

**North Carolina Department of Public Instruction
E-rate Letter of Agency for the Years 2017-2023**

This is to confirm the undersigned local board of education's or charter school's participation in the North Carolina Department of Public Instruction (NCDPI) E-rate Consortium for the procurement of high-speed telecommunications, Internet access services, wireless equipment, management, and maintenance. Pursuant to the authority vested in me by the local board of education or board of directors of the charter school, I hereby authorize NCDPI to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Libraries Division on behalf of the undersigned local board of education or charter school.

I understand that in submitting this form on behalf of the entity I represent, I am making legally binding certifications for this local board of education or charter school. By signing this Letter of Agency ("LOA"), I make the following certifications:

- (a) I certify that the schools in this local school administrative unit or charter school meet the statutory definitions of elementary and secondary schools found in the Every Student Succeeds Act of 2016, do not operate as for-profit businesses, and do not have endowments exceeding \$50 million.
- (b) I certify that the entity I represent has secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entity I represent has 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.
- (c) I certify that the services being purchased at discounts will be used primarily for educational purposes, and will not be sold, resold or transferred in consideration for money or any other thing of value, except as permitted by the rules of the Federal Communications Commission.
- (d) I certify that the entity I represent has complied with all program rules, including the Children's Internet Protection Act, ("CIPA"), and recordkeeping requirements. 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.
- (e) 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.
- (f) I certify that I will retain required documents for a period of at least 10 years (or whatever retention period is required by the rules in effect at the time of this

certification), after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission 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.

(g) I certify that: (1) I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this LOA; (2) I am authorized to submit this request on behalf of the eligible entity(ies) listed on this LOA; (3) that I have examined this LOA and that all of the information on this LOA is true and correct to the best of my knowledge; (4) that the entities receiving discounts under this LOA have complied with the terms, conditions and purposes of the program; (5) that no kickbacks were paid to anyone and that false statements on this LOA can be punished by fine, forfeiture, and/or imprisonment.

(h) 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.

(i) I certify that the non-discount portion of the costs for eligible services will not be paid by the service provider. The pre-discount costs of eligible services are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, 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.

(j) I certify that I am authorized by the local board of education or board of directors of the charter school to sign this LOA and, to the best of my knowledge, information, and belief, all information provided to North Carolina Department of Public Instruction for E-rate submission is true.

Signature:

Printed Name:

Title:

LEA or Charter School (full name):

Date:
