State of Arizona
Department of Education

Tom Horne
Superintendent of
Public Instruction

CN# 27-08

MEMORANDUM

To: School Health & Nutrition Program Sponsors

From: Mary Szafranski, Deputy Associate Superintendent
             Health & Nutrition Services

             Lynn Ladd, NSLP Health Director
             Leonora Renda, NSLP Nutrition Director
             School Health & Nutrition Programs

Original Signed

Date: May 12, 2008

RE: Disclosure of Eligibility Information to E-Rate Auditors

This memorandum is in reference to disclosure of individual children's eligibility status and sharing applications with auditors conducting reviews on behalf of the Federal Communications Commission (FCC) and the Universal Service Administrative Company (USAC). The FCC, through USAC, administers the E-Rate program. In turn, USAC has contracted with private firms to actually conduct the audits.

USAC provides discounts to schools to obtain affordable telecommunication and Internet access; the discount rates are based on the percentage of children who are approved for free and reduced price school meals. To support the discount rate given to schools to obtain services, auditors are requesting documentation of the discount calculation. Specifically, auditors have asked for a list of eligible students for selected schools along with the applications for those students.

Based on the limited information, the United States Department of Agriculture, Food and Nutrition Services cannot determine if the requested information is able be to released under section 9(b)(6) of the Richard B. Russell National School Lunch Act. The FNS is contacting FCC to discuss this issue. **However, until FNS can make this determination, local educational agencies <u>cannot release</u> individual children's individual eligibility status or their applications to these auditors**.

Please contact your School Health & Nutrition Specialist at 602-542-8700 if your school district is being or has been audited for E-Rate purposes or if you have any additional questions or concerns regarding this memo.