



## Advanced E-rate Presenters

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**Schools & Libraries Division**

# Overview

- ◆ Updates to Tools
- ◆ Recent Developments and Enhancements
- ◆ Reference Area Documents
- ◆ Changes to Forms, Instructions, Letters

# Updates to Tools

- ◆ Form 471 Application Status
- ◆ Form 471 Display
- ◆ Certify Complete
- ◆ BEAR/SPIN Search
- ◆ Technology Plan Approver
- ◆ Data Requests (Data Retrieval Tool)
- ◆ Copy Block 4 (Form 471)
- ◆ Search Engine

# Form 471 Application Status

- ◆ Access from “Apply Online” link
- ◆ Enter Entity Number and Funding Year
- ◆ Search returns Forms 471 filed by that entity for that Funding Year, together with the most recent status of each form
- ◆ Key provided at top of search results page to explain each status
- ◆ Status now standardized between this tool and Form 471 Display

# Form 471 Display

- ◆ Summary and display views now include the following information, if applicable:
  - Form status
  - Form certification date
  - RAL date
  - Out-of-window letter date

# Certify Complete

- ◆ Allows applicants to certify an application submitted online but not yet certified
- ◆ Available for Forms 470, 471 (November 5, 2003 thru February 4, 2004), 486
- ◆ Access from “Apply Online” link
- ◆ Enter Form Application Number and Security Code
- ◆ Follow the instructions to complete your certification online

# BEAR/SPIN Search

- ◆ Provides information on service providers:
  - Full service provider name
  - Service provider contact information (contact person, mailing address, phone number)
  - Eligible Telecommunications Services provider (Y)
  - Years for which a SPAC (Form 473) is on file with the SLD
- ◆ Updated only by service provider filing a revised Form 498

# Technology Plan Approver

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**APLS**

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# Data Requests

- ◆ Provides information from Forms 471
- ◆ Can view requested (as originally filed) or committed (as funded)
- ◆ Search results sent to tab-delimited data file
- ◆ Access from “Data Requests” link
- ◆ Must enter state and Funding Year, other criteria also available to narrow results

# Data Requests (cont.)

## ◆ Additional search criteria:

- Wave Number
- Billed Entity Number

## ◆ Additional data points:

- Amount Authorized for Disbursement
- Wave Number
- Form 470 Application Number
- Invoicing Mode

# Copy Block 4 (Form 471)

- ◆ Can copy a Block 4 worksheet from one Form 471 to another in the current funding year
- ◆ Can copy a Block 4 worksheet from a Form 471 filed in a previous funding year
- ◆ Can then edit entries to accurately reflect those entities receiving a particular service

# Developments & Enhancements

## ◆ Suspension and debarment

<http://www.sl.universalservice.org/suspensions/suspensions.asp>

- Results from civil or criminal conviction of an individual or organization
- FCC enforcement process, not USAC process
- USAC web page will contain specific information on suspensions and debarments and links to FCC information

# Developments & Enhancements

- ◆ Postmark vs. receipt
  - Have moved to postmark deadlines for forms, appeals, and requests
- ◆ Submission by e-mail and fax available for:
  - Form 471 Item 21 Attachments
  - Appeals
  - Requests – Service Substitutions, SPIN Changes, Deadline Extensions

# Developments & Enhancements

- ◆ Expansion of definition of “educational purpose”
  - Activities that are integral, immediate, and proximate to the education of students or the provision of library services
- ◆ Eligibility of voice mail
  - Eligible in any category of service

# Reference Area Documents

- ◆ Calculating Your Discount – updated for library calculations (November 2002)
- ◆ Item 21 Attachments – new document providing descriptions and examples of attachments (November 2002)
- ◆ Reminders for Form 470 and Form 471 – important reminders for applicants posted to main page, then permanently posted in Reference Area (November 2002)

# Reference Area Documents

(cont'd)

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- ◆ SPIN Change Guidance – (December 2002)
  - ◆ Priority 1 Components: Timelines for Installation – (December 2002)
  - ◆ Wide Area Network (WAN) Fact Sheet – (December 2002)
  - ◆ Deadlines for Information Requests – (December 2002)

