

Utah Education Network

Policy 2.1: E-Rate Compliance and Funding Policy

2.1.1 Purpose

This policy identifies and addresses data and document requirements leading to the acquisition of all E-Rate funding available to Utah schools and libraries.

2.1.2 Scope

Roughly two thirds of network funding for Utah Education Network, public schools, private schools, and public libraries in Utah is derived from E-Rate funds allocated through the federal Schools and Libraries Universal Service Support Program. Eligibility for this funding is dependent upon student household income. These data are collected by schools participating in the Free or Reduced Lunch program (FRL). Incomplete FRL reporting reduces the E-Rate discount for Utah. This policy requires schools with no FRL program that do not report household income data, to pay full circuit charges and other fees that are subject to the E-Rate discount.

2.1.3 References

Utah State Code

Title 53A-1-903. Federal programs – School official duties.

(2) School officials shall:

(a) prioritize resources, especially to resolve conflicts between federal provisions or between federal and state programs, including:

(i) providing first priority to meeting state goals, objectives, program needs, and accountability systems as they relate to federal programs ...

Title 63-56-103. Exemptions from chapter – Compliance with federal law.

(4) When a procurement involves the expenditure of federal assistance or contract funds, the chief procurement officer or head of a purchasing agency shall comply with mandatory applicable federal law and regulations not reflected in this chapter.

Code of Federal Regulations

Title 47, Chapter I, Part 54 – Subpart F, Universal Service Support for Schools and Libraries.

2.1.4 Definitions

E-Rate – The Schools and Libraries Universal Service Support Mechanism.

LOA – Letter of Agency – A document required from every district, charter school, private school, and library included on UEN’s E-Rate applications. These must be maintained in files for a minimum of five years.

Technology Plan – UEN is required to obtain both a written copy and a certification of technology plan approval from the USAC. Plans must contain these five elements:

- Goals and realistic strategy for using telecommunications and information technology

- A professional development strategy
- An assessment of telecommunications services, hardware, software, and other services needed
- Budget resources
- Ongoing evaluation process

USAC – Universal Service Administrative Company, Administrator of all Universal Service programs under authority of the FCC.

2.1.5 Policy

In order for UEN to provide the highest level of service to all stakeholders while simultaneously maximizing federal E-Rate funding, the following UEN administrative policy shall be enforced:

- a. Schools designated by the Utah legislature as being within UEN’s service mandate must provide the following documentation to UEN for each E-Rate funding year:
 - a. E-Rate Letter of Agency – showing “knowingness” that an entity is part of the UEN E-Rate consortium for each E-Rate funding year.
 - b. Technology Plan – showing appropriate dates and the five required elements of the plan.
 - c. Annual student enrollment and Free or Reduced Lunch Program eligibility. Participation is measured by Child Nutrition Program applications. In lieu of FRLP data, school district administrators and charter school administrators must collect and report enrollment and income data for their students’ households.

2.1.6 Enforcement

In the absence of the required documentation described in #1, UEN administration may take the following actions:

- a. Remove non-compliant members and the associated costs for services from UEN E-Rate applications for the relevant funding year, and
- b. “Pass through” the undiscounted costs to the non-compliant entity.

2.1.7 Effective Date

This policy takes effect November 15, 2008 and requires the annual reporting of this information by November 15 each year thereafter.