

North Carolina Department of Public Instruction
Office of School Connectivity
301 N. Wilmington Street
Raleigh, NC 27601

Re: E-rate Letter of Agency for Funding Years 2023 – 2028

This Letter of Agency (“LOA”) confirms our 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. I hereby authorize NCDPI to submit FCC Form 470, FCC Form 471, and other E-rate forms to the FCC Schools and Libraries Division on behalf of the undersigned public-school unit (PSU) or eligible public library (PSU/Library).

I understand that, in submitting these forms on our behalf, NCDPI is making certifications on behalf of this PSU/Library and NCDPI requires certain assurances by this entity. By signing this Letter of Agency, I make the following certifications:

- a) If a school, I certify that all members of the PSU are all schools under the statutory definitions of elementary and secondary schools as defined under 47 C.F.R. § 54.500, do not operate as for-profit businesses nor an integral part of an institution of higher education, and do not have endowments exceeding \$50 million. If a public library, eligible for assistance from a State Library administrative agency as defined within the Library Services and Technology Act of 1996 (LSTA) (20 U.S.C. Section 9122), do not operate as for-profit businesses, and whose budgets are separate from any schools (including, but not limited to elementary, secondary, colleges, or universities.
- b) I certify that our PSU/Library has/have secured access, separately or through this program, to all the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of these resources are not eligible for E-rate support. 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 the resources to pay the non-discounted charges for eligible services and products from funds to which access has been secured in the current funding year.
- c) I certify that the services the school, library, or district purchases at discounts provided by 47 U.S.C. § 254 will be used primarily for educational purposes, see 47 C.F.R. § 500, and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by Commission's rules at 47 C.F.R. § 54.513.
- d) I certify that our PSU/Library has/have 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 also 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 the required documents for a period of at least 10 years after the later of the last day of the applicable funding year or the service delivery deadline for the associated

funding request. I acknowledge that I may be audited pursuant to participation in the schools and libraries program. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission's 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 USAC.

- g) I certify that I am authorized to order the eligible equipment and services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) 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 receiving discounted equipment and/or services under this Letter have complied with the terms, conditions and purposes of the E-Rate program, that no kickbacks were paid to anyone, and that false statements 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 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, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider(s). 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 the cost of the supported services.
- j) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information, and belief, all information provided to NCDPI for our entity's participation in the E-Rate program is accurate and true.

Signature: _____

Printed Name: _____

Title: _____

PSU/Library Full Name: _____

Date: _____