -	\$ -	\$ 125,554	\$ 125,554
Accounts receivable	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total assets	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 125,554</u></u>	<u><u>\$ 125,554</u></u>
LIABILITIES					
Accounts payable	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ -</u>
Total liabilities	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
FUND BALANCE					
Restricted					
Other	-	-	-	125,554	125,554
Unassigned	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total fund balance	<u>-</u>	<u>-</u>	<u>-</u>	<u>125,554</u>	<u>125,554</u>
Total liabilities and fund balance	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ -</u></u>	<u><u>\$ 125,554</u></u>	<u><u>\$ 125,554</u></u>

**BREATHITT COUNTY SCHOOL DISTRICT
 COMBINING STATEMENT OF REVENUES, EXPENDITURES
 AND CHANGES IN FUND BALANCE
 NONMAJOR GOVERNMENTAL FUNDS
 for the year ended June 30, 2023**

	SEEK Capital Outlay Fund	FSPK Fund	Debt Service Fund	Student Activity Fund	Total
REVENUES					
Taxes	\$ -	\$ 437,100	\$ -	\$ -	\$ 437,100
Other local sources	-	-	-	323,700	323,700
Intergovernmental-State	<u>166,354</u>	<u>1,253,052</u>	<u>388,592</u>	<u>-</u>	<u>1,807,998</u>
 Total revenues	 <u>166,354</u>	 <u>1,690,152</u>	 <u>388,592</u>	 <u>323,700</u>	 <u>2,568,798</u>
EXPENDITURES					
Instruction	-	-	-	292,810	292,810
Instructional staff support services	-	-	-	-	-
Plant operation and maintenance	-	-	-	-	-
Capital outlay	-	-	-	-	-
Debt service	<u>-</u>	<u>-</u>	<u>1,947,921</u>	<u>-</u>	<u>1,947,921</u>
 Total expenditures	 <u>-</u>	 <u>-</u>	 <u>1,947,921</u>	 <u>292,810</u>	 <u>2,240,731</u>
 Excess (deficit) revenues over expenditures	 <u>166,354</u>	 <u>1,690,152</u>	 <u>(1,559,329)</u>	 <u>30,890</u>	 <u>328,067</u>
OTHER FINANCING SOURCES (USES)					
Operating transfers in	-	-	1,559,329	-	1,559,329
Operating transfers out	<u>(166,354)</u>	<u>(2,071,871)</u>	<u>-</u>	<u>(11,322)</u>	<u>(2,249,547)</u>
 Total other financing sources (uses)	 <u>(166,354)</u>	 <u>(2,071,871)</u>	 <u>1,559,329</u>	 <u>(11,322)</u>	 <u>(690,218)</u>
 Excess (deficit) revenues and other financing sources over expenditures and other financing uses	 <u>-</u>	 <u>(381,719)</u>	 <u>-</u>	 <u>19,568</u>	 <u>(362,151)</u>
 Fund balance-beginning	 <u>-</u>	 <u>381,719</u>	 <u>-</u>	 <u>105,986</u>	 <u>487,705</u>
 Fund balance-ending	 <u>\$ -</u>	 <u>\$ -</u>	 <u>\$ -</u>	 <u>\$ 125,554</u>	 <u>\$ 125,554</u>

**BREATHITT COUNTY SCHOOL DISTRICT
 COMBINING STATEMENT OF RECEIPTS, DISBURSEMENTS, AND DUE TO STUDENT GROUPS
 SCHOOL ACTIVITY FUNDS
 for the year ended June 30, 2023**

	Cash Balances			Cash Balances	Accounts	Accounts	Fund Balances
	July 01, 2022	Receipts	Disbursements	June 30, 2023	Receivable	Payable	June 30, 2023
					June 30, 2023	June 30, 2023	June 30, 2023
Breathitt County High School	\$ 67,803	\$ 279,918	\$ (261,973)	\$ 85,748	\$ -	\$ -	\$ 85,748
Highland-Turner Elementary	24,150	19,528	(23,890)	19,788	-	-	19,788
Sebastian Elementary School	7,027	17,865	(14,033)	10,859	-	-	10,859
Breathitt Elementary	<u>7,006</u>	<u>6,389</u>	<u>(4,236)</u>	<u>9,159</u>	<u>-</u>	<u>-</u>	<u>9,159</u>
TOTAL ACTIVITY FUNDS	<u>\$ 105,986</u>	<u>\$ 323,700</u>	<u>\$ (304,132)</u>	<u>\$ 125,554</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 125,554</u>

BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND DUE TO STUDENT GROUPS
BREATHITT COUNTY HIGH SCHOOL
for the year ended June 30, 2023

	Cash Balances				Cash Balances	Accounts	Accounts	Fund Balances
	July 01, 2022	Receipts	Disbursements	Transfers	Year End	Receivable	Payable	June 30, 2023
						Year End	Year End	
ACADEMIC TEAM	\$ -	\$ 250	\$ (283)	\$ 33	\$ -	\$ -	\$ -	\$ -
BAND/CHORUS	120	1,322	(7,179)	5,737	-	-	-	-
BAND/FFA FUNDRAISERS	-	21,183	(9,158)	(12,025)	-	-	-	-
BASEBALL	1,297	7,508	(5,987)	(1,783)	1,035	-	-	1,035
BASS FISHING CLUB	200	-	-	-	200	-	-	200
BHS CHEERLEADERS	1,555	21,873	(16,770)	(351)	6,307	-	-	6,307
BOBCATS DISTRICT TOURNAMENT	-	4,485	(2,032)	(2,453)	-	-	-	-
BOYS ALL A BASKETBALL	-	80	-	(80)	-	-	-	-
BOYS BASKETBALL	438	22,592	(14,920)	1,069	9,179	-	-	9,179
CHROMEBOOK REPAIRS	-	1,245	-	(1,210)	35	-	-	35
CLASS OF 2023	2,047	13,739	(16,029)	2,144	1,901	-	-	1,901
CONCESSIONS	1,901	25,865	(24,056)	(561)	3,149	-	-	3,149
DISTRICT BASEBALL	-	1,398	(390)	(1,008)	-	-	-	-
DISTRICT SOFTBALL	-	1,108	(150)	(958)	-	-	-	-
DISTRICT SWEEP	-	3,110	(4,213)	1,210	107	-	-	107
DRAMA	897	2,726	(2,823)	(797)	3	-	-	3
FACULTY	593	6,148	(3,437)	-	3,304	-	-	3,304
FFA	1,995	3,703	(9,142)	7,940	4,496	-	-	4,496
FFA GRANT	252	-	(217)	-	35	-	-	35
FOOTBALL	3,398	16,435	(14,241)	(927)	4,665	-	-	4,665
FOOTBALL PLAYOFFS - HS	-	4,586	(2,893)	(1,693)	-	-	-	-
GENERAL FUND	3,829	7,823	(25,566)	18,660	4,746	-	-	4,746
GOLF	1,375	804	(2,179)	-	-	-	-	-
GRADE SCHOOL TOURNAMENT	-	1,535	(1,535)	-	-	-	-	-
Subtotal	\$ 19,897	\$ 169,518	\$ (163,200)	\$ 12,947	\$ 39,162	\$ -	\$ -	\$ 39,162

BREATHITT COUNTY SCHOOL DISTRICT
STATEMENT OF RECEIPTS, DISBURSEMENTS, AND DUE TO STUDENT GROUPS
BREATHITT COUNTY HIGH SCHOOL
for the year ended June 30, 2023

