

**NEW JERSEY SYMPHONY ORCHESTRA**

FINANCIAL STATEMENTS  
AND SUPPLEMENTARY INFORMATION

JUNE 30, 2020 AND 2019



**SOBEL & CO. LLC**

CERTIFIED PUBLIC ACCOUNTANTS & ADVISORS

# **NEW JERSEY SYMPHONY ORCHESTRA**

JUNE 30, 2020 AND 2019

## **CONTENTS**

	<b><u>Page</u></b>
Independent Auditors' Report.....	1-3
Financial Statements:	
Statements of Financial Position.....	4
Statement of Activities and Changes in Net Assets.....	5
Statement of Functional Expenses .....	6
Statements of Cash Flows.....	7
Notes to Financial Statements.....	8-25
Supplementary Information:	
Schedule of Expenditures of State Awards.....	26
Notes to Schedule of Expenditures of State Awards .....	27
Independent Auditors' Report on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with <i>Government Auditing Standards</i> .....	28-29
Independent Auditors' Report on Compliance for the Major State Program and on Internal Control Over Compliance Required by the Uniform Guidance and New Jersey OMB Circular Letter 15-08 .....	30-31
Schedule of Findings and Questioned Costs.....	32-33

## **INDEPENDENT AUDITORS' REPORT**

To the Board of Trustees  
New Jersey Symphony Orchestra  
Newark, New Jersey

### **Report on the Financial Statements**

We have audited the accompanying financial statements of the New Jersey Symphony Orchestra (“Organization”), a nonprofit organization, which comprise the statements of financial position as of June 30, 2020, and the related statements of activities and changes in net assets, functional expenses and cash flows for the year then ended, and the related notes to the financial statements.

### ***Management’s Responsibility for the Financial Statements***

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

### ***Auditors’ Responsibility***

Our responsibility is to express an opinion on these financial statements based on our audit. 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. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditors’ judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditors consider internal control relevant to the Organization’s preparation and fair presentation of the financial statements 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 Organization’s internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

## ***Opinion***

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Organization as of June 30, 2020, and the changes in its net assets and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

## ***Emphasis of Matter***

The Organization adopted Financial Accounting Standards Board, *Revenue from Contracts with Customers*, and, *Not-for-Profit Entities: Clarifying the Scope and the Accounting Guidance for Contributions Received and Contributions Made*, as described in Note 2. Our opinion is not modified with respect to this matter.

## **Other Matters**

### *Other Information*

Our audit was conducted for the purpose of forming an opinion on the financial statements as a whole. The accompanying schedule of expenditures of state awards on page 26, as required by Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and New Jersey Office of Management and Budget Circular Letter 15-08, is presented for purposes of additional analysis and is not a required part of the 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 financial statements. The information has been subjected to the auditing procedures applied in the audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America.

## **Other Reporting Required by *Government Auditing Standards***

In accordance with *Government Auditing Standards*, we have also issued our report dated January 12, 2021, on our consideration of the Organization's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements and other matters. The purpose of that report is 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 internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the Organization's internal control over financial reporting and compliance.

## Report on Summarized Comparative Information

We have previously audited the Organization's 2019 financial statements, and we expressed an unmodified opinion on those audited financial statements in our report dated September 24, 2019. In our opinion, the summarized comparative information presented herein as of and for the year ended June 30, 2019, is consistent, in all material respects, with the audited financial statements from which it has been derived.

*Sobel & Co, LLC*

Certified Public Accountants

Livingston, New Jersey  
January 12, 2021

**NEW JERSEY SYMPHONY ORCHESTRA**  
**STATEMENTS OF FINANCIAL POSITION**

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	<b>June 30,</b>	
<b>ASSETS</b>	<b>2020</b>	<b>2019</b>
Cash and cash equivalents	\$ 1,443	\$ 600
Restricted investments	7,084,536	7,944,307
Grants receivable	-	250,000
Unconditional promises to give, net	3,780,386	3,872,594
Prepaid expenses	884,969	311,835
Other receivables	64,662	116,414
Property and equipment, net	132,392	125,145
Music library, less accumulated amortization of \$438,784 and \$428,322	99,344	103,974
Funds held in trust	145,369	136,081
	<u>\$ 12,193,101</u>	<u>\$ 12,860,950</u>
 <b>LIABILITIES AND NET ASSETS</b>		
<b>LIABILITIES:</b>		
Accounts payable and accrued expenses	\$ 605,916	\$ 1,582,601
Deferred revenue	1,455,802	1,409,547
Refundable advance	1,698,900	-
Funds held for others	36,853	-
Total Liabilities	<u>3,797,471</u>	<u>2,992,148</u>
 <b>COMMITMENTS AND CONTINGENCIES</b>		
<b>NET ASSETS:</b>		
Without donor restrictions	(3,049,786)	(1,929,061)
With donor restrictions	11,445,416	11,797,863
Total Net Assets	<u>8,395,630</u>	<u>9,868,802</u>
	<u>\$ 12,193,101</u>	<u>\$ 12,860,950</u>

**NEW JERSEY SYMPHONY ORCHESTRA**  
**STATEMENT OF ACTIVITIES AND CHANGES IN NET ASSETS**  
(With Summarized Comparative Totals for the Year Ended June 30, 2019)

