

E-RATE RECORDS RETENTION

Pursuant to the SD Bureau of Administration, Records Retention Division, SCL-53, E-Rate Federal Funding Files 14-012, information is retained for audit purposes. The information to be retained includes applications, invoices, financial reports, and correspondence. That information is to be retained for one (1) year, then transferred to storage for nine (9) years, and may be destroyed after ten (10) years provided all litigation, claims, and audit findings involving the records have been resolved and final action has been taken.

Pursuant to 47 CFR 54.516(a), the School District shall retain all documents related to the application for, receipt, and delivery of E-Rate supported services for ten (10) years after the last day of the applicable funding year or the service delivery deadline for the funding request, whichever is later. Any other document that demonstrates compliance with the statutory or regulatory requirements for the schools shall be retained as well. The District shall maintain asset and inventory records of equipment purchased as components of supported category two services sufficient to verify the actual location of such equipment for a period of ten (10) years after purchase.

Pursuant to 47 CFR 54.516(b) and (d), the School District shall produce such records at the request of any representative (including any auditor) appointed by the South Dakota Department of Education, the Universal Service Administrative Company, the FCC, or any local, state or federal agency with jurisdiction over the District, and the District shall permit such representative to enter the District's premises to conduct E-Rate compliance inspections.

Pursuant to 47 CFR 54.516(c), the School District shall be subject to audits and other investigations to evaluate its compliance with the statutory and regulatory requirements for the school district service support mechanism, including those requirements pertaining to what services and products are purchased, what services and products are delivered, and how services and products are being used. The District must provide consent before a service provider releases confidential information to the auditor, reviewer, or other representative.

According to Federal Communications Commission FCC 04-190, August 4, 2004, par. 47, the FCC did not believe that an exhaustive list of documents which must be retained for the recordkeeping requirement is possible due to the diversity that exists among program schools and libraries and descriptive titles or names of relevant documents will vary from entity to entity. The FCC provided for illustrative purposes (FCC 04-190 par. 48) the following description of documents that program beneficiaries such as the School District must retain pursuant to the recordkeeping requirement.

The School District Board of Education adopts the FCC guidelines as the E-Rate Records Retention Policy for the School District as set forth below:

- *Pre-bidding Process.* The District shall retain the technology plan and technology plan approval letter. If consultants are involved, the District shall retain signed copies of all written agreements with E-Rate consultants.
- *Bidding Process.* The District shall retain all documents used during the competitive bidding process. The District shall retain documents such as: (a) Requests for Proposals, including evidence of the publication date; (b) documents describing the bid evaluation criteria and weighting, as well as the bid evaluation worksheets; (c) all written correspondence between the beneficiary and prospective bidders regarding the products and service sought; (d) all bids submitted, winning and losing; and (e) documents related to the selection of service providers.
- *Contracts.* The District shall retain executed contracts, signed and dated by both parties, and all amendments and addendums to the contracts, as well as other agreements relating to E-Rate between the District and service provider, such as up-front payment arrangements, if any.
- *Application Process.* The District shall retain (a) all documents relied upon to submit Form 471, including National School Lunch Program eligibility documentation supporting the discount percentage sought; (b) documents to support the necessary resources certification pursuant to section 54.505 of the Commission's rules, including

budgets; and (c) documents used to prepare the Item 21 description of services statement.

- *Purchase and Delivery of Services.* The District shall retain all documents related to the purchase and delivery of E-Rate eligible services and equipment. The District shall retain (a) purchase requisitions; (b) purchase orders; (c) packing slips; and (d) delivery and installation records showing where equipment was delivered and installed or where services were provided.
- *Invoicing.* The District shall retain all invoices and records providing payment of the invoice, such as accounts payable records, service provider statement, beneficiary check, bank statement or ACH (electronic payment) transaction record. The District shall also be able to show proof of service provider payment to the beneficiary of the BEAR (Billed Entity Applicant Reimbursement), if applicable.
- *Inventory.* The District shall retain asset and inventory records of equipment purchased and components of supported internal connections services sufficient to verify the location of such equipment. The District shall also retain detailed records documenting any transfer of equipment within three years after purchase and the reasons for such a transfer.
- *Forms and Rule Compliance.* All program forms, attachments and documents submitted to the Administrator (USAC, Universal Service Administrative Company) must be retained. The District shall retain all official notification letters from USAC, as applicable. The District shall retain FCC Form 470 certification pages (if not certified electronically), FCC Form 471 and certification pages (if not certified electronically), FCC Form 471 Item 21 attachments, FCC Form 479, FCC Form 486, FCC Form 500, and FCC Form 472. The District shall also retain any documents submitted to USAC during program integrity assurance (PIA) review, Selective Review, Invoicing Review, or for SPIN change or other requests.

Note: The Federal Communications Commission FCC 04-190, August 4, 2004, par. 49 emphasized that the rule requires schools to retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for,

receipt, and delivery of services and the descriptive list above was provided by the FCC as a guideline but cannot be considered exhaustive.

[March 2017]