	Cash Balances				Cash Balances	Accounts	Accounts	Fund Balances
	July 01, 2022	Receipts	Disbursements	Transfers	Year End	Year End	Year End	June 30, 2023
GRADUATION	\$ -	\$ 255	\$ (84)	\$ -	\$ 171	\$ -	\$ -	\$ 171
GREENHOUSE	6,031	1,547	(2,852)	(3,000)	1,726	-	-	1,726
HOME IMPROVEMENT/WOOD SHP	2,356	89	-	-	2,445	-	-	2,445
INTERVENTION SKILLS CLASS	-	2,170	(1,561)	-	609	-	-	609
JROTC	299	3,141	(3,090)	-	350	-	-	350
LADYCATS BASKETBALL	5,526	17,324	(19,022)	(4,012)	(184)	-	-	(184)
LADYCATS DISTRICT TOURNAMENT	-	2,160	(1,112)	(1,048)	-	-	-	-
LADYCAT SOFTBALL	932	7,168	(2,892)	(1,428)	3,780	-	-	3,780
MIDDLE SCHOOL CHEERLEADING	112	-	(343)	231	-	-	-	-
MIDDLE SCHOOL FOOTBALL	4,337	6,321	(9,681)	(903)	74	-	-	74
MIDDLE SCHOOL SOFTBALL	3,560	7,045	(4,292)	-	6,313	-	-	6,313
MIDDLE SCHOOL VOLLEYBALL	882	3,162	(2,293)	-	1,751	-	-	1,751
MS ACADEMIC	484	500	(641)	-	343	-	-	343
MS BASEBALL	845	395	(1,560)	320	-	-	-	-
MS BOYS BASKETBALL	554	7,173	(4,016)	-	3,711	-	-	3,711
MS LADYCAT BASKETBALL	2,314	5,044	(5,428)	-	1,930	-	-	1,930
MS FOOTBALL PLAYOFFS	-	1,284	(807)	(477)	-	-	-	-
PROM	6,071	9,158	(4,878)	-	10,351	-	-	10,351
SKILLS USA	923	3,048	(3,464)	-	507	-	-	507
STARTUP MONEY	-	1,000	(1,000)	-	-	-	-	-
STLP	-	2,712	(2,124)	-	588	-	-	588
STUDENT ACTIVITIES FUND	293	6,783	(5,285)	-	1,791	-	-	1,791
TEENS FOR CHRIST	-	2,624	(1,466)	-	1,158	-	-	1,158
TRACK	1,212	-	(1,246)	34	-	-	-	-
TSA	473	-	(190)	-	283	-	-	283
VOLLEYBALL 14TH REGIONAL	-	5,790	(1,591)	(4,199)	-	-	-	-
VOLLEYBALL DISTRICT TOURN	-	395	-	(395)	-	-	-	-
VOLLEYCATS	6,332	11,727	(11,524)	1,930	8,465	-	-	8,465
YEARBOOK	4,264	635	(4,581)	-	318	-	-	318
YSC/FRYSC	106	1,750	(1,750)	-	106	-	-	106
Total	\$ 67,803	\$ 279,918	\$ (261,973)	\$ -	\$ 85,748	\$ -	\$ -	\$ 85,748



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

To the State Committee for School District Audits and
Members of the Board of Education
Breathitt County School District

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the Breathitt County School District, as of and for the year ended June 30, 2023, and the related notes to the financial statements, which collectively comprise the Breathitt County School District's basic financial statements, and have issued our report thereon dated November 13, 2023.

Report on Internal Control over Financial Reporting

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

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

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

Report on Compliance and Other Matters

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

We noted certain matters that we reported to management of the Breathitt County School District, in a separate letter dated November 13, 2023.

Purpose of This Report

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

RFH

RFH, PLLC
Lexington, Kentucky
November 13, 2023



**INDEPENDENT AUDITOR'S REPORT ON COMPLIANCE FOR EACH
MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE
REQUIRED BY THE UNIFORM GUIDANCE**

To the State Committee for School District Audits and
Members of the Board of Education
Breathitt County School District

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited the Breathitt County School District's compliance with the types of compliance requirements identified as subject to audit in the OMB *Compliance Supplement* that could have a direct and material effect on each of the Breathitt County School District's major federal programs for the year ended June 30, 2023. Breathitt County School District's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

In our opinion, Breathitt County School District complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2023.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of the Breathitt County School District 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 Breathitt County School District'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 Breathitt County School District's federal programs.

Auditors' 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 Breathitt County School District'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 generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance 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 Breathitt County School District's compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, 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 Breathitt County School District'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 Breathitt County School District'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 Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of Breathitt County School District'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.

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 type of compliance requirement of a federal program 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 type of compliance requirement of a federal program 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 Auditors' 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.

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 Uniform Guidance. Accordingly, this report is not suitable for any other purpose.

RFH

RFH, PLLC
Lexington, Kentucky
November 13, 2023

**BREATHITT COUNTY SCHOOL DISTRICT
SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS
for the year ended June 30, 2023**

GRANTOR/PROGRAM TITLE	Federal AL Number	Pass Through Grantor's Number	Expenditures
U.S. Department of Agriculture (USDA)			
Child Nutrition Cluster			
Passed through Kentucky Department of Education			
National School Breakfast Program	10.553	7760005	\$ 365,099
National School Lunch Program	10.555	7750002/7970000	895,486
Summer Food Service Program for Children	10.559	7690024/ 7740023	18,469
Fresh Fruit and Vegetable Program	10.582	7720012	68,091
Passed through Kentucky Department of Agriculture			
Commodities (Note 2)	10.555	Note 5	<u>97,722</u>
Total Child Nutrition Cluster			<u>1,444,867</u>
Passed through Kentucky Department of Education			
State Administrative Expenses for Child Nutrition	10.560	7700001	2,074
EBT Administrative Costs for Child Nutrition	10.649	9990000	<u>3,135</u>
Total U.S. Department of Agriculture			<u>1,450,076</u>
U.S. Department of Education			
Passed through Kentucky Department of Education			
Title I, Part A Cluster	84.010	3100002/3220002	<u>1,398,116</u>
Title I, Neglected and Delinquent Children and Youth	84.013	Note 5	<u>34,700</u>
Special Education Cluster (IDEA)			
Special Education - Grants to States (IDEA, Part B)	84.027	3810002	642,260
Special Education - Preschool Grants (IDEA, Preschool)	84.173	3800002	<u>84,531</u>
Total Special Education Cluster (IDEA)			<u>726,791</u>
Vocational Education	84.048	3710002	<u>13,241</u>
Rural Education	84.358	3140002	<u>38,366</u>
Every Student Succeeds Act - Preschool Development Grants	93.434	Note 5	<u>11,835</u>
Student Support and Academic Enrichment Grant	84.424	3420002	<u>103,300</u>
Improving Teacher Quality State Grants	84.367	3230002	<u>168,927</u>
COVID -19 - Education Stabilization Fund - American Rescue Plan - ESSER III Funds	84.425U	4000002/4000003	4,499,384
COVID -19 - Education Stabilization Fund - American Rescue Plan - Homeless Children and Youth	84.425W	4000002/4000003	11,523
COVID -19 - Education Stabilization Fund - Elementary and Secondary School Emergency Relief (ESSER) Fund	84.425D	4000002/4000003	<u>7,912</u>
Total Education Stabilization Fund			<u>4,518,819</u>
Direct Grant			
Gaining Early Awareness and Readiness for Undergraduate Programs	84.334A	Direct	<u>257,346</u>
Total U.S. Department of Education			<u>7,271,441</u>
U.S. Department of Homeland Security			
Passed through Kentucky Department of Education			
Disaster Grants - Presidentially Declared Disasters	97.036	Note 5	<u>429,944</u>
Total U.S. Department of Homeland Security			<u>429,944</u>
U.S. Department of Defense			
Direct Grant			
ROTC	12.000	Direct	<u>51,011</u>
Total U.S. Department of Defense			<u>51,011</u>
Total expenditures of federal awards			<u>\$ 9,202,472</u>

Note 1 - Basis of Presentation

The accompanying schedule of expenditures of federal awards includes the federal grant activity of the Breathitt County School District and is presented on the accrual basis of accounting.

The information in this schedule is presented in accordance with the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Therefore, some amounts presented in, or used, in the preparation of, the basic financial statements may differ from those numbers.

Note 2 - Nonmonetary assistance is reported in the schedule at the fair market value of the commodities disbursed.

Note 3 - The District did not pass through any funds to subrecipients.

Note 4 - Indirect Cost Rates

The District did not elect to use the 10 percent de minimis cost rate as allowed under the Uniform Guidance.

Note 5 - Passthrough entity numbers are presented when available. Passthrough grantor's number not available.

**BREATHITT COUNTY SCHOOL DISTRICT
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
for the year ended June 30, 2023**

I. SUMMARY OF AUDITORS' RESULTS

Financial Statements:

Type of auditors' report issued: Unmodified

Internal control over financial reporting:

Material weaknesses identified __Yes XNo
 Significant deficiencies identified that are not
 considered to be material weaknesses __Yes XNone reported

Non-compliance material to financial statements noted __Yes XNo

Federal Awards:

Internal control over major programs:

Material weaknesses identified __Yes XNo
 Significant deficiencies identified that are not
 considered to be material weaknesses __Yes XNone reported

Type of auditors' report issued on compliance for major programs:

Unmodified for all major programs.

Any audit findings disclosed that are required to be reported in
 accordance with Section 2 CFR 200.516(a)? __Yes XNo

Major Programs:

AL Number	Name of Federal Program or Cluster
84.425U, 84.425D, & 84.425W	COVID-19 - Education Stabilization Fund
97.036	Disaster Grants – Presidentially Declared Disasters

Dollar threshold used to distinguish between type A
 and type B programs: \$ 750,000

Auditee qualified as a low-risk auditee? X Yes __No

II. FINDINGS RELATED TO FINANCIAL STATEMENTS

NONE

III. FINDINGS AND QUESTIONED COSTS FOR FEDERAL AWARDS

NONE

IV. PRIOR AUDIT FINDINGS

NONE



Members of the Board of Education
Breathitt County School District
Jackson, Kentucky

In planning and performing our audit of the financial statements of the Breathitt County School District for the year ended June 30, 2023, we considered the District's internal control structure to determine our auditing procedures for the purpose of expressing an opinion on the financial statements and not to provide assurance on the internal control structure.