	Year Ended June 30, 2020			2019 Total
	Without Donor Restrictions	With Donor Restrictions	Total	
<b>Changes in Net Assets without Donor Restrictions:</b>				
Operating Revenues:				
Performance revenue	\$ 2,287,983	\$ -	\$ 2,287,983	\$ 4,159,595
Education and community engagement	130,997	-	130,997	219,589
Total Operating Revenues	2,418,980	-	2,418,980	4,379,184
Operating Expenses:				
Program costs	9,315,954	-	9,315,954	11,385,615
General and administrative costs	1,645,222	-	1,645,222	1,503,165
Total Operating Expenses	10,961,176	-	10,961,176	12,888,780
Loss from Operations	(8,542,196)	-	(8,542,196)	(8,509,596)
Supplemental Income:				
Government grants	1,000,000	-	1,000,000	1,000,000
Interest and dividend income	-	51,283	51,283	87,255
Other revenue	9,510	-	9,510	12,199
Realized loss on investments	-	(119,793)	(119,793)	367,662
Unrealized loss on investments	-	-	-	(128,947)
Donated materials, facilities and services	102,117	-	102,117	111,835
	1,111,627	(68,510)	1,043,117	1,450,004
Fundraising:				
Annual giving	4,212,293	2,077,380	6,289,673	6,129,668
Endowment contributions	-	602,943	602,943	187,203
Change in discount	-	54,240	54,240	(7,571)
Special events	832,229	-	832,229	1,065,854
Net assets released from restrictions	3,018,500	(3,018,500)	-	-
	8,063,022	(283,937)	7,779,085	7,375,154
Fundraising Expenses:	1,753,178	-	1,753,178	1,770,844
Fundraising, Net	6,309,844	(283,937)	6,025,907	5,604,310
Supplemental Income, Net	7,421,471	(352,447)	7,069,024	7,054,314
Changes in Net Assets	(1,120,725)	(352,447)	(1,473,172)	(1,455,282)
Net Assets - Beginning of year	(1,929,061)	11,797,863	9,868,802	11,324,084
Net Assets - End of year	\$ (3,049,786)	\$ 11,445,416	\$ 8,395,630	\$ 9,868,802

**NEW JERSEY SYMPHONY ORCHESTRA**  
**STATEMENT OF FUNCTIONAL EXPENSES**  
(With Summarized Comparative Totals for the Year Ended June 30, 2019)

	<b>Year Ended June 30, 2020</b>				<b>2019 Total</b>
	<b>Program</b>	<b>General and Administrative</b>	<b>Fundraising</b>	<b>Total</b>	
Compensation	\$ 4,616,564	\$ 714,629	\$ 800,568	\$ 6,131,761	\$ 6,458,564
Artistic and professional fees	920,816	163,155	248,630	1,332,601	1,926,240
Payroll taxes	534,612	59,723	84,341	678,676	702,411
Employee benefits	1,373,769	82,431	124,888	1,581,088	1,531,053
Supplies	8,500	10,624	6,465	25,589	18,917
Insurance	-	108,283	-	108,283	102,352
Printing	161,310	-	10,840	172,150	152,007
Rent	397,036	220,115	-	617,151	893,736
Telephone	9,562	18,414	-	27,976	29,416
Postage	119,745	3,715	13,369	136,829	166,436
Maintenance, repairs and equipment rentals	126,881	74,384	45,793	247,058	313,836
Travel	293,393	18,176	12,598	324,167	530,838
Marketing and promotion	552,358	5,735	134,614	692,707	1,047,225
Library	122,583	-	-	122,583	127,183
Special events	-	-	244,786	244,786	392,740
Depreciation and amortization	37,042	9,684	1,612	48,338	43,964
Provision for uncollectible pledges	-	59,582	-	59,582	26,441
Banking and financing fees	-	10,457	-	10,457	3,894
Miscellaneous	41,783	86,115	24,674	152,572	192,371
	<b>\$ 9,315,954</b>	<b>\$ 1,645,222</b>	<b>\$ 1,753,178</b>	<b>\$ 12,714,354</b>	<b>\$ 14,659,624</b>

**NEW JERSEY SYMPHONY ORCHESTRA**  
**STATEMENTS OF CASH FLOWS**

	<b>Year Ended June 30,</b>	
	<b>2020</b>	<b>2019</b>
<b>CASH FLOWS PROVIDED BY (USED FOR):</b>		
<u>OPERATING ACTIVITIES:</u>		
Changes in net assets	\$ (1,473,172)	\$ (1,455,282)
Adjustments to reconcile changes in net assets to net cash used for operating activities:		
Depreciation and amortization	48,338	43,964
Bad debt expense	59,582	26,441
Deferred rent	(2,114)	12,686
Investment losses/(gains):		
Realized	119,793	(367,662)
Unrealized	-	128,947
Funds held in trust	(9,288)	(11,631)
Changes in certain assets and liabilities:		
Grants receivable	250,000	-
Unconditional promises to give	32,626	1,236,120
Prepaid expenses	(573,134)	(23,113)
Other receivables	51,752	158,431
Accounts payable and accrued expenses	(974,571)	(103,865)
Refundable advance	1,698,900	-
Deferred revenue	46,255	(378,103)
Funds held for others	36,853	-
Net Cash Used for Operating Activities	<u>(688,180)</u>	<u>(733,067)</u>
<u>INVESTING ACTIVITIES:</u>		
Payments for purchase of property and equipment and music library	(50,955)	(22,637)
Sale of investments	4,704,760	855,000
Purchase of investments	(3,964,782)	(99,296)
Net Cash Provided by Investing Activities	<u>689,023</u>	<u>733,067</u>
<b>NET INCREASE IN CASH AND CASH EQUIVALENTS</b>	<b>843</b>	<b>-</b>
<b>CASH AND CASH EQUIVALENTS:</b>		
Beginning of year	<u>600</u>	<u>600</u>
End of year	<u>\$ 1,443</u>	<u>\$ 600</u>

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 1 - NATURE OF ORGANIZATION:**

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New Jersey Symphony Orchestra (“NJSO” or “Organization”) is a New Jersey not-for-profit organization whose purpose is to engage the public by performing classical music at the highest caliber in a variety of settings for diverse audiences.

On July 1, 2020, NJSO changed its’ year end to August 31<sup>st</sup> to more closely align with its performance season.

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES:**

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***Basis of Accounting:***

The financial statements have been prepared on the accrual basis of accounting in accordance with accounting principles generally accepted in the United States of America.

