

E-Rate Board Items for July/August 2016

We recommend the following for your Board meeting in July or August 2016:

1. **Authorization for E-Rate** - If your board delegates authority for E-Rate to the Superintendent or Technology Director, then provide authorization in your July/August Board meetings. This is an annual authorization.

SAMPLE Agenda Wording:

Vote to approve Superintendent _____ as Purchasing Agent for _____ Independent School District, Authorized Representative for all Federal programs including **E-Rate** and Child Nutrition, and Designated Custodian for the general fund, building fund, child nutrition fund, bond fund, activity fund, all federal programs including **E-Rate**, all state programs, and all other school programs and activities not listed for the 2015-16 school year.

2. **E-RATE RECORD RETENTION POLICY*** - During the on-site E-Rate audits, applicants are required to provide their record retention policy. If you are lacking this policy for E-Rate Records, plan to address it at your upcoming board meeting.

SAMPLE E-Rate Record Retention Policy:

It is the Administration's policy to retain all E-Rate records for a period of ten years after the last date of service in accordance with FCC E-Rate Modernization Order (Para. 262, FCC 14-99, Adopted July 11, 2014).

3. **E-RATE PROCUREMENT POLICY*** - As a result of the on-site E-Rate audits, we recommend that you include an E-Rate procurement clause into your existing purchasing policy.

SAMPLE E-Rate Procurement Policy:

In selecting service providers for all eligible goods and/or services for which Universal Service Fund ("E-Rate") support will be requested, the Administration shall:

Make a request for competitive bids for all eligible goods and/or services for which Universal Service Fund support will be requested and comply with applicable state and local procurement processes included in its documented policies and procedures.

Wait at least 28 days after the posting date of the FCC Form 470 on the USAC Schools and Libraries website before making commitments with the selected service providers.

Consider all bids submitted and select the most cost-effective service offering, with price being the primary factor considered.

Keep control of the competitive bidding process by not surrendering control to a service provider who is participating in the bidding process and not including service provider contact information on the FCC Forms 470.

4. **GIFT POLICY*** - It is recommended that you implement a Gift Policy in order to comply with the FCC's 6th Report & Order. It could be as simple as declaring that your policy is to follow the gift rules outlined in the FCC's 6th Report and Order.

In the 6th Report & Order (6R&O), the FCC addressed the receipt of gifts by applicants from service providers and potential service providers under the E-Rate program. To ensure applicants conduct a fair and open competitive bidding process, the FCC adopted gift rules applicable to federal agencies which permit only de minimis gifts. The rules are NOT intended to discourage charitable giving.

E-Rate applicants are prohibited from soliciting or accepting any gift or other thing of value from a service provider participating in or seeking to participate in the E-Rate program. It is a violation for any service provider to offer or provide any gift or other thing of value to those personnel of eligible entities involved with the E-Rate program.

The restriction on gifts is always applicable, and is not in effect or triggered only during the time period when the competitive bidding process is taking place. KSLLC does not have a sample gift policy.

5. **CHILDRENS INTERNET PROTECTION ACT (CIPA) COMPLIANCE***- On August 11, 2011, the FCC released an order updating the existing Commission rules regarding CIPA to include the statutory language from the Protecting Children in the 21st Century Act regarding the education of students about appropriate online behavior. Rules will be effective with E-Rate FY 2012-13 applications. http://www.kelloggllc.com/docs/fcc/FCC-11-125A1_CIPA_Order_110811.pdf.

Agenda Item: Discuss compliance with the Children's Internet Protection Act (CIPA)

Discussion during Board Meeting:

_____ is in compliance with the Children's Internet Protection Act (CIPA). We are using _____ for our technology protection measure (Internet filtering software). _____ protects against access by adults and minors to visual depictions that are obscene, child pornography, or - with respect to use of computers with Internet access by minors – harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes. Our district policy includes monitoring the online activities of minors.

Our Internet Safety Policy addresses the following as required by CIPA:

- a. access by minors to inappropriate matter on the Internet and World Wide Web;
- b. the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;

- c. unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- d. unauthorized disclosure, use, and dissemination of personal information regarding minors;
- e. measures designed to restrict minors' access to materials harmful to minors; and
- f. educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

Provide the Board with a copy of your Internet Safety Policy and a copy of the Acceptable Use Policy signed by students/parents to the governing board. READ your policy and make sure it addresses the CIPA requirements.

Retain the following for a minimum period of ten years:

- _____ Board Agenda & Minutes
- _____ Copy of your Internet Use Policy and Acceptable Use Policy
- _____ CIPA Certification Form
- _____ Copy of invoice proving purchase of Internet filtering software or other documentation that demonstrates utilization of technology protection measure
- _____ Educating minors about appropriate online behavior* training documentation, including copies of all curriculum, handouts or worksheets, list of students receiving the training, etc.

Discussion can be made during a school board's regularly scheduled board meeting, or the regular meeting of the governing body of a library or private school system. CIPA requires that sufficient notice be given prior to the meeting.

***REMINDER:** This is a friendly reminder to verify you have the above mentioned E-Rate policies in place. Policies #2-5 are **not** required to be addressed annually; however, if you are lacking any policy, plan to adopt them at your next board meeting.

Questions? Contact your KSLLC Account Manager or email: forms@kelloggllc.com

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