However, during our audit, we became aware of some matters that are opportunities for strengthening internal controls and operating efficiency. The memorandum that accompanies this letter summarizes our comments and suggestions regarding those matters. This letter does not affect our report dated November 13, 2023 on the financial statements of the Breathitt County Board of Education. We will review the status of these comments during our next audit engagement. We have already discussed these comments and suggestions with various District personnel, and we will be pleased to discuss them in further detail at your convenience, to perform any additional study of these matters, or to assist you in implementing the recommendations.

Respectfully,

RFH

RFH, PLLC
November 13, 2023

**Breathitt County School District
Management Letter Comments
June 30, 2023**

DISTRICT

Current Year Comments

Capital Assets

During testing, we noted there was a significant amount of fully depreciated technological equipment and vehicles purchased many years ago still on the depreciation schedule. We recommend that the District review the depreciation schedule and dispose of any assets no longer utilized by or in possession of the District.

Response: The CFO will develop a timeline for the completion of Capital Asset processes, including the retirement of "old" equipment. This will become an annual task to be completed prior to closing the fiscal year.

Interfund Transfers

During our audit, we noted the General Fund transferred approximately \$2.1 million to the Construction Fund and the Special Revenue fund transferred approximately \$1.6 million to the Construction Fund. We noted the transfers were made for approved capital projects. However, the transfers were not properly budgeted and reflected on the District's final Annual Financial Report. We recommend all transfers between funds be included in the District's final approved budget.

Response: Any transfers made during the year, will be reviewed at year end to ensure that the transfers are, in fact, included in the budget for the respective program(s). This process will be completed prior to year end close.

Status of Prior Year Comments

There were no management letter comments at the District level in the prior year.

**Breathitt County School District
Management Letter Comments
June 30, 2023**

SCHOOL ACTIVITY FUNDS

BREATHITT COUNTY HIGH SCHOOL

2023-01: Purchase Orders

Condition:

During testing, an instance of a purchase which was approved after being obligated was noted. Purchase orders should be completed prior to all purchases.

Response: In this instance, verbal permission was given to the Sponsor for the order for a pre-approved fundraiser. The PO was dated when they sent the 1st invoice, which was really a quote. That is why the principal did not sign the PO until the day that the check was written. For future purchases, I will make sure she signs on the day she gives the verbal okay and the day that the PO is made, instead of the day the check was written for final approval to go ahead with the order.

Status of Prior Year Comments

Comment 2023-01 is a repeat comment from the previous year. All other comments from the prior year were corrected.

Sebastian Elementary School

2023-01: Purchase Orders

Condition:

During testing, we noted that the purchase order form completed by the school for all purchases did not include the school sponsor's signature.

Response: The schools have all been notified to correct this process to ensure that all coaches/group sponsors sign off on purchase orders. We've always only required the principal to sign off on PO's in the past. This will be in compliance going forward.

Status of Prior Year Comments

Comments from the prior year were corrected.

MARIE ROBERTS-CANEY ELEMENTARY

2023-01: Purchase Orders

Condition:

During testing, we noted that the purchase order form completed by the school for all purchases did not include the school sponsor's signature.

Response: The schools have all been notified to correct this process to ensure that all coaches/group sponsors sign off on purchase orders. We've always only required the principal to sign off on PO's in the past. This will be in compliance going forward.

**Breathitt County School District
Management Letter Comments
June 30, 2023**

2023-02: Individual and Combining Activity Budgets

Condition:

During testing, we noted that the school did not complete individual or combining budgets for the school activity accounts.

Response: Marie Roberts-Caney budgets were not completed in fiscal year 2023 because the school was going to be closed. We didn't do budgets for the new school at that time because we didn't know what accounts they would need. Budgets will be prepared and this will be in compliance going forward.

2023-03: Multiple Receipt Form

Condition:

During testing, we noted one instance of a Multiple Receipt Form (Form F-SA-6) that was not properly completed.

Response: This error probably occurred due to the change in the school secretary after the flood. The school secretary was new and unfamiliar with the process for this. This school has since been closed. A new school has opened, and the new school secretary has had Redbook Training with Ron Flannery on October 18, 2023, and training with KEDC on September 22, 2023. These issues should be resolved and not occur again.

Status of Prior Year Comments

No comments in the prior year.

HIGHLAND-TURNER ELEMENTARY

2023-01: Purchase Orders

Condition:

During testing, we noted that the purchase order form completed by the school for all purchases did not include the school sponsor's signature.

Response: The schools have all been notified to correct this process to ensure that all coaches/group sponsors sign off on purchase orders. We've always only required the principal to sign off on PO's in the past. This will be in compliance going forward.

Status of Prior Year Comments

Comments from the prior year were corrected.

APPENDIX C

**Breathitt County School District Finance Corporation
School Building Revenue Bonds,
Series of 2024**

Continuing Disclosure Agreement

CONTINUING DISCLOSURE UNDERTAKING AGREEMENT

This Continuing Disclosure Undertaking Agreement ("Agreement") made and entered into as of October 16, 2024 by and between the Board of Education of Breathitt County, Kentucky ("Board"); the Breathitt County School District Finance Corporation, an agency and instrumentality of the Board ("Corporation") and the Registered and Beneficial Owners of the Bonds hereinafter identified as third-party beneficiaries to this Agreement. For the purposes of this Agreement "Beneficial Owner" means the person or entity treated as the owner of the Bonds for federal income tax purposes and "Registered Owner" means the person or entity named on the registration books of the bond registrar.

WITNESSETH:

WHEREAS, the Corporation has acted as issuing agency for the Board pursuant to the provisions of Section 162.385 of the Kentucky Revised Statutes ("KRS") and the Corporation's Bond Resolution in connection with the authorization, sale and delivery of \$2,075,000 of the Corporation's School Building Revenue Bonds, Series of 2024, dated October 16, 2024 ("Bonds"), which Bonds were offered for sale under the terms and conditions of a Final Official Statement ("FOS") prepared by RSA Advisors, LLC, Lexington, Kentucky ("Municipal Advisor") and approved by the authorized representatives of the Board and the Corporation, and

WHEREAS, the Securities and Exchange Commission ("SEC"), pursuant to the Securities and Exchange Act of 1934, has amended the provisions of SEC Rule 15c2-12 relating to financial disclosures by the issuers of municipal securities under certain circumstances ("Rule"), and

WHEREAS, it is intended by the parties to this Agreement that all terms utilized herein shall have the same meanings as defined by the Rule, and

WHEREAS, the Board is an "obligated person" as defined by the Rule and subject to the provisions of said Rule, and

WHEREAS, failure by the Board and the Corporation to observe the requirements of the Rule will inhibit the subsequent negotiation, transfer and exchange of the Bonds with a resulting diminution in the market value thereof to the detriment of the Registered and Beneficial Owners of said Bonds and the Board;

NOW, THEREFORE, in order to comply with the provisions of the Rule and in consideration of the purchase of the Bonds by the Registered and Beneficial Owners, the parties hereto agree as follows:

1. ANNUAL FINANCIAL INFORMATION

The Board agrees to provide the annual financial information contemplated by Rule 15c2-12(b)(5)(i) relating to the Board for its fiscal years ending June 30 of each year, commencing with the fiscal year ending June 30, 2024, to (a) the Municipal Securities Rulemaking Board ("MSRB"), or any successor thereto for purposes of this Rule, through the continuing disclosure service portal provided by the MSRB's Electronic Municipal Market Access ("EMMA") system as described in 1934 Act Release No. 59062, or any similar system that is acceptable to the Securities and Exchange Commission and (b) the State Information Depository ("SID"), if any (the Commonwealth of Kentucky has not established a SID as of the date of this Agreement) within nine (9) months of the close of each fiscal year.

For the purposes of the Rule "annual financial information" means financial information and operating data provided annually, of the type included in the FOS with respect to the Board in accordance with guidelines established by the National Federation of Municipal Analysts, and shall include annual audited financial statements for the Board in order that the recipients will be provided with ongoing information regarding revenues and operating expenses of the Board and the information provided in the FOS under the headings "OUTSTANDING BONDS", "BOND DEBT SERVICE", "DISTRICT STUDENT POPULATION", "LOCAL SUPPORT - Local Tax Rates, Property Assessment and Revenue Collections and SEEK Allotment". If audited financial statements are not available when the annual financial information is filed, unaudited financial statements shall be included, to be followed by audited financial statements when available.