# Reference Area Documents

(cont'd)

- ◆ Sample Letters – Form 470 RNL, Form 471 RAL, and Form 486 NL updated samples posted (February 2003)
- ◆ Task Force area – created in March 2003 and updated as meetings occurred
- ◆ Commitment Adjustment (COMAD) – new document to explain commitment adjustments (March 2003)

# Reference Area Documents

(cont'd)

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- ◆ E-rate Selective Review Information Request – sample document updated for FY2003 (March 2003)
  - ◆ Form 486 Deadlines – updated with explanation of filing Form 486 when a SPIN change or service substitution has also been requested (April 2003)
  - ◆ FAQs about Eligibility of Products and Services – updates to questions and new questions added (April 2003)

# Reference Area Documents

(cont'd)

- ◆ On-premise Priority 1 Equipment – updated to discuss “exclusive use” (May 2003)
- ◆ State Replacement Contracts – updated to include additional information needed by SLD to process replacements (June 2003)
- ◆ Site Tour of New SLD Web Site (June 2003)
- ◆ Contact Information Changes – provides guidance on making changes to contact information (July 2003)

# Reference Area Documents

(cont'd)

- ◆ Revised Form 486, Form 479 and Instructions (August 2003)
- ◆ Appeals Procedure – updated for clarity, appeals deadline changed to postmark, ECFS for filing FCC appeals (August 2003)
- ◆ CIPA Guidance for Libraries – provides guidance for libraries completing Form 486 and Form 479 for FY2003 (August 2003)

# Reference Area Documents

(cont'd)

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- ◆ Eligible Services List (October 2003)
  - ◆ Form Filing Information pages – single-page summary of each form with name, purpose, deadline and links to related pages (September 2003)
  - ◆ Form 470 Information for FY2004 – provides guidance for FY2004 applicants filing Form 470 (September 2003)

# Forms, Instructions, Letters

- ◆ Form 470 / RNL (Receipt Notification Letter)
- ◆ Form 471 / RAL (Receipt Acknowledgment Letter)
- ◆ FCDL (Funding Commitment Decision Letter)
- ◆ Form 486 / Form 486 NL (Notification Letter)
- ◆ Form 479 (Certification of Compliance with CIPA)
- ◆ Form 500 / Form 500 NL
- ◆ Form 472 (BEAR —Billed Entity Applicant Reimbursement) / Form 472 NL

# Forms, Instructions, Letters

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- ◆ Form 470 and Form 471 – no substantive changes from FY2003 forms
- ◆ Additional reminders in instructions
- ◆ Letters shortened, with cover sheet of Important Deadlines and Reminders

# Form 470 / RNL

- ◆ Available for FY2004 on June 10, 2003
- ◆ Two online formats:
  - Interview (can be used by all filers)
  - PDF
- ◆ Can begin in one format, continue in the other
- ◆ Certify online or on paper

# Form 470 / RNL (cont'd)

- ◆ Purpose – to open competitive bidding process
- ◆ Form 471 category of service must match
- ◆ Form 470 must be completed by entity that will negotiate with service providers
- ◆ Form 470 cannot be completed by a service provider who will participate as a bidder
- ◆ Must ensure an open, fair bidding process and select most cost-effective provider
- ◆ Save all competing bids

# Form 470 / RNL (cont'd)

- ◆ Form 470 Receipt Notification Letter
  - Contains the same warnings as the Form 470 Instructions
  - Remember: also contains Allowable Vendor Selection/Contract Date

# Form 471 / RAL

- ◆ Form 471 Receipt Acknowledgment Letter
  - Remember: Can change certain information pre-commitment by marking up and returning RAL to SLD
  - No three-week deadline for funding reduction requests

# Form 471 / RAL

- ◆ Available when Form 471 filing window opens
- ◆ Two online formats:
  - Interview (for smaller applicants only)
  - PDF
- ◆ Encourage filing for EITHER Priority 1 OR Priority 2 services on a Form 471
- ◆ Can submit Item 21 attachments by fax, by e-mail or by mail