***Financial Statement Presentation:***

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

Net Assets Without Donor Restrictions - Net assets not subject to donor-imposed stipulations.

Net Assets With Donor Restrictions - Net assets subject to donor-imposed stipulations that may or will be met, either by actions of the Organization and/or the passage of time. Also included in this classification are net assets subject to donor-imposed stipulations that they be maintained permanently by the Organization. Generally, the donors of these assets permit the Organization to use all or part of the income earned on any related investments for general or specific purposes. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statements of activities and changes in net assets as net assets released from restrictions.

***Cash Equivalents:***

NJSO considers all highly liquid debt instruments with an original maturity of less than three months to be cash equivalents.

***Restricted Investments:***

Restricted cash and investments have been restricted by donors either for a specified purpose or perpetually.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)**

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***Investments:***

Investment income is presented net of investment advisory/management fees in the statements of activities and changes in net assets. All investment income is credited directly to unrestricted net assets unless otherwise restricted by the donor. All capital appreciation/depreciation earned on investments is reported as a change in unrestricted net assets unless otherwise restricted by the donor. All investments are carried at fair value with the related gains and losses included in the statements of activities and changes in net assets, respectively.

***Fair Value:***

Fair value measurements are defined as the amount that would be received to sell an asset, or paid to transfer a liability, in an orderly transaction between market participants at the measurement date. There are three defined hierarchical levels based on the quality of inputs used that directly relate to the amount of subjectivity associated with the determination of fair value.

The fair value hierarchy defines the three levels as follows:

**Level 1:** Valuations based on quoted prices (unadjusted) in an active market that are accessible at the measurement date for identical assets or liabilities. The fair value hierarchy gives the highest priority to Level 1 inputs.

**Level 2:** Valuations based on observable inputs other than Level 1 prices, such as quoted prices for similar assets or liabilities; quoted prices in inactive markets; or model-derived valuations in which all significant inputs are observable or can be derived principally from or corroborated by observable market data.

**Level 3:** Valuations based on unobservable inputs that are used when little or no market is available. The fair value hierarchy gives lowest priority to Level 3 inputs.

***Uncollectible Unconditional Promises to Give:***

The Organization charges off unconditional promises to give when they are determined to be uncollectible. During the years ended June 30, 2020 and 2019, the Organization determined that uncollectible amounts totaled \$59,582 and \$26,441, respectively. Allowances are estimates based on management's evaluation of outstanding pledges and consideration of historical write-off activity. These unconditional promises to give were charged off as uncollectible pledges in the statements of activities and changes in net assets.

***Property and Equipment:***

Property and equipment is stated at cost or fair market value, at the date of gift for donated assets. Depreciation is provided using the straight-line method over the estimated useful lives of the assets, which range from five to ten years.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)**

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***Music Library:***

NJSO's music library was initially valued by an independent appraiser and recorded at the resulting fair value due to a lack of historical cost information. Subsequent additions have been recorded at cost. Although the value of the library may increase, the applicable sheet music is subject to physical deterioration and, accordingly, is being depreciated over a 25-year period.

***Deferred Rent:***

The Organization recognizes rent expense on the straight-line basis for financial reporting purposes. The difference between cash payments and expenses are included in accounts payable and accrued expenses as deferred rent.

***Funds Held for Others:***

In January 2020, the NJSO entered into an agreement with El Sistema New Jersey Alliance to provide administrative support services, including receiving and distributing funds on behalf of the Alliance in support of its activities. In conjunction with this relationship, NJSO has included \$36,853 in Funds held for others at June 30, 2020, that belongs to El Sistema New Jersey Alliance.

***Revenue Recognition:***

The Organization adopted the Financial Accounting Standards Board ("FASB") accounting pronouncement, *Revenue from Contracts with Customers*, which is a comprehensive new revenue recognition standard that supersedes existing revenue recognition guidance. The Organization adopted the new standard effective July 1, 2019, the first day of the Organization's fiscal year using the modified retrospective approach. The core principle of the guidance is that an entity should recognize revenue to depict the transfer of promised goods or services. The FASB also requires expanded disclosures relating to the nature, amount, timing, and uncertainty of revenue and cash flows arising from contracts with customers.

The Organization derives a portion of its revenue from performance revenue. Revenues are recognized at a point in time when the performances are provided by the Organization, in an amount that reflects the consideration the Organization expects to be entitled to in exchange for providing the performance. There are no significant financing components or variable considerations provided to the attendees. Subscriptions received for subsequent concert seasons are recorded as deferred subscription revenue. Costs applicable to the generation of such revenue are included in prepaid expenses and are amortized over the subsequent concert season. In the case of postponed or canceled concerts, as has occurred since March 2020 due to the COVID-19 pandemic, the Organization has reflected ticket donations as fundraising income at the time of the donation, and monies left on account are reflected as deferred revenue.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)**

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***Revenue With and Without Donor Restrictions:***

The Organization also adopted the FASB Accounting Standards Update, *Not-for-Profit Entities: Clarifying the Scope and Accounting Guidance for Contributions Received and Contributions Made*, which went into effect for years beginning after December 15, 2018. This guidance is intended to clarify and improve the scope of accounting guidance for contributions received and contributions made. Key provisions in this guidance include clarifications regarding the accounting for grants and contracts as exchange transactions or contributions, and improving guidance to better distinguish between conditional and unconditional contributions.

Contributions are recognized as revenue when the contributions are given. Contributions that are restricted by the donor are reported as increases in net assets without donor restrictions if the restrictions expire (that is, when a stipulated time restriction ends or purpose restriction is accomplished) in the reporting period in which the revenue is recognized. All other donor-restricted contributions are reported as increases in net assets with donor restrictions, depending on the nature of the restrictions. When a restriction expires, net assets with donor restrictions are reclassified to net assets without donor restrictions and reported in the statements of activities and changes in net assets as net assets released from restrictions. Net assets with donor restrictions are either available for periods after June 30, 2020 or are restricted to endowments to be held indefinitely, with no restriction on the use of income. NJSO has received permission from certain donors to borrow against the endowment for operating purposes. Grant revenue is recognized in the fiscal year it is earned.