The audited financial statements shall be prepared in accordance with Generally Accepted Accounting Principles, Generally Accepted Auditing Standards or in accordance with the appropriate sections of KRS or Kentucky Administrative Regulations.

The parties hereto agree that this Agreement is entered into among them for the benefit of those who become Registered and Beneficial Owners of the Bonds as third party beneficiaries to said Agreement.

2. MATERIAL EVENTS NOTICES

Under the Rule, Section 15c2-12(b)(5)(i)(C), the following sixteen (16) events must be disclosed within ten (10) business days following the occurrence of said event to MSRB via EMMA and the SID, if any:

1. Principal/interest payment delinquency;
2. Nonpayment related default, if material;
3. Unscheduled draw on debt service reserve reflecting financial difficulties;
4. Unscheduled draw on credit enhancement reflecting financial difficulties;
5. Substitution of credit or liquidity provider, or its failure to perform;
6. Adverse tax opinions, the issuance by the IRS of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the securities, or other material events affecting the tax status of the security;
7. Modifications to rights of security holders, if material;
8. Bond call, if material and tender offers;
9. Defeasance;
10. Release, substitution or sale of property securing the repayment of the security, if material;
11. Rating change;
12. Merger, consolidation, acquisition or sale of all or substantially all assets of an obligated person, other than in the ordinary course of business, and the entry into a definitive agreement to undertake such action or the termination of a definitive agreement relating to such action, other than pursuant to its terms, if material;
13. Bankruptcy, insolvency, receivership or similar event of the obligated person;
14. Successor, additional or change in trustee, if material;
15. Incurrence of a financial obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a financial obligation of the obligated person, any of which affect security holders, if material, and;
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a financial obligation of the obligated person, any of which reflect financial difficulties.

For purposes of this Agreement the term "financial obligation" means:

- (A) Debt obligation;
- (B) Derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or
- (C) Guarantee of paragraph (A) or (B) above.

Notice of said material events shall be given to the entities identified in this Section by the Board on a timely basis (within ten (10) business days of the occurrence). Notwithstanding the foregoing, the provisions of the documents under which the Bonds are authorized and issued do not provide for a debt service reserve, credit enhancements or credit or liquidity providers.

In accordance with Rule Section 15c2-12(b)(5)(i)(D), the Board agrees that in the event of a failure to provide the Annual Financial Information required under Section 1 of this Agreement, it will notify MSRB via EMMA of such failure in a timely manner.

The Finance Officer of the Board shall be the responsible person for filing the annual financial information and/or notices of the events set forth above within the time prescribed in this Agreement. The Board shall cause the Finance Officer to institute an internal tickler system as a reminder of the obligations set forth herein. By December 1 of each fiscal year and each 30 days thereafter the Finance Officer will contact the auditor for the Board to determine when the audited financial statements will be finalized. The Finance Officer will impress upon the auditor the necessity of having such audited financial report on or before September 15. Within 5 days of receipt of such audited financial report the finance officer will cause the annual financial information to be filed as required by this Agreement.

3. SPECIAL REQUESTS FOR INFORMATION

Upon the request of any Registered or Beneficial Owner of the Bonds or the original purchaser of the Bonds or any subsequent broker-dealer buying or selling said Bonds on the secondary market ("Underwriters"), the Board shall cause financial information or operating data regarding the conduct of the affairs of the Board to be made available on a timely basis following such request.

4. DISCLAIMER OF LIABILITY

The Board and the Corporation hereby disclaim any liability for monetary damages for any breach of the commitments set forth in this Agreement and remedies for any breach of the Board's continuing disclosure undertaking shall be limited to an action for specific performance or mandamus in a court of competent jurisdiction in Kentucky following notice and an opportunity to cure such a breach.

5. FINAL OFFICIAL STATEMENT

That the Final Official Statement prepared by the Municipal Advisor and approved by the authorized representatives of the Board and the Corporation is hereby incorporated in this Agreement as fully as if copied herein and the "annual financial information" required under Section 1 hereof shall in summary form update the specific information set forth in said FOS.

6. DURATION OF THE AGREEMENT

This Agreement shall be in effect so long as any of the Bonds remain outstanding and unpaid; provided, however, that the right is reserved in the Board to delegate its responsibilities under the Agreement to a competent agent or trustee, or to adjust the format of the presentation of annual financial information so long as the intent and purpose of the Rule to present adequate and accurate financial information regarding the Board is served.

7. AMENDMENT; WAIVER

Notwithstanding any other provision of this Agreement, the Board may amend this Agreement, and any provision of this Agreement may be waived, provided that the following conditions are satisfied:

(a) If the amendment or waiver relates to the provisions of Section 1, it may only be made in connection with a change in circumstances that arises from a change in legal requirements, change in law, or change in the identity, nature or status of an obligated person with respect to the Bonds, or the type of business conducted;

(b) The undertaking, as amended or taking into account such waiver, would, in the opinion of nationally recognized bond counsel, have complied with the requirements of the Rule at the time of the original issuance of the Bonds, after taking into account any amendments or interpretations of the Rule, as well as any change in circumstances; and

(c) The amendment or waiver either (i) is approved by the holders of the Bonds in the same manner as provided in the Bond Resolution for amendments to the Bond Resolution with the consent of holders, or (ii) does not, in the opinion of nationally recognized bond counsel, materially impair the interests of the Registered Owners or Beneficial Owners of the Bonds.

In the event of any amendment or waiver of a provision of this Agreement, the Board shall describe such amendment or waiver in the next Annual Report, and shall include, as applicable, a narrative explanation of the reason for the amendment or waiver and its impact on the type (or in the case of a change of accounting principles, on the presentation) of financial information or operating data being presented by the Board. In addition, if the amendment relates to the accounting principles to be followed in preparing financial statements, (i) notice of such change shall be given in the same manner as for a material event under Section 15c2-12(b)(5)(i)(C) of the Rule, and (ii) the Annual Report for the year in which the change is made should present a comparison (in narrative form and also, if feasible, in quantitative form) between the financial statements as prepared on the basis of the new accounting principles and those prepared on the basis of the former accounting principles.

8. DEFAULT

In the event of a failure of the Board to comply with any provision of this Agreement, the Corporation may and, at the request of any Underwriter or any Registered Owner or Beneficial Owner of Bonds, shall take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Board to comply with its obligations under this Agreement. A default under this Agreement shall not be deemed an event of default under the Bond Resolution, and the sole remedy under this Agreement in the event of any failure of the Board to comply with this Agreement shall be an action to compel performance.

In witness whereof the parties hereto have executed this Agreement as of the date first above written.

**BOARD OF EDUCATION OF
BREATHITT COUNTY, KENTUCKY**

Chairperson

Attest:

Secretary

**BREATHITT COUNTY SCHOOL DISTRICT
FINANCE CORPORATION**

Attest:

Secretary

President

APPENDIX D

**Breathitt County School District Finance Corporation
School Building Revenue Bonds,
Series of 2024**

Official Terms and Conditions of Bond Sale

**OFFICIAL
TERMS AND CONDITIONS OF BOND SALE**

\$2,075,000*

**Breathitt County School District Finance Corporation
School Building Revenue Bonds, Series of 2024
Dated October 16, 2024**

SALE: September 25, 2024 AT 12:00 P.M., E.D.S.T.

As published on PARITY®, a nationally recognized electronic bidding system, the Breathitt County School District Finance Corporation ("Corporation") will until September 25, 2024, at the hour of 12:00 P.M., E.D.S.T., in the office of the Executive Director of the Kentucky School Facilities Construction Commission, 700 Louisville Rd, Carriage House, Frankfort, KY 40601, receive competitive bids for the revenue bonds herein described. To be considered, bids must be submitted on an Official Bid Form and must be delivered to the Corporation at the address indicated on the date of sale no later than the hour indicated. Bids may be submitted manually or by facsimile or electronically via PARITY. Bids will be considered by the Corporation and may be accepted without further action by the Corporation's Board of Directors.

Subject to a Permitted Adjustment* increasing or decreasing the issue by up to \$210,000.

**BREATHITT COUNTY SCHOOL
DISTRICT FINANCE CORPORATION**

The Corporation has been formed in accordance with the provisions of Sections 162.120 through 162.300 and Section 162.385 of the Kentucky Revised Statutes ("KRS"), and KRS Chapter 273 and KRS 58.180, as a non profit, non stock corporation for the purpose of financing necessary school building facilities for and on behalf of the Board of Education of Breathitt County, Kentucky (the "Board"). Under the provisions of existing Kentucky law, the Corporation is permitted to act as an agency and instrumentality of the Board for financing purposes and the legality of the financing plan to be implemented by the Bonds herein referred to has been upheld by the Kentucky Court of Appeals (Supreme Court) in the case of White v. City of Middlesboro, Ky. 414 S.W.2d 569.

