

Letter of Agency
2015-16 K-12 Broadband Infrastructure Improvement Grant

This Letter of Agency (LOA) provides CENIC and the K-12 HSN program the authority to proceed on behalf of your organization for purposes of filing and securing proper E-rate discounts as well as complying with state procurement and application processes. The purpose of the procurement process is to assist your school site(s), in conjunction with your Lead Education Agencies (LEA) in receiving quotes/proposals from service providers. Your District will be identified on our Consortium FCC Form 470 due to the significant challenges you have experienced in receiving adequate bandwidth quotes and services from service providers. This consortium effort on your behalf is intended to leverage buying power in a statewide approach to help ensure 21st Century broadband connectivity. Please complete and sign this Letter of Agency (LOA). Once complete, please upload this Letter of Agency together with your grant application by September 30, 2015 at <http://biig2.fluidreview.com>.

From:

Name of School District or County Office of Education

County

This Letter of Agency (LOA) is to confirm participation in the Corporation for Education Network Initiatives in California (CENIC) E-rate Consortium as an eligible member entity for E-rate discounts in 2016–17, 2017-18, 2018-19, 2019-20 and 2020-21 E-rate application years. I authorize CENIC (E-rate Entity No. 225495), under contract with the Imperial County Office of Education (ICOE), to act on my behalf in matters related to the federal E-rate discount program for the purposes of securing those discounts on eligible telecommunications and Internet access services. I understand that in submitting E-rate forms, CENIC is using data provided by the California Department of Education on behalf of my school system for the purposes of determining E-rate discounts. I understand that in submitting E-rate forms, which include us in the consortium, CENIC is making certifications for our school system. By signing this LOA, I make the following certifications on behalf of our entity:

1. I certify that the schools in our system are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.
2. The schools in our system have secured access to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity necessary to make effective use of the discounted telecommunications services acquired by CENIC on our behalf. I certify that to the extent that the billed entity is passing through the non-discounted charges for the services requested under this Letter of Agency, that the entities I represent have secured access to all of the resources to pay the non-discounted charges for eligible services from funds to which access has been secured in the current funding year.
3. I certify that the CENIC E-rate discounted services our school system may use (as described in the law, 47 U.S.C. § 254) will be used primarily for educational purposes and will not be sold, resold, or transferred in consideration for money or any other item of value, except as permitted by the rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500 (et seq.).

4. I certify that our school system has complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
5. I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
6. I certify that I will retain required documents for a period of at least ten years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and FCC rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the Schools and Libraries Program.
7. I certify that I am authorized to order telecommunications, Internet access, and other supported Category 1 services for the eligible entities covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entities covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.
8. I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the Schools and Libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the Schools and Libraries support mechanism.
9. I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.
10. The recipient(s) of service under my administrative authority has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
11. I understand that savings realized by CENIC on behalf of the consortium members are to be used to benefit consortium members.

12. I certify that I am authorized to sign this LOA and to the best of my knowledge, information and belief, all information provided to CENIC for its role as consortium lead under E-rate is true and correct.

13. I understand that at any future point my entity may supersede CENIC as the responsible contract holder for services specific to our school(s), and at this point our entity will be completely responsible for the cost and operations of the E-rate eligible services for the remaining term of the contract.

I understand that persons willfully making false statements on the E-rate forms or through this LOA can be punished by fine or forfeiture, under Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C.

1. _____
Printed Name of School System (District, COE, ROP) (Required)

2. _____
School System's County-District-School Number (CDS Code) (Required)

3. _____
School District FCC# (Required)

4. _____
USAC/E-rate Entity # (Required)

5. _____
Signature of authorized person (Required) _____ Date Signed

6. _____
Printed name of authorized person (Required)

7. _____
Title or position of authorized person (Required)

8. _____
Phone for School System (Required)

9. _____
Printed name of contact person, if different from No. 6 above (Required)

10. _____
Phone for contact person (Required)

11. _____
Printed e-mail for contact person (Optional)