# Form 486 / Form 486NL

- ◆ Form 486
  - No separate CIPA certifications for schools and for libraries, except for “undertaking actions” for FY2003
- ◆ Two online formats:
  - Interview (for all filers)
  - PDF
- ◆ Form 486 Receipt Acknowledgment Letter
  - Sent to both applicants and service providers

# Form 479

- ◆ No separate CIPA certifications for schools and for libraries, except for “undertaking actions” for FY2003
- ◆ Remember: submit this form to your Billed Entity, not to SLD or FCC

# Form 472 (BEAR) / Form 472NL

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- ◆ Form 472 Notification Letter tells status of each Funding Request Number (FRN)

# Form 500 / Form 500NL

- ◆ Form 500 Notification Letter shows changes for each Funding Request Number (FRN)
  - Always sent to service provider
  - Sent to applicant if change in funding (reduction or cancellation), not sent if change in date (Service Start Date or Contract Expiration Date)



# **FCC 2<sup>nd</sup> Order**



**Schools & Libraries Division**

# Objectives

- ◆ Briefing on 2<sup>nd</sup> Order decisions
- ◆ Outline of SLD implementation plans

# FCC Decisions

- ◆ Effective date July 21, 2003     ◆ 6 items
- ◆ Effective for Fund Year '04     ◆ 3 items
- ◆ Effective for Fund Year '05     ◆ 1 item

# Effective Date July 21, 2003

- ◆ Prohibition against duplicative services
- ◆ 20 days for BEAR payments
- ◆ Revised appeals procedures
- ◆ Availability of funds for appeals
- ◆ Debarment process
- ◆ Conformance with No Child Left Behind

# Duplicative Services

- ◆ “...same functionality to the same population in the same location during the same period of time.”
- ◆ Example: Multiple T-1 lines are okay if supported by needs of the applicant.

# Revised Appeals Procedures

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- ◆ Appeal timeline permanently extended to 60 days.
- ◆ Appeals treated as filed on the date they are postmarked.
- ◆ Appeals to the FCC should now reference Docket Number 02-6.

# “Educational Purpose”

- ◆ Some offsite telecommunications activities may also meet the standard
- ◆ Examples
  - School bus driver using cellular phone
  - Connectivity to a mobile library van
  - Paging service for teachers on field trips

# News Emphasis Items



- ◆ Technology Planning
- ◆ CIPA
- ◆ Form 486 Penalties



# **Technology Planning**



**Schools & Libraries Division**

# Five Criteria

- ◆ **Goals**
- ◆ **Professional Development**
- ◆ **Needs Assessment**
- ◆ **Budget**
- ◆ **Evaluation**

# First Criteria: Goals

- ◆ The plan must establish clear *goals and a realistic strategy* for using telecommunications and information technology to *improve education or library services*

# Second Criteria: Professional Development

- ◆ The plan must have a *professional development strategy* to ensure that staff know how to use these new technologies *to improve education or library services*

# Third Criteria: Needs Assessment

- ◆ The plan must include an *assessment of the telecommunication services, hardware, software*, and other services that will be needed to improve education or library services

# Fourth Criteria: Budget

- ◆ The plan must provide for a *sufficient budget to acquire and support the non-discounted elements of the plan*: the hardware, software, professional development, and other services that will be needed to implement the strategy

# Fifth Criteria: Evaluation

- ◆ The plan must include an *evaluation process* that enables the school or library to *monitor progress toward the specified goals and make mid-course corrections* in response to new developments and opportunities as they arise

# When Do I Need a Tech Plan?

- ◆ Not needed if you are seeking *only*:
  - Local and Long Distance (wireline or wireless)
- ◆ Needed if you are seeking any of these:
  - Telecommunications other than local/long distance: T1s, ISDN, Centrex, etc.
  - Internet Access
  - Internal Connections

# Who Needs a Tech Plan?

- ◆ Recipients of service (Block 4 entities)
  - Individual libraries can be covered by library district or library consortium plan or can elect to have their own
  - Consortium members covered by school, LEA, library, or library district/consortium plan – NOT a consortium level plan

# Timing

- ◆ Technology plans must be *written* before submission of the Form 470
- ◆ Technology Plans must be *approved* before services start and submission of the Form 486
- ◆ Plans should not cover more than 3 years

# Plan Approval

- ◆ Technology plans approved for EETT are deemed valid for E-rate
- ◆ Plans must be approved by USAC Certified Technology Plan Approvers
  - See Reference Area: Technology Planning: Certified Technology Plan Approver Locator
- ◆ ASA as the consortium lead will be required by the SLD for Year 7 (2004) to have on file a copy of each library's Technology Plan.