STATUTORY AUTHORITY, PURPOSE OF ISSUE AND SECURITY

These Bonds are authorized pursuant to KRS 162.120 through 162.300, 162.385, and KRS 58.180 and are issued in accordance with a Resolution of the Corporation's Board of Directors. Said Bonds are revenue bonds and constitute a limited indebtedness of the Corporation payable from rental revenues derived by the Corporation from the Board under the Lease identified below. Said Bonds are being issued to finance HVAC improvements at Highland Turner Elementary School (the "Project") and are secured by a statutory mortgage lien upon and a pledge of the revenues from the rental of the school building Project property to the Board under the Lease on a year to year basis; the first rental period ending June 30, 2025; provided, however, said lien and pledge are on parity with a similar lien and pledge securing the Corporation's School Building Revenue Bonds previously issued to finance or refinance the school building(s) which constitute the school building Project (the "Parity Bonds"). Should the Board default in its obligations under the Lease or fail to renew the Lease, the Registered Owners of Bonds have the right to have a receiver appointed to administer the school building Project but foreclosure and sale are not available as remedies.

The rental of the school building Project property from the Corporation to the Board is to be effected under a certain Lease Agreement by and between the Corporation and the Board (the "Lease"), whereunder the school building Project property is leased to the Board for the initial period ending June 30, 2025, with an option in the Board to renew the Lease each year at rentals sufficient to provide for the principal and interest requirements on the Bonds as they become due, plus the costs of insurance, maintenance, depreciation, and bond issuance and administration expenses; the Board being legally obligated only for the initial rental period and for one year at a time thereafter each time the Lease is renewed.

Under the terms of the Lease, and any renewal thereof, the Board has agreed so long as the Bonds remain outstanding, and in conformance with the intent and purpose of KRS 160.160(5), in the event of a failure by the Board to pay the rentals due under the Lease, and unless sufficient funds have been transmitted to the Paying Agent, or will be so transmitted, for paying said rentals when due, the Board has granted under the terms of the Lease to the Corporation the right to notify and request the Kentucky Department of Education to withhold from the Board a sufficient portion of any undisbursed funds then held, set aside, or allocated to the Board and to request said Department or Commissioner of Education to transfer the required amount thereof to the Paying Agent for the payment of such rentals.

ADDITIONAL PARITY BONDS

The Corporation has reserved the right and privilege of issuing additional bonds from time to time payable from the income and revenues of said lands and school building Project property and secured by a statutory mortgage lien and pledge of revenues, but only if and to the extent the issuance of such additional parity bonds are in accordance with the plans and specifications which have been approved by the Board, Commissioner of Education, and filed in the office of the Secretary of the Corporation and a Lease shall be entered into whereunder the annual rental payments during the life of such additional bonds shall be increased by the amount of the annual principal and interest requirements of such additional bonds.

BOND MATURITIES, PRIOR REDEMPTION PROVISIONS AND PAYING AGENT

All such Bonds shall be in denominations in multiples of \$5,000 within the same maturity, bear interest from October 16, 2024, payable on April 1, 2025, and semi annually thereafter and shall mature as to principal on October 1 in each of the years as follows:

<u>Year</u>	<u>Amount*</u>	<u>Year</u>	<u>Amount*</u>
2025	\$ 5,000	2035	\$ 45,000
2026	5,000	2036	5,000
2027	65,000	2037	5,000
2028	80,000	2038	140,000
2029	85,000	2039	145,000
2030	80,000	2040	155,000
2031	15,000	2041	260,000
2032	40,000	2042	285,000
2033	45,000	2043	300,000
2034	5,000	2044	310,000

*Subject to a Permitted Adjustment of the amount of Bonds awarded of up to \$210,000 which may be applied in any or all maturities.

The Bonds maturing on or after October 1, 2033 are subject to redemption at the option of the Corporation prior to their stated maturity on any date falling on or after October 1, 2032, in any order of maturities (less than all of a single maturity to be selected by lot), in whole or in part, upon notice of such prior redemption being given by the Paying Agent in accordance with DTC requirements not less than thirty (30) days prior to the date of redemption, upon terms of the face amount, plus accrued interest, but without redemption premium.

Notwithstanding the foregoing, the Corporation reserves the right, upon thirty (30) days notice, to call the Bonds in whole or in part on any date at par for redemption upon the total destruction by fire, lightning, windstorm or other hazard of any building constituting the Project and apply casualty insurance proceeds to such purpose.

The Bonds are to be issued in fully registered form (both principal and interest). Citizens Bank & Trust Company of Jackson, Jackson, Kentucky, has been designated as the Bond Registrar and Paying Agent, shall remit interest on each semiannual due date to Cede & Co. Principal and interest will be payable through the Book-Entry-Only-System administered by The Depository Trust Company: Please see "BOOK-ENTRY-ONLY-SYSTEM" below. Interest on the Bonds will be paid at rates to be established upon the basis of competitive bidding as hereinafter set forth, such interest to be payable on August 1 and April 1 of each year, beginning April 1, 2025 (Record Date is the 15th day of month preceding interest due date).

BIDDING CONDITIONS AND RESTRICTIONS

(A) Bids must be made on Official Bid Form, contained in Information for Bidders available from the undersigned or RSA Advisors, LLC, Lexington, Kentucky, by visiting www.rsamuni.com submitted manually, by facsimile or electronically via PARITY®.

(B) Electronic bids for the Bonds must be submitted through PARITY® and no other provider of electronic bidding services will be accepted. Subscription to the PARITY® Competitive Bidding System is required in order to submit an electronic bid. The Corporation will neither confirm any subscription nor be responsible for the failure of any prospective bidders to subscribe. For the purposes of the bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all bids whether in electronic or written form. To the extent any instructions or directions set forth in PARITY® conflict with the terms of the Official Terms and Conditions of Bond Sale, this Official Terms and Conditions of Sale of Bonds shall prevail. Electronic bids made through the facilities of PARITY® shall be deemed an offer to purchase in response to the Notice of Bond Sale and shall be binding upon the bidders as if made by signed, sealed written bids delivered to the Corporation. The Corporation shall not be responsible for any malfunction or mistake made by or as a result of the use of the electronic bidding facilities provided and maintained by PARITY®. The use of PARITY® facilities are at the sole risk of the prospective bidders. For further information regarding PARITY®, potential bidders may contact PARITY®, telephone (212) 404-8102. Notwithstanding the foregoing, non-electronic bids may be submitted via facsimile or by hand delivery utilizing the Official Bid Form.

(C) The minimum bid shall be not less than \$2,033,500 (98% of par) plus accrued interest. Interest rates shall be in multiples of 1/8 or 1/20 of 1% or both. Only one interest rate shall be permitted per Bond, and all Bonds of the same maturity shall bear the same rate. Interest rates must be on an ascending scale, in that the interest rate stipulated in any year may not be less than that stipulated for any preceding maturity. There is no limit on the number of different interest rates.

(D) The maximum permissible net interest cost for the Bonds shall not exceed "The Bond Buyer's" Index of 20 Municipal Bonds as established on the Thursday immediately preceding the sale of said Bonds plus 1.50%.

(E) The determination of the best purchase bid for said Bonds shall be made on the basis of all bids submitted for exactly \$2,075,000 principal amount of Bonds offered for sale under the terms and conditions herein specified, but the Corporation may adjust the principal amount of Bonds upward or downward by \$210,000 (the "Permitted Adjustment") which may be awarded to such best bidder may be a minimum of \$1,865,000 or a maximum of \$2,285,000. In the event of such Permitted Adjustment, no rebidding or recalculation of a submitted bid will be required or permitted and the Underwriter's Discount on the Bonds as submitted by the successful bidder shall be held constant. The Underwriter's Discount shall be defined as the difference between the purchase price of the Bonds submitted by the bidder and the price at which the Bonds will be issued to the public, calculated from information provided by the bidder, divided by the par amount of the Bonds bid. The price of which such adjusted principal amount of Bonds will be sold will be the same price per \$5,000 of Bonds as the price per \$5,000 for the \$2,075,000 of Bonds bid.

(F) If three (3) or more bids for the Bonds are received as a result of this competitive sale, the successful purchaser will be required to certify on or before the issue date the reasonably expected initial offering price to the public for each Maturity of the Bonds which prices are the prices for each Maturity of the Bonds used by the successful purchaser in formulating its bid to purchase the Bonds.

