

- 1. E-Rate state rules for gifting:** We are asking for your guidance on state rules for gifting for our E-Rate LEAs and how to apply them to the recent news from the Federal Communications Commission (FCC). The LEAs will need to know how they can take advantage of the waived rules without breaking state rules/policies.

To TEA's knowledge there are no state rules for gifting for LEAs (local education agencies) participating in the E-Rate program. LEAs are encouraged to take advantage of the FCC's relaxed gifting rules while adhering to FCC's rules and regulations. Below is a link to new guidance disseminated from the FCC.

<https://www.fcc.gov/document/fcc-waives-rhc-and-e-rate-gift-rules-due-covid-19>

- 2. E-rate state match:** The funding for state match of E-Rate projects for years 2017 and 2018 will expire in August of this year. A small number of projects are still under way. They had planned to be completed before our deadline of May 2020 to receive their state matching funds. If there are further delays because of COVID-19 these LEAs would not only miss out on the state matching funds, but also the federal funds they match to. Is it possible that the state funds be moved to the 2019 expiration of May 2021 or at least move the date the funds will be swept to the end of 2020 to allow all projects to complete and the earmarked state matching funds to be expended?

TEA does not have the authority to increase the timeline for expenditure of funds past the end of the biennium without Legislative approval. If you have questions about the timelines, please contact [classroomconnectivity@tea.texas.gov](mailto:classroomconnectivity@tea.texas.gov).

- 3. Delayed E-Rate construction:** The construction on our E-Rate project has been delayed due to the shelter-in-place ordinances associated with COVID-19. What type of guidance can you provide us about how to move forward with our project?

We understand that LEAs may encounter issues with ongoing E-Rate projects due to delays associated with COVID-19. If work on a project has ceased due to a local shelter-in-place order, it is our understanding that, in most instances, construction work on infrastructure is permitted, and an LEA should confer with the local authority that issued the applicable shelter-in-place order to confirm that E-Rate infrastructure projects are unaffected by the order. Once an LEA has received such confirmation, the LEA should work with their vendor to adhere to the deliverable timelines in their contract and continue work.