

**PLEASE PRINT OUT ON CONSORTIUM MEMBER'S LETTERHEAD**

**TO: ESU 10 E-rate Consortium Members**

**Re: Letter of Agency for Funding Year 2019, 2020, 2021**

School District Name: \_\_\_\_\_

School District Address: \_\_\_\_\_

This is to confirm our participation in the **ESU 10** E-rate Consortium for the procurement of services for those discounts on E-rate eligible services, which shall include, but not be limited to, Telecommunications Services, Internet Access, Internal Connections, and Internal Connections Basic Maintenance and all current and future E-rate eligible services for the life of this agreement.

I hereby authorize **ESU 10** to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Libraries Division of the Universal Service Administrative Company on behalf of the above named entity.

I understand that, in submitting these forms on our behalf, you are making certifications for our school system. By signing this Letter of Agency, I make the following certifications:

- (a) I certify that our school and/or schools in our district 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.
- (b) I certify that our school and/or school district(s), has/have 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 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.
- (c) I certify that our school and/or school district(s), if required by any current FCC/Erate regulations, are all covered, or will be covered at the time funded services are provided, by a written technology plan(s) that covers all 12 months of the funding year that has been approved by the state or other authorized body or a Schools and Libraries Division (SLD)-certified technology plan approver.
- (d) I certify that the instructional and non-instructional facilities in the school and/or school district are compliant, or will be compliant at the time funded services are provided, with the Children's Internet Protection Act, Pub. L. 106-554 (2000).
- (e) I certify that the services the school and/or school district purchases at discounts provided by 47 U.S.C. § 254 will be used solely 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 (Commission or FCC) at 47 C.F.R. § 54.500(et seq.).
- (f) 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.
- (a) I certify that our school and/or school district **will retain required documents for a period of at least ten (10) years after the last day of service delivered**, or as required per current FCC/Erate regulations. Documents to be retained include, but are not limited to: E-rate forms, technology plans, discount rate support, competitive bids received, bid selection results, inventory records, invoices, and payments. 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 I am authorized to order telecommunications and other supported services for the school and/or school district covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the school and/or school district 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, 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 and 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.
- (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 schools and/or school districts, or any person associated in any way with my school and/or school district(s), 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 our school and/or school district(s) 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.
- (j) I certify that I am authorized to sign this Letter of Agency on behalf of the school and/or school district(s), that I have examined this letter, and that, to the best of my knowledge, information, and belief, all information provided to ESU 10 for E-rate submission and all the information provided in this Letter is true and correct, and 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 E-rate program.

This certification for the E-Rate Program is effective for:

- Program Year 2019 (July 1, 2019 – June 30, 2020);
- Program Year 2020 (July 1, 2020 – June 30, 2021); and
- Program Year 2021 (July 1, 2021 – June 30, 2022).

This certification in no way limits the abilities of entities of the school and/or school district(s) to file for a discount or refund pursuant to the E-rate program, or any other grants and programs on their own, nor does it revoke any other rights and responsibilities of the school and/or school district with the E-Rate Program.

This Letter of Agency does not create any relationship between the parties outside of the purposes outlined herein. The school and/or school district(s) shall hold ESU 10 harmless from any and all liability incurred by the actions of school and/or school district related to this Letter of Agency.

Signature of authorized person: \_\_\_\_\_ Date: \_\_\_\_\_

Printed name of authorized person: \_\_\_\_\_

Title or position of authorized person: \_\_\_\_\_

School System: \_\_\_\_\_