# PIA: Following Up

- ◆ Checks during application review
  - Assuring that Technology Plan is written
- ◆ Checks after filing of Form 486
  - Assuring that Technology Plan is approved

# Documenting Compliance

- ◆ Be sure Technology Plan covers entirety of current Fund Year
- ◆ Retain copy of Technology Plan Approval notification
- ◆ Keep Technology Plan up to date and implement Evaluation component



# **CIPA Guidance**



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# CIPA Guidance

- ◆ CIPA Overview
- ◆ Using Forms 479 and 486 for CIPA Certifications
- ◆ Specific Guidance for Funding Year 2003

# CIPA Overview

- ◆ The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000.
- ◆ Beginning in Funding Year 2001, CIPA requires schools and libraries with Internet access to -
  - Post a public notice and conduct a hearing on a proposed Internet safety policy
  - Establish an Internet safety policy
  - Put technology protection measures in place by the start of discounted services

# CIPA Overview (Cont.)

- ◆ In the First Funding Year (August 2003 for libraries), applicants must either be in compliance with CIPA or undertaking actions to comply with CIPA, in order to receive discounts for Internet Access or Internal Connections services.

# CIPA Overview (Cont.)

- ◆ In the Second Funding Year an applicant must be in compliance with CIPA – including the filtering requirements – in order to receive discounts for Internet Access or Internal Connections unless state or local procurement rules or regulations, or competitive bidding requirements prevent the making of the certification.
  - Applicants in this situation should request a waiver using the Form 486 or Form 479, as appropriate.

# CIPA Overview (Cont.)

- ◆ In the Third Funding Year, an applicant must be in compliance with CIPA.

# CIPA Overview (Cont.)

- ◆ Your Internet Safety Policy must address the following issues:
  - ◆ access by minors to inappropriate matter on the Internet and World Wide Web;
  - ◆ the safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
  - ◆ unauthorized access, including so-called "hacking," and other unlawful activities by minors online;

# CIPA Overview (Cont.)

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- ◆ Your Internet Safety Policy must also address:
  - ◆ unauthorized disclosure, use, and dissemination of personal information regarding minors; and
  - ◆ measures designed to restrict minors' access to materials harmful to minors.

# CIPA Overview (Cont.)

- ◆ CIPA certifications are not required to receive E-rate discounts for Telecommunications Services
  - Certify that CIPA does not apply because recipient(s) of service in these FRNs are receiving discounts only for Telecommunications Services

# Who is the Administrative Authority?

- ◆ The Administrative Authority for a school or library is the entity that must make the relevant certification for purposes of CIPA.
  - For a library, the Administrative Authority may be the library, library board, or other authority with responsibility for administration of the library.
- ◆ The Administrative Authority may or may not itself be eligible for E-rate discounts.

# Who is the Billed Entity?

- ◆ The Billed Entity is responsible for making payments directly to a service provider.
- ◆ A Billed Entity may or may not itself qualify for E-rate discounts.

# Who is the Billed Entity? (Cont.)

- ◆ If the Billed Entity –
  - is also the Administrative Authority for all eligible entities receiving services, then certify the status of CIPA compliance on Form 486, Block 4, Item 11a, b or c;
  - is NOT the Administrative Authority for ANY eligible entities receiving services, then collect Forms 479 from those authorities;

# Who is the Billed Entity? (Cont.)

## ◆ If the Billed Entity –

- is the Administrative Authority for some but not ALL of the eligible entities receiving services, then certify on Form 486, Block 4, Item 11a, b or c AND collect Forms 479 from those entities for which it is NOT the Administrative Authority.

# What is the Deadline for the Form 486?

- ◆ The Form 486 must be postmarked no later than:
    - 120 days after the Service Start Date featured on the Form 486 or
    - 120 days after the date of the Funding Commitment Decision Letter (FCDL)
- whichever is later.

# Who Must File the Form 479?

- ◆ The Administrative Authority that is not the Billed Entity
  - The Form 479 is provided to the Billed Entity, not to the SLD or to the FCC

# What is the Deadline for the Form 479?

- ◆ The Billed Entity and the Administrative Authority will agree on the timing for the receipt of the Form 479
- ◆ The Billed Entity must certify on the Form 486 the status of the collection of Forms 479

# Impact of the FCC's CIPA Order Released July 24, 2003

- ◆ Libraries are required to comply with CIPA filtering requirements.
- ◆ Libraries have the balance of FY2003 to come into compliance with CIPA filtering requirements.
- ◆ Libraries must already be in compliance with the public notice and hearing requirements, and must already have an Internet safety policy in place.

# **Impact of the FCC's CIPA Order Released July 24, 2003 (Cont.)**

- ◆ Forms 486 that feature FRNs for Internet Access and/or Internal Connections for libraries and consortium applicants representing library recipients, and that were data entered on or before August 18, 2003, have been canceled.

# Impact of the FCC's CIPA Order Released July 24, 2003 (Cont.)

- ◆ Libraries and consortium applicants representing library recipients must file a new Form 486 with a date of August 2003. The 120-day deadline applies (see Form 486 Instructions.)
  - If a canceled Form 486 also featured FRNs for Telecommunication Services, a new Form 486 will be required for those FRNs as well.

# Impact of the FCC's CIPA Order Released July 24, 2003 (cont.)

- ◆ Libraries that are not in compliance with CIPA for FY2003 and will not be undertaking actions to comply with CIPA by FY2004 may only receive pro-rata discounts for Internet Access or Internal Connections for FY2003 from July 1, 2003 through August 14, 2003.
  - These libraries will be required to certify to compliance with the public notice/meeting requirement of CIPA. The FCC is reviewing the form to be used to submit this certification. This is not a Form 486 so the 120-day deadline will not apply.

# **Impact of the FCC's CIPA Order Released July 24, 2003 (cont.)**

- ◆ Library consortium members **MUST** file using the revised Form 479 for FY2003
  - Members that filed a Form 479 with their Billed Entity prior to August 14 must file a revised Form 479 (dated August 2003) with their Billed Entity by September 29, 2003
  - Members that have not filed a Form 479 should work with their Billed Entity to determine when to file the Form 479

# **Impact of the FCC's CIPA Order Released July 24, 2003 (cont.)**

- ◆ Billed Entities for FRNs that feature one or more libraries unwilling to make a CIPA certification must file a Form 500 to adjust their funding commitments within 30 days after filing the revised Form 486

# Special Form 486 Processing Note

- ◆ Earlier versions of the Form 486 received will fail Minimum Processing Standards (MPS)
- ◆ We will reach out through Problem Resolution if a previous version of the Form 486 is postmarked on or before December 31, 2003, to obtain a current Form 486 via fax, e-mail or mail
  - The postmark date of the original filed Form 486 will be the postmark date of the refiled Form 486, as long as the guidance provided for the submission of the revised Form 486 is followed.
- ◆ Beginning January 2, 2004, earlier versions will fail MPS and will be returned



# **Form 486 Penalties**



**Schools & Libraries Division**

# Form 486

- ◆ Form 486 must be postmarked no later than
  - 120 days after the Service Start Date featured on the Form 486 OR
  - 120 days after the date of the Funding Commitment Decision Letterwhichever is later
- ◆ If Form 486 is postmarked later than the above deadline, the date 120 days before the Form 486 postmark date will become the start date for discounted services and funding may be reduced.



# Eligible Services



**Schools & Libraries Division**

# A Fundamental Point:

- ◆ E-rate supports **connectivity**– the conduit or pipeline for telecommunications and Internet access.
- ◆ SLD administers policy as established by the FCC.

# Basic Eligible Services Information

- ◆ Eligible Services Framework
- ◆ Eligible Services List
- ◆ Processing of Service Requests (The “30% Rule”)
- ◆ Eligible Users and Locations

# Eligible Services Framework

- ◆ Three categories of service, each with its own rules for eligibility.
- ◆ Priority 1: lease of services, not ownership by applicant.
- ◆ Priority 2 (Internal Connections): only category that allows purchases of components.