If less than three (3) bids for the Bonds are received as a result of this competitive sale, the successful purchaser, by submitting a bid pursuant to a published Notice of Sale, has agreed in writing that they will certify on or before the issue date (and provide reasonable supporting documentation for such Certification, such as a copy of the Pricing wire or equivalent communication) for each Maturity of the Bonds (i) the first price at which at least 10% of each Maturity of the Bonds was sold to the Public, or (ii) that they will neither offer nor sell any of the Bonds of each Maturity to any person at a price that is higher than the Initial Offering Price for such maturity during the Holding Period for such Maturity.

Bids will not be subject to cancellation or withdrawal by the bidder in the event that three bids are not received and the Issuer determines to apply the hold-the-offering-price rule.

For purposes of the above the following terms are defined as follows:

(a) *Holding Period* means, with respect to a Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which the successful purchaser has sold at least 10% of such Maturity to the Public at prices that are no higher than the Initial Offering Price for such Maturity.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50% common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is September 25, 2024.

(e) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

(G) The successful bidder may elect to notify the Municipal Advisor within twenty-four (24) hours of the award of the Bonds that certain serial maturities as awarded may be combined with immediately succeeding serial maturities as one or more Term Bonds; provided, however, (a) bids must be submitted to permit only a single interest rate for each term bond specified, and (b) Term Bonds will be subject to mandatory redemption by lot on October 1 in accordance with the maturity schedule setting the actual size of the issue.

(H) CUSIP identification numbers will be printed on the Bonds at the expense of the Corporation. The purchaser shall pay the CUSIP Service Bureau Charge. Improper imprintation or the failure to imprint CUSIP numbers shall not constitute cause for a failure or refusal by the purchaser to accept delivery of and pay for said Bonds in accordance with the terms of any accepted proposal for the purchase of said Bonds.

(I) The Corporation will provide to the successful purchaser a Final Official Statement in accordance with SEC Rule 15c2-12. A Final Official Statement will be provided in Electronic Form to the successful bidder, in sufficient time to meet the delivery requirements of the successful bidder under SEC and Municipal Securities Rulemaking Board Delivery Requirements. The successful bidder will be required to pay for the printing of Final Official Statements.

(J) Bids need not be accompanied by a certified or bank cashier's good faith check, BUT the successful bidder will be required to wire transfer an amount equal to 2% of the amount of the principal amount of Bonds awarded to the order of the Corporation by the close of business on the day following the award. Said good faith amount which will be forfeited as liquidated damages in the event of a failure of the successful bidder to take delivery of such Bonds when ready. The good faith amount (without interest) will be applied to the purchase price upon delivery of the Bonds. The successful bidder shall not be required to take up and pay for said Bonds unless delivery is made within 45 days from the date the bid is accepted.

(K) Delivery will be made utilizing the DTC Book-Entry-Only-System.

(L) The Corporation reserves the right to reject any and all bids or to waive any informality in any bid. The Bonds are offered for sale subject to the principal and interest not being subject to Federal or Kentucky income taxation or Kentucky ad valorem taxation on the date of their delivery to the successful bidder, in accordance with the Final Approving Legal Opinion of Steptoe & Johnson PLLC, Bond Counsel, Louisville, Kentucky, which Opinion will be qualified in accordance with the section hereof on TAX EXEMPTION.

(M) The Corporation and the Board agree to cooperate with the successful bidder in the event said purchaser desires to purchase municipal bond insurance regarding the Bonds; provided, however, that any and all expenses incurred in obtaining said insurance shall be solely the obligation of the successful bidder should the successful bidder so elect to purchase such insurance.

STATE SUPPORT OF EDUCATION

The 1990 Regular Session of the General Assembly of the Commonwealth enacted a comprehensive legislative package known as the Kentucky Education Reform Act ("KERA") designed to comply with the mandate of the Kentucky Supreme Court that the General Assembly provide for as efficient and equitable system of schools throughout the State.

KERA became fully effective on July 13, 1990. Elementary and Secondary Education in the Commonwealth is supervised by the Commissioner of Education as the Chief Executive Officer of the State Department of Education ("DOE"), an appointee of the reconstituted State Board for Elementary and Secondary Education (the "State Board"). Some salient features of KERA are as follows:

KRS 157.330 establishes the fund to Support Education Excellence in Kentucky ("SEEK") funded from biennial appropriations from the General Assembly for distribution to school districts. The base funding guaranteed to each school district by SEEK for operating and capital expenditures is determined in each fiscal year by dividing the total annual SEEK appropriation by the state-wide total of pupils in average daily attendance ("ADA") in the preceding fiscal year; the ADA for each district is subject to adjustment to reflect the number of at risk students (approved for free lunch programs under state and federal guidelines), number and types of exceptional children, and transportation costs.

KRS 157.420 establishes a formula which results in the allocation of funds for capital expenditures in school districts at \$100 per ADA pupil which is included in the SEEK allotment (\$4,000) for the current biennium which is required to be segregated into a Capital Outlay Allotment Fund which may be used only for (1) direct payment of construction costs; (2) debt service on voted and funding bonds; (3) lease rental payments in support of bond issues; (4) reduction of deficits resulting from over expenditures for emergency capital construction; and (5) a reserve for each of the categories enumerated in 1 through 4 above.

KRS 160.470(12)(a) requires that effective for fiscal years beginning July 1, 1990 each school district shall levy a minimum equivalent tax rate of \$.30 for general school purposes. The equivalent tax rate is defined as the rate which results when the income collected during the prior year from all taxes levied by the district (including utilities gross receipts license and special voted) for school purposes is divided by the total assessed value of property, plus the assessment for motor vehicles certified by the Revenue Cabinet of the Commonwealth. Any school district board of education which fails to comply with the minimum equivalent tax rate levy shall be subject to removal from office.

KRS 160.470(12)(2) provides that for fiscal years beginning July 1, 1990 each school district may levy an equivalent tax rate which will produce up to 15% of those revenues guaranteed by the SEEK program. Any increase beyond the 4% annual limitation imposed by KRS 132.017 is not subject to the recall provisions of that Section. Revenue generated by the 15% levy is to be equalized at 150% of the state-wide average per pupil equalized assessment.

KRS 157.440(2) permits school districts to levy up to 30% of the revenue guaranteed by the SEEK program, plus the revenue produced by the 15% levy, but said additional tax will not be equalized with state funds and will be subject to recall by a simple majority of those voting on the question.

KRS 157.620(1) also provides that in order to be eligible for participation from the Kentucky School Facilities Construction Commission for debt service on bond issues the district must levy a tax which will produce revenues equivalent to \$.05 per \$100 of the total assessed value of all property in the district (including tangible and intangible property and motor vehicles) in addition to the minimum \$.30 levy required by KRS 160.470(12). A district having a special voted tax which is equal to or higher than the required \$.05 tax, must commit and segregate for capital purposes at least an amount equal to the required \$.05 tax. Those districts which levy the additional \$.05 tax are also eligible for participation in the Kentucky Facilities Support ("KFS") program for which funds are appropriated separately from SEEK funds and are distributed to districts in accordance with a formula taking into account outstanding debt and funds available for payment from both local and state sources under KRS 157.440(1)(b).

KRS 160.460 provides that as of July 1, 1994 all real property located in the Commonwealth subject to local taxation shall be assessed at \$57,158 to be applied to fair cash value.

BIENNIAL BUDGET FOR PERIOD ENDING JUNE 30, 2026

The Kentucky General Assembly is required by the Kentucky Constitution to adopt measures providing for the state's revenues and appropriations for each fiscal year. The Governor is required by law to submit a biennial State Budget (the "State Budget") to the General Assembly during the legislative session held in each even numbered year. State Budgets have generally been adopted by the General Assembly during those legislative sessions, which end in mid-April, to be effective upon the Governor's signature for appropriations commencing for a two-year period beginning the following July 1.

In the absence of a legislatively enacted budget, the Supreme Court has ruled the Governor has no authority to spend money from the state treasury except where there is a statutory, constitutional or federal mandate and the Commonwealth may be prevented from expending funds for certain state governmental functions, including the ability to pay principal of, premium, if any, and interest, when due, on obligations that are subject to appropriation.

The General Assembly recently adopted a budget for the biennial period ending June 30, 2026 which was approved and signed by the Governor. Such budget becomes effective beginning July 1, 2024. The Office of the State Budget Director makes available on its website monthly updates to the General Fund receipts and other Funds of the commonwealth. When published, the updates can be found at www.osbd.ky.gov.