***Underwater Endowment Funds:***

The Organization considers a fund to be underwater if the fair value of the fund is less than the sum of (a) the original value of initial and subsequent gift amounts donated to the fund and (b) any accumulations to the fund that are required to be maintained in perpetuity in accordance with the direction of the applicable donor gift instrument. The Organization complies with the Uniform Prudent Management of Institutional Funds Act (“UPMIFA”), and has interpreted UPMIFA to permit spending from underwater funds in accordance with the prudent measures required under the law.

***Donated Materials, Facilities, and Services:***

Significant materials, facilities and services are donated to the Organization by various individuals and other organizations. Donated materials, facilities and services for the years ended June 30, 2020 and 2019, were \$102,117 and \$111,835, respectively. Donated materials, facilities and services are recorded at their estimated fair value at the date of donation, and have been included in revenue and expenses for the respective years.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)**

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***Advertising:***

NJSO uses advertising to promote its programs among the audiences it serves and expenses them as incurred. Advertising expense for the years ended June 30, 2020 and 2019, was \$343,545 and \$487,103, respectively, and is included in the statement of functional expenses as marketing and promotion, and printing expenses.

***Income Taxes:***

The Organization is a not-for-profit organization that is exempt from income taxes under Section 501(c)(3) of the Internal Revenue Code and, accordingly, is not liable for federal and state income taxes.

The Organization follows standards that provide clarification on accounting for uncertainty in income taxes recognized in the Organization's financial statements. The guidance prescribes a recognition threshold and measurement attribute for the recognition and measurement of a tax position taken, or expected to be taken, in a tax return, and also provides guidance on derecognition, classification, interest and penalties, disclosure and transition. The Organization's policy is to recognize interest and penalties on unrecognized tax benefits in income tax expense. No interest and penalties were recorded during 2020 and 2019. At June 30, 2020 and 2019, there are no significant income tax uncertainties.

***Use of Estimates:***

In preparing financial statements in conformity with accounting principles generally accepted in the United States of America, management is required to make estimates and assumptions that affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. These estimates and assumptions are based on management's best estimates and judgment. Actual results could differ from those estimates.

***Functional Allocation of Expenses:***

Costs of providing the Organization's programs, management and general, and fundraising activities are separately summarized in the statements of functional expenses. Accordingly, certain costs have been allocated among program services, management and general, and fundraising activities benefited. Management and general costs include those expenses that are not directly identifiable with any other specific function but do provide for the overall support and direction of the Organization. Library, special events, provision for uncollectible pledges are directly expensed to their functional activity. All other expenses are allocated amongst the functional activities based on a combination of direct costing and time and effort.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 2 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES: (Continued)**

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***Recent Accounting Pronouncements:***

The FASB issued an accounting pronouncement, *Leases*, which requires lessees to recognize a right-of-use asset and lease liability on the balance sheet for all leases with a term longer than 12 months. Under this pronouncement, a modified retrospective transition approach is required, and the new standard is applied to all leases existing at the date of the initial application. The effective date for the pronouncement is for periods beginning after December 15, 2021. The Organization is currently evaluating the effect the new standard will have on the financial statements.

***Summarized Comparative Information:***

The financial statements include certain prior-year, summarized, comparative information in total but not by net asset class. Such information does not include sufficient detail to constitute a presentation in conformity with accounting principles generally accepted in the United States of America. Accordingly, such information should be read in conjunction with the Organization's financial statements for the year ended June 30, 2019, from which the summarized information was derived.

***Subsequent Events:***

The Organization has evaluated its subsequent events and transactions occurring after June 30, 2020 through January 12, 2021, the date that the financial statements were available to be issued.

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**NOTE 3 - RESTRICTED INVESTMENTS:**

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Restricted cash and investments at fair value are summarized as follows:

<b>FAIR VALUE MEASUREMENTS</b>			
<b>AS OF JUNE 30, 2020</b>			
	<b>LEVEL 1</b>	<b>LEVEL 2</b>	<b>TOTAL</b>
Restricted cash	\$ 46,651	\$ -	\$ 46,651
Money market	5,469,332	-	5,469,332
Certificate of deposit	-	1,568,553	1,568,553
Investments at Fair Value	\$ 5,515,983	\$ 1,568,553	\$ 7,084,536

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

**NOTE 3 - RESTRICTED INVESTMENTS: (Continued)**

**FAIR VALUE MEASUREMENTS**  
**AS OF JUNE 30, 2019**

	<b>LEVEL 1</b>	<b>LEVEL 2</b>	<b>TOTAL</b>
Restricted cash	\$ 46,571	\$ -	\$ 46,571
Money market	2,509,917	-	2,509,917
Mutual funds	4,793,826	-	4,793,826
Certificate of deposit	-	60,487	60,487
Unsettled purchases	533,506	-	533,506
Investments at Fair Value	<u>\$ 7,883,820</u>	<u>\$ 60,487</u>	<u>\$ 7,944,307</u>

**NOTE 4 - UNCONDITIONAL PROMISES TO GIVE:**

Unconditional promises to give are comprised of the following:

	<b>June 30,</b>	
	<b>2020</b>	<b>2019</b>
Receivable in less than one year	\$ 1,801,851	\$ 2,061,681
Receivable in one to five years	1,730,450	1,615,750
Receivable in more than five years	400,000	450,000
	<u>3,932,301</u>	<u>4,127,431</u>
Less: Discounts to net present value	(107,340)	(187,692)
Less: Allowance for uncollectible promises	(44,575)	(67,145)
Unconditional Promises to Give, Net	<u>\$ 3,780,386</u>	<u>\$ 3,872,594</u>