# Eligible Services List

- ◆ Indicates what products and services can be eligible for funding.

# Processing of Service Requests (The 30% Rule)

- ◆ If 30% or more of request is ineligible, entire request is denied.
- ◆ Any ineligible products or services can be subtracted on the Form 471.
- ◆ If in doubt about eligibility, use a separate FRN.

# On-premise Priority 1 Equipment

- ◆ Equipment at the applicant site is presumed to be Internal Connections (Priority 2).
- ◆ That is, equipment at the applicant site is presumed to be part of the LAN.
- ◆ However, under certain limited conditions, some equipment at the applicant site can qualify as a part of a Priority 1 service.

# On-premise Priority 1 Equipment

- ◆ On-premise Priority 1 conditions include:
  - WAN components, not LAN components
  - Specific demarcation between WAN and LAN
  - A continuous end-to-end service
  - Economically justifiable
  - Meet definitions for telecom or Internet access service

# Clarifications and Updates-- Telecommunications

- ◆ Telephone Service / Paging  
Expanded eligibility for “Educational Use”
- ◆ Alarm line  
Now eligible
- ◆ Voice/video over IP service  
Not eligible as telecom or extra-cost Internet access
- ◆ Web Hosting  
Now eligible

# Clarifications and Updates— Internal Connections

- ◆ File Server Clarification re usage
- ◆ Maint. & Tech Support Clarification re “basic” services
- ◆ UPS / Battery Backup Clarification re size / capacity

# Clarifications and Updates-- Miscellaneous

- ◆ Dark Fiber Not eligible
- ◆ Voice Mail Service Now eligible
- ◆ Firewall Now eligible

# Voice Mail Service

- ◆ Eligible as a Priority 1 service
- ◆ Also eligible as an Internal Connections product.
  - E.g., voice mail system that is a component part of a PBX.
- ◆ End-user products such as answering machines are not eligible.



# **Program Compliance**



**Schools & Libraries Division**

# PIA Review

- ◆ Purpose of PIA Review is to ensure that we fund only:
  - Eligible entities
  - Eligible services
  - Eligible use
  - Services were selected based on free and open competitive bidding process
- ◆ Document your compliance!

# Roles for Applicants

- ◆ File Form 470
- ◆ Responsible for competitive bidding process
- ◆ Provide RFP or bid information to all bidders
- ◆ Select most cost-effective bid
- ◆ File and sign Form 471
- ◆ Respond to PIA inquiries about competitive bidding process, budget, discounts, tech plans, etc.
- ◆ Comply with certifications made on all forms

# Roles for Service Providers

- ◆ **Cannot** file Form 470 on behalf of applicants.
- ◆ **Cannot** be involved in competitive bidding process except as bidders
- ◆ Respond to Form 470 / RFP
- ◆ Provide Attachment 21 information to applicant
- ◆ Support applicant on technical questions from PIA
- ◆ Provide discounted bills/reimbursement
- ◆ Comply with certifications made on all forms

# Contracts

- ◆ Quotes are not contracts
- ◆ When applicant provides something other than a contract, then it must be prepared to prove such document constitutes a contract pursuant to state contract law

# Contracts

- ◆ Review carefully for unusual clauses
- ◆ The FCC requires that the applicant sign a contract prior to the filing of the Form 471.
  - This does not apply to tariffed or month-to-month services.

# Budget Documentation

- ◆ If we ask for your budget, you must:
  - Provide both Revenues AND Expenses
  - If there is a deficit, show how it won't affect required E-rate match
  - If there are unforeseen budget reductions later in the year, be able to show that you filed in good faith

# Take Certifications Seriously

- ◆ You make certifications on FCC forms under penalty of *federal criminal law*.
  - Example:
    - ◆ Certify that you have secured access to sufficient funds to pay for your nondiscounted share AND YOU HAVE NOT, then this is a false statement that could be prosecuted.
    - ◆ Certify that on the Form 486 that you have signed contracts AND THERE ARE NOT, then this is a false statement that could be prosecuted.