POTENTIAL LEGISLATION

No assurance can be given that any future legislation, including amendments to the Code, if enacted into law, or changes in interpretation of the Code, will not cause interest on the Bonds to be subject, directly or indirectly, to federal income taxation, or otherwise prevent owners of the Bonds from realizing the full current benefit of the tax exemption of such interest. In addition, current and future legislative proposals, if enacted into law, may cause interest on state or local government bonds (whether issued before, on the date of, or after enactment of such legislation) to be subject, directly or indirectly, to federal income taxation by, for example, changing the current exclusion or deduction rules to limit the amount of interest on such bonds that may currently be treated as tax exempt by certain individuals. For example, on August 16, 2022, President Biden signed the Inflation Reduction Act of 2022 (the "Inflation Reduction Act"). The Inflation Reduction Act imposes a minimum tax of 15 percent of the adjusted financial statement income of certain corporations whose income exceeds stated thresholds for tax years beginning after December 31, 2022. Under the Inflation Reduction Act, interest on debt obligations otherwise exempt from federal income tax would be included in the calculation of adjusted financial statement income for corporations subject to the minimum tax. Prospective purchasers of the Bonds should consult their own tax advisers regarding any pending or proposed federal tax legislation.

Further, no assurance can be given that the introduction or enactment of any such future legislation, or any action of the IRS, including but not limited to regulation, ruling, or selection of the Bonds for audit examination, or the course or result of any IRS examination of the Bonds or obligations which present similar tax issues, will not affect the market price for the Bonds.

CONTINUING DISCLOSURE

As a result of the Board and issuing agencies acting on behalf of the Board offering for public sale municipal securities in excess of \$1,000,000, the Corporation and the Board will enter into a written agreement for the benefit of all parties who may become Registered or Beneficial Owners of the Bonds whereunder said Corporation and Board will agree to comply with the provisions of the Municipal Securities Disclosure Rules set forth in Securities and Exchange Commission Rule 15c2-12 (the "Rule") by filing annual financial statements and material events notices with the Electronic Municipal Market Access ("EMMA") System maintained by the Municipal Securities Rule Making Board.

Financial information regarding the Board may be obtained from Superintendent, Breathitt County Board of Education, 420 Court Street, PO Box 750, Jackson, Kentucky 41339 (606.666.2491).

TAX EXEMPTION; BANK QUALIFIED

Bond Counsel advises as follows with respect to the Bonds:

(A) The Bonds and the interest thereon are exempt from income and ad valorem taxation by the Commonwealth of Kentucky and all of its political subdivisions.

(B) The interest income from the Bonds is excludable from the gross income of the recipient thereof for Federal income tax purposes under existing law and interest on the Bonds will not be a specific item of tax preference for purposes of computing the Federal alternative minimum tax, however, with respect to certain corporations, interest on the Bonds is taken into account in determining the annual adjusted financial statement income for the purpose of computing the alternative minimum tax imposed on corporations for tax years beginning after December 31, 2022.

(C) As a result of certifications by the Board and the Corporation, indicating the issuance of less than \$10,000,000 of tax-exempt obligations during the calendar year ending December 31, 2024, the Bonds may be treated by financial institutions as "qualified tax-exempt obligations" under Section 265(b)(3) of the Code.

BOOK-ENTRY-ONLY-SYSTEM

The Bonds shall utilize the Book-Entry-Only-System administered by The Depository Trust Company ("DTC").

DTC will act as securities depository for the Bonds. The Bonds initially will be issued as fully-registered securities registered in the name of Cede & Co. (DTC's partnership nominee). One fully-registered Bond Certificate will be issued, in the aggregate principal amount of the Bonds, and will be deposited with DTC.

DTC is a limited-purpose trust company organized under the New York Banking Law, a "banking organization" within the meaning of the New York Banking Law, a member of the Federal Reserve System, a "clearing corporation" within the meaning of the New York Uniform Commercial Code, and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934. DTC holds securities that its participants ("Participants") deposit with DTC. DTC also facilitates the settlement among Participants of securities transactions, such as transfers and pledges, in deposited securities through electronic computerized book-entry changes in Participants' accounts, thereby eliminating the need for physical movement of securities certificates. "Direct Participants" include securities brokers and dealers, banks, trust companies, clearing corporations, and certain other organizations. DTC is owned by a number of its Direct Participants and by the New York Stock Exchange, Inc., the American Stock Exchange, Inc., and the National Association of Securities Dealers, Inc. Access to the DTC system is also available to others such as securities brokers and dealers, banks, and trust companies that clear through or maintain a custodial relationship with a Direct Participant, either directly or indirectly ("Indirect Participants"). The Rules applicable to DTC and its participants are on file with the Securities and Exchange Commission.

Purchases of Bonds under the DTC system must be made by or through Direct Participants, which will receive a credit for the Bonds on DTC's records. The ownership interest of each actual purchaser of each Bond ("Beneficial Owner") is in turn to be recorded on the Direct and Indirect Participant's records. Beneficial Owners will not receive written confirmation from DTC of their purchase, but Beneficial Owners are expected to receive written confirmations providing details of the transaction, as well as periodic statements of their holdings, from the Direct or Indirect Participant through which the beneficial Owner entered into the transaction. Transfers of ownership interests in the Bonds ("Beneficial Ownership Interest") are to be accomplished by entries made on the books of Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their Beneficial Ownership interests in Bonds, except in the event that use of the book-entry system for the Securities is discontinued. Transfers of ownership interest in the Securities are to be accomplished by entries made on the books of Participants acting on behalf of Beneficial Owners. Beneficial Owners will not receive certificates representing their ownership interests in Securities, except in the event that use of the book-entry system for the Securities is discontinued.

To facilitate subsequent transfers, all Bonds deposited by Participants with DTC are registered in the name of DTC's partnership nominee, Cede & Co. The deposit of Bonds with DTC and their registration in the name of Cede & Co., effect no change in beneficial ownership. DTC has no knowledge of the actual Beneficial Owners of the Bonds; DTC's records reflect only the identity of the Direct Participants to whose accounts such Bonds are credited, which may or may not be the Beneficial Owners. The Participants will remain responsible for keeping account of their holdings on behalf of their customers.

Conveyance of notices and other communications by DTC to Direct Participants, by Direct Participants to Indirect Participants, and by Direct Participants and Indirect Participants to Beneficial Owners, will be governed by arrangements among them, subject to any statutory or regulatory requirements as may be in effect from time to time.

Redemption notices shall be sent to Cede & Co. If less than all of the Bonds are being redeemed, DTC's practice is to determine by lot the amount of the interest of each Direct Participant in the Bonds to be redeemed.

Neither DTC nor Cede & Co. will consent or vote with respect to Bonds. Under its usual procedures, DTC mails an Omnibus Proxy to the Issuer as soon as possible after the record date. The Omnibus Proxy assigns Cede & Co.'s consenting or voting rights to those Direct Participants to whose accounts the Bonds are credited on the record date (identified in a listing attached to the Omnibus Proxy).

Principal and interest payments of the Bonds will be made to DTC. DTC's practice is to credit Direct Participants' account on payable date in accordance with their respective holdings shown on DTC's records unless DTC has reason to believe that it will not receive payment on payable date. Payments by Participants to Beneficial Owners will be governed by standing instructions and customary practices, as is the case with securities held for the accounts of customers in bearer form or registered in "street name", and will be the responsibility of such Participant and not of DTC, the Issuer, or the Trustee, subject to any statutory or regulatory requirements as may be in effect from time to time. Payment of principal and interest to DTC is the responsibility of the Issuer or the Trustee, disbursements of such payments to Direct Participants shall be the responsibility of DTC, and disbursements of such payment to the Beneficial Owners shall be the responsibility of Direct and Indirect Participants.

A Beneficial Owner shall give notice to elect to have its Beneficial Ownership Interests purchased or tendered, through its Participant, to the Trustee, and shall effect delivery of such Beneficial Ownership Interests by causing the Direct Participant to transfer the Participant's interest in the Beneficial Ownership Interests, on DTC's records, to the purchaser or the Trustee, as appropriate. The requirements for physical delivery of Bonds in connection with a demand for purchase or a mandatory purchase will be deemed satisfied when the ownership rights in the Bonds are transferred by Direct Participants on DTC's records.

DTC may discontinue providing its services as securities depository with respect to the Bonds at any time by giving reasonable notice to the Issuer or the Bond Registrar. Under such circumstances, in the event that a successor securities depository is not obtained, Bond certificates are required to be printed and delivered by the Bond Registrar.