Unconditional promises to give in more than one year are discounted at 1.57% and 2.72% at June 30, 2020 and 2019, respectively.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 5 - PROPERTY AND EQUIPMENT:**

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Property and equipment is as follows:

	<b>June 30,</b>	
	<b>2020</b>	<b>2019</b>
Sound stage	\$ 418,831	\$ 418,831
Office equipment	87,531	73,223
Musical instruments	156,275	138,378
Scenery and props	86,686	86,686
Leasehold improvements	15,072	13,172
Furniture and other equipment	230,478	223,365
	<u>994,873</u>	<u>953,655</u>
Less: Accumulated depreciation	862,481	828,510
Property and Equipment, Net	<u>\$ 132,392</u>	<u>\$ 125,145</u>

**NOTE 6 - RETIREMENT PLANS:**

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***Defined-benefit, Multiemployer Pension Plan:***

NJSO participates in a defined-benefit, multiemployer pension plan with the American Federation of Musicians and Employers' Pension Fund ("Plan") covering all eligible musicians. The Plan covers all eligible employees in which the participant earns \$750 in covered earnings by an employer who is required to make contributions to the Plan. Pension expense for this Plan for the years ended June 30, 2020 and 2019, was \$328,805 and \$394,100, respectively, included in employee benefits on the statements of functional expenses.

The Plan is a multiemployer plan and the individual information for each employer is not available. The actuarial information for the Plan as of March 31, 2019, indicates that the Plan is in "critical" status, as defined in the Pension Protection Act of 2006, because the Plan's actuary determined that the Plan is projected to have an accumulated funding deficiency over the next nine years due to a projected deficiency for the Plan-year ending March 31, 2019. The assumed rate of return used in determining actuarial values to present accumulated benefits was 7.50%. The actuarial information stated that there was a change from the prior year in actuarial assumptions related to the mortality projection scale which was changed from MP-2015 to MP-2017 to reflect recent plan experience. The Entry Age Normal actuarial cost method is used in the actuarial valuation; amortization of gains and losses is over ten years; and the amortization of past or prior service cost is ten years.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

**NOTE 6 - RETIREMENT PLANS: (Continued)**

***Defined-benefit, Multiemployer Pension Plan: (Continued)***

The Plan contributes, on behalf of Plan employees, to a defined-benefit, multiemployer pension plan. The risks of participating in this multiemployer pension plan are different from the risks of participating in single-employer pension plans in the following respects:

- Assets contributed to a multiemployer plan by one employer may be used to provide benefits to employees of the participating employers.
- If a participating employer stops contributing to the Plan, the unfunded obligations of the Plan may be borne by the remaining participating employers.
- If NJSO chooses to stop participating in its multiemployer pension plan, NJSO may be required to pay the Plan an amount based on the unfunded status of the Plan, referred to as a withdrawal liability.

NJSO’s participation in the multiemployer plan for the years ended March 31, 2019 and 2018, is outlined in the following table. The “EIN/Pension Plan Number” column provides the Employer Identification Number (“EIN”) and the three-digit plan number, if applicable. The most recent “Pension Protection Act” zone status available is for the year beginning April 1, 2017. Among other factors, plans in the red zone are generally less than 65% funded or projected to have a deficit in their funding standard account within 4 years, plans in the yellow zone are less than 80% funded, and plans in the green zone are at least 80% funded. The “RP Implemented” column indicates plans for which a rehabilitation plan (“RP”) is either pending or has been implemented. The last column lists the expiration date of the participation agreement to which plan contributions are subject.

Pension Fund	EIN/ Pension Plan Number	Pension Protection Act Zone		Rehabilitation Plan Implemented	Contributions for the Year Ended		Surcharge Imposed	Expiration Date of Participation Agreement
		2018	2017		2019	2018		
American Federation of Musicians and Employers’ Pension Fund	51-6120204-001	Red	Red	Yes	\$328,805	\$394,100	N/A	N/A

The information for this fund was obtained from the Form 5500 filed for the Plan’s year-end at March 31, 2019 and 2018, and the notes to the March 31, 2019 and 2018, consolidated financial statements.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 6 - RETIREMENT PLANS: (Continued)**

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***Noncontributory, Defined-contribution Plan***

NJSO has a noncontributory, defined-contribution plan for its nonunion employees who have met the Plan's eligibility requirements. For the years ended June 30, 2020 and 2019, contributions amounted to approximately \$64,984 and \$57,065, respectively, included in employee benefits on the statements of functional expenses.

**NOTE 7 - COMMITMENTS AND CONTINGENCIES:**

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***Musicians Agreement:***

The NJSO has a master labor agreement with the Musicians Guild of Essex County, Local #16, American Federation of Musicians (representing approximately 65% of NJSO's employees) and the Organization's Orchestra Committee. This agreement, effective from September 1, 2017 through August 31, 2022, guarantees the aggregate minimum for 64 contract musicians and minimum number of services and compensation per year per musician. The musician's contract was negotiated and ratified by the Board of Trustees and Orchestra in May 2018. During 2020, the parties entered into two Side Letters modifying the guarantee for the year ended June 30, 2020 (executed in March and May, 2020) and an additional Side Letter altering terms for the upcoming fiscal year, executed in September 2020. This resulted in a minimum salary of \$2.05 million to musicians for the year ended June 30, 2020. NJSO's other employees are not represented by a union.

***Leases:***

NJSO has an operating lease for administrative office space which expires in 2024. Monthly payments range from approximately \$15,000 to \$17,000 through September 30, 2024. Total office rent expense amounts to \$220,115 and \$214,642 for the years ended June 30, 2020 and 2019, respectively. Future minimum rental payments under the lease are as follows:

<u>Year Ending June 30,</u>	
2021	\$ 204,240
2022	204,240
2023	204,240
2024	204,240
2025	34,040
Total	<u>\$ 851,000</u>

Total rent expense for concert halls was \$397,036 and \$679,094 for the years ended June 30, 2020 and 2019, respectively.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 7 - COMMITMENTS AND CONTINGENCIES: (Continued)**

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***Leases: (Continued)***

The Organization has various office equipment leases under operating leases that expire at various dates through 2022.

