

Illinois Century Network Letter of Agency Q and A

Why Is This Letter Necessary?

The Schools and Libraries Division (SLD), the Administrative arm of the E-Rate program has put a very high priority on assuring that all consortia (like the ICN) have letters of agency (LOA's) for all of their eligible K-12 and library members. This letter is a formal recognition by the school, school district, and / or library that they know the ICN is applying for e-rate discounts on their behalf.

What does the letter signify?

In effect, it is a shortened version of the same assurances that schools and libraries must make when they apply for services directly to the SLD. The LOA assures that the schools are complying with the prohibitions on resale, follow the Children's Internet Protection Act (CIPA), and other assurances that the discounted services are being used for educational purposes, per the intent of the program.

Who Can (and should) Sign the Form?

In order to reduce clutter and expedite compliance, the LOA should be signed by the administrative / fiscal agent level of the entity. For example, a district-level representative can (and should) sign on behalf of all the public K-12 school(s) and any member vocational ed and special ed centers in their district. There is no need for school-level LOA signatures, so long as the District is responding on behalf of all of its schools. However, most K-12 non-public schools are separate entities, and should file as separate, individual schools.

Finally, libraries should file based on their administrative level. If the library is a single, fiscal and administrative entity, it should file as such. If it is part of a larger entity or consortia that centrally handles its administrative functions, it can file as part of a larger consortia.

Does the Letter Limit My Rights to Apply Separately for the E-Rate Program?

No, it does not. Schools and Libraries can (and should) apply separately and directly to the SLD for e-rate eligible services. This LOA does not limit their rights to do so.

What If We Do Not Complete the Form?

No entity will be taken off the ICN for failure to complete the LOA. The great majority of the ICN's budget comes from State monies that are not covered by the LOA. However, the ICN must treat those who do not complete the Form as "e-rate ineligible entities", and the ICN's portion of e-rate eligible services decreases accordingly. We encourage all of the e-rate eligible members to complete the Forms.

What about the E-rate Program's CIPA (i.e. AUP and Filtering) Requirements?

The Children's Internet Protection Act (CIPA) applies to both K-12 schools and libraries, though a recent Pennsylvania Court decision may affect the specific requirements for

libraries. Please note that the decision did not address CIPA requirements as they apply to K-12 schools. The requirements for K-12 schools remain in full force and effect, and schools will continue to be required to meet CIPA requirements as spelled out in FCC regulations in order to receive funds from the Schools and Libraries Universal Service Support Mechanism. These regulations require a policy of internet safety, which requires both a technology protection measure (filter) and an Acceptable Use Policy.

The Court did find unconstitutional section 254(h)(6), which requires that a library receiving E-rate discounts have a “technology protection measure” (filter) for its computers with Internet access. Thus, public libraries receiving E-rate discounts may not be required to filter their computers with Internet access. However, libraries receiving E-rate discounts are still required to have an Internet safety policy that includes an AUP.

Your affirmation of the LOA says that you are complying with the CIPA Rules as they apply to your status as an entity. This LOA will not require you to do anything over and above what CIPA requires.