NEITHER THE ISSUER, THE BOARD NOR THE BOND REGISTRAR/PAYING AGENT WILL HAVE ANY RESPONSIBILITY OR OBLIGATION TO ANY DIRECT PARTICIPANT, INDIRECT PARTICIPANT OR ANY BENEFICIAL OWNER OR ANY OTHER PERSON NOT SHOWN ON THE REGISTRATION BOOKS OF THE BOND REGISTRAR/PAYING AGENT AS BEING AN OWNER WITH RESPECT TO: (1) THE BONDS; (2) THE ACCURACY OF ANY RECORDS MAINTAINED BY DTC OR ANY DIRECT PARTICIPANT OR INDIRECT PARTICIPANT; (3) THE PAYMENT BY DTC OR ANY DIRECT PARTICIPANT OR INDIRECT PARTICIPANT OF ANY AMOUNT DUE TO ANY BENEFICIAL OWNER IN RESPECT OF THE PURCHASE PRICE OF TENDERED BONDS OR THE PRINCIPAL OR REDEMPTION PRICE OF OR INTEREST ON THE BONDS; (4) THE DELIVERY BY ANY DIRECT PARTICIPANT OR INDIRECT PARTICIPANT OF ANY NOTICE TO ANY BENEFICIAL OWNER WHICH IS REQUIRED OR PERMITTED UNDER THE TERMS OF THE BOND RESOLUTION TO BE GIVEN TO HOLDERS; (5) THE SELECTION OF THE BENEFICIAL OWNERS TO RECEIVE PAYMENT IN THE EVENT OF ANY PARTIAL REDEMPTION OF THE BONDS; OR (6) ANY CONSENT GIVEN OR OTHER ACTION TAKEN BY DTC AS HOLDER.

**BREATHITT COUNTY SCHOOL DISTRICT
FINANCE CORPORATION**

by /s/Casey Allen
Secretary

APPENDIX E

**Breathitt County School District Finance Corporation
School Building Revenue Bonds,
Series of 2024**

Official Bid Form

**OFFICIAL BID FORM
(Bond Purchase Agreement)**

The Breathitt County School District Finance Corporation ("Corporation" or "Issuer"), will until 12:00 P.M., E.D.S.T., on September 25, 2024, receive in the office of the Executive Director of the Kentucky School Facilities Construction Commission, 700 Louisville Rd, Carriage House, Frankfort, KY 40601, (telephone 502-564-5582; fax 888-979-6152) competitive bids for its \$2,075,000 School Building Revenue Bonds, Series of 2024, dated October 16, 2024; maturing October 1, 2025 through 2044 ("Bonds").

We hereby bid for said \$2,075,000* principal amount of Bonds, the total sum of \$ _____ (not less than \$2,033,500) plus accrued interest from October 16, 2024 payable April 1, 2025 and semiannually thereafter at the following annual rates, (rates on ascending scale in multiples of 1/8 or 1/20 of 1%; number of interest rates unlimited) and maturing as to principal on October 1 in the years as follows:

<u>Year</u>	<u>Amount*</u>	<u>Rate</u>	<u>Year</u>	<u>Amount*</u>	<u>Rate</u>
2025	\$ 5,000	_____%	2035	\$ 45,000	_____%
2026	5,000	_____%	2036	5,000	_____%
2027	65,000	_____%	2037	5,000	_____%
2028	80,000	_____%	2038	140,000	_____%
2029	85,000	_____%	2039	145,000	_____%
2030	80,000	_____%	2040	155,000	_____%
2031	15,000	_____%	2041	260,000	_____%
2032	40,000	_____%	2042	285,000	_____%
2033	45,000	_____%	2043	300,000	_____%
2034	5,000	_____%	2044	310,000	_____%

* Subject to Permitted Adjustment

We understand this bid may be accepted for as much as \$2,285,000 of Bonds or as little as \$1,865,000 of Bonds, at the same price per \$5,000 Bond, with the variation in such amount occurring in any maturity or all maturities, which will be determined at the time of acceptance of the best bid.

We further understand that by submitting a bid we agree as follows:

If three (3) or more bids for the Bonds are received as a result of this competitive sale, the successful purchaser will be required to certify on or before the issue date the reasonably expected initial offering price to the public for each Maturity of the Bonds which prices are the prices for each Maturity of the Bonds used by the successful purchaser in formulating its bid to purchase the Bonds.

If less than three (3) bids for the Bonds are received as a result of this competitive sale, the successful purchaser, by submitting a bid pursuant to a published Notice of Sale, has agreed in writing that they will certify on or before the issue date (and provide reasonable supporting documentation for such Certification, such as a copy of the Pricing wire or equivalent communication) for each Maturity of the Bonds (i) the first price at which at least 10% of each Maturity of the Bonds was sold to the Public, or (ii) that they will neither offer nor sell any of the Bonds of each Maturity to any person at a price that is higher than the Initial Offering Price for such maturity during the Holding Period for such Maturity.

Bids will not be subject to cancellation or withdrawal by the bidder in the event that three bids are not received and the Issuer determines to apply the hold-the-offering-price rule.

For purposes of the above the following terms are defined as follows:

(a) *Holding Period* means, with respect to a Maturity, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which the successful purchaser has sold at least 10% of such Maturity to the Public at prices that are no higher than the Initial Offering Price for such Maturity.

(b) *Maturity* means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate maturities.

(c) *Public* means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this certificate generally means any two or more persons who have greater than 50% common ownership, directly or indirectly.

(d) *Sale Date* means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is September 25, 2024.

(e) *Underwriter* means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

Electronic bids for the Bonds must be submitted through PARITY® and no other provider of electronic bidding services will be accepted. Subscription to the PARITY® Competitive Bidding System is required in order to submit an electronic bid. The Corporation will neither confirm any subscription nor be responsible for the failure of any prospective bidders to subscribe. For the purposes of the bidding process, the time as maintained by PARITY® shall constitute the official time with respect to all bids whether in electronic or written form. To the extent any instructions or directions set forth in PARITY® conflict with the terms of the Official Terms and Conditions of Sale of Bonds, this Official Terms and Conditions of Sale of Bonds shall prevail. Electronic bids made through the facilities of PARITY®

shall be deemed an offer to purchase in response to the Notice of Bond Sale and shall be binding upon the bidders as if made by signed, sealed written bids delivered to the Corporation. The Corporation shall not be responsible for any malfunction or mistake made by or as a result of the use of the electronic bidding facilities provided and maintained by PARITY®. The use of PARITY® facilities are at the sole risk of the prospective bidders. For further information regarding PARITY®, potential bidders may contact PARITY®, telephone (212) 404-8102. Notwithstanding the foregoing, non-electronic bids may be submitted via facsimile or by hand delivery utilizing the Official Bid Form.

The successful bidder may elect to notify the Municipal Advisor within twenty-four (24) hours of the award of the Bonds that certain serial maturities as awarded may be combined with immediately succeeding serial maturities as one or more Term Bonds; provided, however, (a) bids must be submitted to permit only a single interest rate for each Term Bond specified, and (b) Term Bonds will be subject to mandatory redemption on October 1 in accordance with the maturity schedule setting the actual size of the issue.

The DTC Book-Entry-Only-System will be utilized on delivery of this issue.

It is understood that the Corporation will furnish the final approving Legal Opinion of Steptoe & Johnson PLLC Bond Counsel, Louisville, Kentucky.

No certified or bank cashier's check will be required to accompany a bid, but the successful bidder shall be required to wire transfer an amount equal to 2% of the principal amount of Bonds awarded by the close of business on the date following the award. Said good faith amount will be applied (without interest) to the purchase price on delivery. Wire transfer procedures should be arranged through U.S. Bank Trust Company, National Association, Louisville, Kentucky, Attn: Mr. Charles Lush, Trust Officer (502.797.6421).

Bids must be submitted only on this form and must be fully executed.

If we are the successful bidder, we agree to accept and make payment for the Bonds in Federal Funds on or about October 16, 2024 and upon acceptance by the Issuer's Municipal Advisor this Official Bid Form shall become the Bond Purchase Agreement.

Respectfully submitted,

_____ Bidder

By _____
Authorized Officer

_____ Address

Total interest cost from October 16, 2024 to final maturity	\$ _____
Plus discount or less any premium	\$ _____
Net interest cost (Total interest cost plus discount)	\$ _____
Average interest rate or cost	_____ %

The above computation of net interest cost and of average interest rate or cost is submitted for information only and is not a part of this Bid.

Accepted by RSA Advisors, LLC, as Municipal Advisor and Agent for the Breathitt County School District Finance Corporation for \$ _____ amount of Bonds at a price of \$ _____ as follows:

<u>Year</u>	<u>Amount</u>	<u>Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Rate</u>
2025	_____,000	_____%	2035	_____,000	_____%
2026	_____,000	_____%	2036	_____,000	_____%
2027	_____,000	_____%	2037	_____,000	_____%
2028	_____,000	_____%	2038	_____,000	_____%
2029	_____,000	_____%	2039	_____,000	_____%
2030	_____,000	_____%	2040	_____,000	_____%
2031	_____,000	_____%	2041	_____,000	_____%
2032	_____,000	_____%	2042	_____,000	_____%
2033	_____,000	_____%	2043	_____,000	_____%
2034	_____,000	_____%	2044	_____,000	_____%

Dated: September 25, 2024

RSA Advisors, LLC,
As Agent for the Breathitt County
School District Finance Corporation