Future minimum operating lease payments are as follows:

<u>Year Ending June 30,</u>	
2021	\$ 8,830
2022	518
Total	<u>\$ 9,348</u>

Total rent expense for the various equipment was \$22,404 and \$25,827 for the years ended June 30, 2020 and 2019, respectively.

***Employment Agreements:***

NJSO has entered into an agreement with the Music Director/Conductor for the period from September 1, 2016 through August 31, 2024. The agreement provides for subscription and music directorship program fees as approved by the Board of Trustees.

NJSO has also entered into an agreement with the President/Chief Executive Officer for the period from October 1, 2016 through June 30, 2022. The agreement provides for a base salary and additional benefits as approved by the Board of Trustees.

NJSO has the right to terminate the agreements at any time for cause, or if for reasons other than cause, upon notice of not less than three months.

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**NOTE 8 - CONDITIONAL PROMISES TO GIVE:**

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The Organization has been named as a beneficiary of various revocable trusts and, as such, the grantors may rescind the promise to give at any time. Since these promises to give do not meet the criteria for revenue recognition they are not reflected as a contribution in the statement of activities and changes in net assets until the promise to give is collected or becomes irrevocable. As of June 30, 2020, \$9,814,533 has been raised for planned giving related to the endowment, and \$3,075,000 has been raised for planned giving for operations. The Organization has also raised \$932,750 in conditional pledges for operations, whereby certain conditions must be met before the amounts can be recognized in the statement of activities and changes in net assets.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 9 - NEW JERSEY CULTURAL TRUST:**

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The Organization was a recipient of a grant from the New Jersey Cultural Trust (“NJCT”), which concluded in 2016. The grant provided that contributions made to the Organization that are submitted to NJCT for matching funds, and that are certified by NJCT, are to be held in perpetuity in the endowment and classified as permanently restricted net assets. Additionally, the matching funds received by the Organization from the NJCT were to be classified as permanently restricted. The Organization had submitted to NJCT for matching funds contributions totaling \$6,529,983, which were certified by the NJCT.

Through June 30, 2020, a total of \$1,305,997 has been received by the Organization in matching funds from the NJCT, and these matching funds are included in permanently restricted net assets.

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**NOTE 10 - ENDOWMENT FUNDS:**

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The Organization follows accounting standards that provide clarification on accounting for donor-restricted endowment funds. The guidance prescribes that the portion of donor-restricted endowment funds that are classified as net assets with donor restrictions should not be reduced by losses on the investment of the fund or an organization’s appropriations from the fund.

The Board of Trustees’ interpretation requires the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this, the Organization classifies as net assets with donor restrictions the original value of gifts donated to the permanent endowment and the original value of subsequent gifts to the permanent endowment until those amounts are appropriated for expenditure by the Organization. The Organization considers the following factors in making a determination to appropriate or accumulate donor-restricted endowment funds:

- (1) The duration and preservation of the program
- (2) The purposes of the Organization and the donor-restricted endowment fund
- (3) General economic conditions
- (4) The possible effect of inflation and deflation
- (5) The expected total return from income and the appreciation of investments
- (6) Other resources of the Organization
- (7) The investment policies of the Organization

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

**NOTE 10 - ENDOWMENT FUNDS: (Continued)**

The Board of Trustees' primary objective, in this regard, is to add value and minimize risk in managing the assets of the fund while providing a hedge against inflation into the future. It is the intent of the Board of Trustees to grow the endowment and utilize the total return (income plus capital change) to further the mission of the Organization. In recognition of the prudence required of fiduciaries, reasonable diversification of quality investment securities will be sought where possible, knowing that fluctuating rates of return are a characteristic of the investment market and performance cycles cannot be accurately predicted. The funds may be held in individual securities or mutual funds, may be comprised of domestic and international securities, and will be further diversified into asset classes by their market capitalization.

It is the policy of the Organization to spend, on an annual basis, a maximum of 4% of the average endowment balance over the prior 20 quarters.

Donor-restricted endowments by type of fund are as follows as of June 30, 2020:

	<b>Perpetual in Nature (Endowments)</b>	<b>Purpose Restrictions</b>	<b>Underwater Endowments</b>	<b>Total</b>
Donor-restricted endowments	\$ 17,401,370	\$ -	\$ (9,384,084)	\$ 8,017,286

***Funds with Deficiencies:***

From time to time, certain donor-restricted endowment funds may have fair values less than the amount required to be maintained by donors or by law (underwater endowments). The Organization has interpreted the Uniform Prudent Management of Institutional Funds Act to permit spending from underwater endowments in accordance with prudent measures required under law.

***Funds with Deficiencies:***

At June 30, 2020, funds with deficiencies of \$9,384,084 were reported in net assets with donor restrictions.

	<b>June 30, 2020</b>
Fair value of endowment funds	\$ 8,017,286
Original endowment gift amount	17,401,370
Deficiencies of endowment funds	\$ (9,384,084)

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

**NOTE 10 - ENDOWMENT FUNDS: (Continued)**

***Spending Policy:***

For the years ended June 30, 2020, the Organization may distribute the interest of the endowment investment portfolio value each year, as approved by the Finance Committee.

