

**DATE:**

06/25/2022

**AGENDA ITEM (ACTION ITEM):**

**Consider/Approve** Consider/Approve the Letter of Agency (LOA) concerning KDE Next Generation K-12 Internet (NGKI) for Kenton County School District to participate in KDE Next Generation K-12 Internet E-Rate Consortium retroactive to the June 13, 2022 signature date.

**APPLICABLE BOARD POLICY:**

01.1 – Legal Status of the Board

**HISTORY/BACKGROUND:**

Internet access for Kenton County School District is provided through a consortium of services negotiated by the Kentucky Department of Education. Each year the school district is asked to participate in this agreement by signing a Letter of Agency to allow the Kentucky Department of Education to act on behalf of the district in filing E-Rate necessary for these services. This is an ongoing process and the evolution of high speed internet access provided to school districts continues to improve. The latest iteration is Next Generation K-12 Internet (NGKI). These services are necessary for the ongoing sustainability of high speed internet access delivered across the school district.

**FISCAL/BUDGETARY IMPACT:**

None

**RECOMMENDATION:**

**Approval to** sign the Letter of Agency (LOA) concerning KDE Next Generation K-12 Internet (NGKI) with the Kentucky Department of Education for the upcoming FY-23 and future years should the services continue to be in the best interest of the Kenton County School District and required no district funding.

**CONTACT PERSON:**

Matthew Winkler, Director of Technology



Principal/Administrator



District Administrator



Superintendent

Use this form to submit your request to the Superintendent for items to be added to the Board Meeting Agenda.  
Principal –complete, print, sign and send to your Director. Director –if approved, sign and put in the Superintendent's mailbox.



Kenton County School District | It's about ALL kids

**THE KENTON COUNTY BOARD OF EDUCATION**

1055 EATON DRIVE, FORT WRIGHT, KENTUCKY 41017

TELEPHONE: (859) 344-8888 / FAX: (859) 344-1531

WEBSITE: [www.kenton.kyschools.us](http://www.kenton.kyschools.us)

Dr. Henry Webb, Superintendent of Schools

**Kentucky Department of Education**

**300 Sower Blvd.**

**Frankfort, KY 40601**

**TO: Kentucky Department of Education**

**FROM: Kenton County School District**

**RE: Letter of Agency for KDE Next Generation K-12 Internet (NGKI) services to begin on or after July 1, 2023 and applicable through the expiration of the contract which results from this procurement.**

This is to confirm our participation in the KENTUCKY DEPARTMENT OF EDUCATION Next Generation K-12 Internet E-rate Consortium for the procurement of eligible DATA TRANSMISSION AND INTERNET ACCESS SERVICES. I hereby authorize the KENTUCKY DEPARTMENT OF EDUCATION to submit FCC Forms 470, 471, 486, 472, and other E-rate forms as necessary and/or required, to the Schools and Libraries Division of the Universal Service Administrative Company on behalf of **Kenton County School District**.

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

- (a) I certify that our school, or the 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, or the schools in our district, 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 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 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 the school, library or 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.).
- (d) I certify that our schools/school district 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. I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- (e) I certify that I will retain required documents for a period of at least ten years 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.

**Kenton County Board of Education**

Board Members: Carl Wicklund, Karen Collins, Jessica Jehn, Shannon Herold, Gene Dupin

"The Kenton County Board of Education provides *Equal Education & Employment Opportunities*."



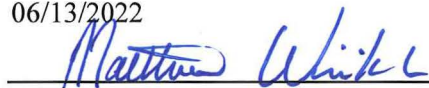
- (f) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities 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.
- (g) 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.
- (h) 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. 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.
- (i) 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 the Kentucky Department of Education for E-rate submission is true.

Name of Entity School/(School District):Kenton County School District

Billed Entity Number: 128864

Date: 06/13/2022

Signature: \_\_\_\_\_



Printed Name: Matthew Winkler

Title: Director of Technology

**Kenton County Board of Education**

Board Members: Carl Wicklund, Karen Collins, Jessica Jehn, Shannon Herold, Gene Dupin  
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