Changes in endowment net assets for the year ended June 30, 2020, are as follows:

	<b>Without Donor Restrictions</b>	<b>With Donor Restrictions</b>	<b>Total</b>
Endowment net assets, June 30, 2019	\$ -	\$ 8,694,307	\$ 8,694,307
Investment return, net	-	(68,510)	(68,510)
Contributions	-	602,943	602,943
Change in discount	-	54,240	54,240
Appropriation of endowment assets pursuant to spending-rate policy	-	(1,265,694)	(1,265,694)
Endowment net assets, June 30, 2020	<u>\$ -</u>	<u>\$ 8,017,286</u>	<u>\$ 8,017,286</u>

Donor-restricted endowments by type of fund are as follows as of June 30, 2019:

	<b>Perpetual in Nature (Endowments)</b>	<b>Purpose Restrictions</b>	<b>Underwater Endowments</b>	<b>Total</b>
Donor-restricted endowments	<u>\$ 16,744,187</u>	<u>\$ -</u>	<u>\$ (8,049,880)</u>	<u>\$ 8,694,307</u>

From time to time, certain donor-restricted endowment funds may have fair values less than the amount required to be maintained by donors or by law (underwater endowments). The Organization has interpreted the Uniform Prudent Management of Institutional Funds Act to permit spending from underwater endowments in accordance with prudent measures required under law.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 10 - ENDOWMENT FUNDS: (Continued)**

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***Funds with Deficiencies:***

At June 30, 2019, funds with deficiencies of \$7,303,259 were reported in net assets with donor restrictions.

	<b>June 30, 2019</b>
Fair value of endowment funds	\$ 8,694,307
Original endowment gift amount	16,744,187
Deficiencies of endowment funds	\$ (8,049,880)

***Spending Policy:***

For the years ended June 30, 2019, the Organization may distribute the interest of the endowment investment portfolio value each year, as approved by the Finance Committee.

Changes in endowment net assets for the year ended June 30, 2019, are as follows:

	<b>Without Donor Restrictions</b>	<b>With Donor Restrictions</b>	<b>Total</b>
Endowment net assets, June 30, 2018	\$ -	\$ 9,261,296	\$ 9,261,296
Investment return, net	-	325,970	325,970
Contributions	-	187,203	187,203
Change in discount	-	(7,571)	(7,571)
Appropriation of endowment assets pursuant to spending-rate policy	-	(1,072,591)	(1,072,591)
Endowment net assets, June 30, 2019	\$ -	\$ 8,694,307	\$ 8,694,307

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 11 - NET ASSETS WITH DONOR RESTRICTIONS:**

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	<b>June 30,</b>	
	<b>2020</b>	<b>2019</b>
Net Assets with Donor Restrictions:		
Restricted due to time	\$ 3,428,130	\$ 3,103,556
Restricted in perpetuity - Endowment	8,017,286	8,694,307
Total Net Assets with Donor Restrictions	<u>\$ 11,445,416</u>	<u>\$ 11,797,863</u>

Net assets released from restrictions were \$3,018,500 and \$3,108,477 for the years ended June 30, 2020 and 2019, respectively.

**NOTE 12 - CONCENTRATIONS OF CREDIT RISK:**

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Financial instruments which potentially subject the Organization to significant concentrations of credit risk consist principally of cash and receivables.

The Organization maintains cash and cash equivalent balances at several financial institutions which in some instances may exceed insured limits.

One vendor represented 32% and one vendor represented 30% of the Organization's accounts payables for the years ended June 30, 2020 and 2019, respectively. In addition, five constituents represented 71% of unconditional promises to give for the years ended June 30, 2020 and 2019, respectively.

Five sources represented 21% and four sources represented 21% of the Organization's total revenue for the years ending June 30, 2020 and 2019, respectively, including a government grant and individual pledges.

**NOTE 13 - REFUNDABLE ADVANCE:**

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The Organization obtained a Paycheck Protection Program ("PPP") loan under the CARES Act in April 2020 for \$1,698,900. The loan is to provide the Organization with working capital for the purpose of maintaining employment levels and paying occupancy costs during a stay-at-home period ordered by the governor of New Jersey. Paycheck Protection Program loans may be forgiven in part or in whole if the borrower maintains its employee count, as well as salary levels, during a specified period. The Organization expects to receive full forgiveness of the loan based on the criteria for forgiveness.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

**NOTE 13 - REFUNDABLE ADVANCE: (Continued)**

Any portion of the loan that is not forgiven must be repaid. Loan payments, if any, are deferred under the PPP Flexibility Act, which extends the deferral period until the date the lender receives the applicable forgiven amount from the Small Business Administration, which is not to exceed 10 months after the covered period, and are payable with interest at 1%, through 2022. The loan is uncollateralized and guaranteed by the Small Business Administration.

**NOTE 14 - LIQUIDITY AND AVAILABILITY:**

The following represents the Organization's financial assets at June 30, 2020, reduced by amounts not available for general use within one year of the statement of financial position date because of contractual or donor-imposed restrictions or internal designations. Amounts available include donor-restricted amounts that are available for general expenditure in the following year. Amounts not available include amounts set aside by the Board that could be drawn upon if the Board of Trustees approves that action.

	<b>2020</b>	<b>2019</b>
Cash and cash equivalents	\$ 1,443	\$ 600
Grants receivable	-	250,000
Unconditional promises to give, net	3,780,386	3,872,594
Other receivables	64,662	116,414
Total financial assets	<u>3,846,491</u>	<u>4,239,608</u>
Less amounts not available to be used within one year:		
Net assets with donor restrictions	(3,428,130)	(3,103,556)
Estimated donor restricted releases	1,081,851	1,737,806
	<u>(2,346,279)</u>	<u>(1,365,750)</u>
Financial assets available to meet general expenditures over the next 12 months	<u>\$ 1,500,212</u>	<u>\$ 2,873,858</u>

Endowment funds, including restricted cash and investments, consist of donor-restricted endowments and are not available for general expenditure.

The Organization has goals to maintain financial assets sufficient to meet operating expenses as they become due throughout the year. The Organization is currently engaged in a capital campaign to raise additional funds for operating purposes.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO FINANCIAL STATEMENTS**  
**JUNE 30, 2020 AND 2019**

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**NOTE 15 - RISKS AND UNCERTAINTIES:**

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The Organization is actively monitoring the recent COVID-19 outbreak and its potential impact on its employees, volunteers, donors, and operations. It is not known at this time how much effect the virus will have on the employees, donors and operations. It is not known at this time how much effect the virus will have on operations and/or financial results. The potential impact of COVID-19 is not foreseeable due to various uncertainties, including the severity of the disease, the duration of the outbreak, and actions that may be taken by governmental authorities.

**NEW JERSEY SYMPHONY ORCHESTRA**  
**SCHEDULE OF EXPENDITURES OF STATE AWARDS**  
**YEAR ENDED JUNE 30, 2020**

<b>Agency Grantor/Program Title</b>	<b>Date</b>	<b>Grant/Contract Number</b>	<b>Grant Award</b>	<b>Expenditures</b>
New Jersey State Department Council on the Arts	07/01/19-06/30/20	2002X010013	\$1,000,000	<u>\$ 1,000,000</u>

**NEW JERSEY SYMPHONY ORCHESTRA**  
**NOTES TO SCHEDULE OF EXPENDITURES OF STATE AWARDS**  
**JUNE 30, 2020**

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**NOTE 1 - BASIS OF PRESENTATION:**

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The accompanying schedule of state awards includes the state grant activity of the Organization 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* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* and New Jersey Office of Management and Budget Circular Letter 15-08. Therefore, some amounts presented in this schedule may differ from amounts presented in, or used in the preparation of, the financial statements.

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**NOTE 2 - SUBRECIPIENTS:**

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During the year ended June 30, 2020, the Organization did not provide any funds relating to their state program to subrecipients.

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**NOTE 3 - INDIRECT COSTS:**

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The Organization did not elect to use the de minimis cost rate when allocating indirect costs to the state program.

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**NOTE 4 - LOAN AND LOAN GUARANTEE PROGRAMS:**

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As of June 30, 2020, the Organization did not have any federal loan or loan guarantee programs.

**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***

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To the Board of Trustees  
New Jersey Symphony Orchestra  
Newark, New Jersey

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 New Jersey Symphony Orchestra ("Organization"), a nonprofit organization, which comprise the statement of financial position as of June 30, 2020, the related statements of activities and changes in net assets, functional expenses and cash flows for the year then ended, and the related notes to the financial statements, and have issued our report thereon dated January 12, 2021.

**Internal Control Over Financial Reporting**

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

## **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the Organization's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit 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*.

## **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 Organization'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 Organization's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

*Sobel & Co, LLC*

Certified Public Accountants

Livingston, New Jersey  
January 12, 2021

## **INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR THE MAJOR STATE PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE AND NEW JERSEY OMB CIRCULAR LETTER 15-08**

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To the Board of Trustees  
New Jersey Symphony Orchestra  
Newark, New Jersey

### **Report on Compliance for the Major State Program**

We have audited the New Jersey Symphony Orchestra's ("Organization") compliance with the types of compliance requirements described in the U.S. Office of Management and Budget *Compliance Supplement* and the New Jersey Office of Management and Budget ("NJOMB") Circular Letter 15-08 that could have a direct and material effect on the Organization's major state program for the year ended June 30, 2020. The Organization's major state program is identified in the summary of the auditors' results section of the accompanying schedule of findings and questioned costs.

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

Management is responsible for compliance with the requirements of laws, regulations, contracts, and grants applicable to its state programs.

#### ***Auditors' Responsibility***

Our responsibility is to express an opinion on compliance for the Organization's major state program based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the 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"); and the NJOMB Circular Letter 15-08. Those standards and Uniform Guidance require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major state program occurred. An audit includes examining, on a test basis, evidence about the Organization's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion on compliance for the major state program. However, our audit does not provide a legal determination of the Organization's compliance.

### ***Opinion on the Major State Program***

In our opinion, the Organization complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on its major state program for the year ended June 30, 2020.

### **Report on Internal Control Over Compliance**

Management of the Organization is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the Organization's internal control over compliance with the types of requirements that could have a direct and material effect on its major state program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major state program and to test and report on internal control over compliance in accordance with Uniform Guidance and the NJOMB Circular Letter 15-08, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over compliance.

*A deficiency in internal control over compliance* exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a state program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a state 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 state 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 first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

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 Uniform Guidance and the NJOMB Circular Letter 15-08. Accordingly, this report is not suitable for any other purpose.

*Sobel & Co, LLC*

Certified Public Accountants

Livingston, New Jersey  
January 12, 2021

**NEW JERSEY SYMPHONY ORCHESTRA**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**YEAR ENDED JUNE 30, 2020**

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**I. Summary of Auditors' Results**

**Financial Statements**

The auditors' report issued on the basic financial statements of the New Jersey Symphony Orchestra was an unmodified opinion.

Internal control over financial reporting:

- Material weaknesses identified?  Yes  No
- Significant deficiencies identified that are not considered to be material weaknesses?  Yes  No

Noncompliance material to financial statements noted?  Yes  No

**State Financial Assistance**

Internal control over the major program:

- Material weaknesses identified?  Yes  No
- Significant deficiencies identified that are not considered to be material weaknesses?  Yes  No

The auditors' report issued on compliance for the major program was an unmodified opinion.

Any audit findings disclosed that are required to be reported in accordance with Uniform Guidance and NJ OMB Circular Letter 15-08

Yes  No

The following program was designated as a major program:

<u>CFDA Number</u>	<u>Grant Number</u>	<u>Name of State Program or Cluster</u>
N/A	2002X010013	New Jersey State Council on the Arts

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

Auditee qualified as a low-risk auditee?  Yes  No

**II. Financial Statement Finding**

NONE

**III. Compliance Finding**

NONE

**NEW JERSEY SYMPHONY ORCHESTRA**  
**SCHEDULE OF FINDINGS AND QUESTIONED COSTS**  
**YEAR ENDED JUNE 30, 2020**

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**FINANCIAL STATEMENT FINDINGS**

**IV. Prior Audit Findings**

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