

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)
)
Emergency Broadband Benefit) **WC Docket No. 20-445**
Program)
)

**Reply Comments from the
Wisconsin Department of Public Instruction (WIDPI)**
(Filed February 12, 2021)

The Wisconsin Department of Public Instruction (WIDPI, department) is the state’s education and library agency. The department has statutory oversight for our state’s 423 public school districts and 384 public libraries. We appreciate the opportunity to submit these reply comments on the Emergency Broadband Benefit (EBB) program.

Household Internet access has long passed the point of being optional or some type of luxury—and the COVID-19 pandemic has only highlighted this issue. As the Education SuperHighway very aptly states in its comments: “The pandemic has shown that home broadband connectivity is more critical than ever. Without robust Internet access at home, Americans cannot work remotely when needed, do school work from home [or] upgrade their skills for 21st-century careers....”¹

There are several ways in which our schools and libraries can help ensure the success of the EBB program in helping address the home Internet connectivity gap. For example, we think an obvious role from a communications perspective is helping make the public aware of the EBB program. As the State Educational Technology Directors Association states, “Although state education agencies and school districts do not have a direct role in the EBBP’s administration, they can be an effective partner to the Bureau and providers in boosting program participation rates by families with students.”² And Common Sense Media suggests requiring providers to publicize the EBB program and provide funding to schools and other anchor institutions to help publicize the program.³ In the context of increasing public awareness it is important to note that the Notice itself asks if the Commission should take actions to “publicize the program to supplement the outreach of the participating providers.”⁴ We support the Commission taking such actions and strongly suggest that the Commission itself develop materials (e.g., flyers,

¹ EducationSuperHighway (ESH) comments, page 1.

² State Educational Technology Directors Association (SETDA), et al. comments, page 2.

³ Common Sense Media comments, page 5. January 25, 2021.

⁴ FCC Public Notice WC Docket No. 20-445, page 10. January 4, 2021.

brochures) on the EBB program.⁵ Doing this will create a uniform message and eliminate the wasteful need of anchor institutions and providers to all “reinvent the wheel” in developing their own publicity materials. Furthermore, the Commission authoring materials will help avoid any inadvertent errors or misleading statements in materials developed by others. These materials can then be distributed to our schools, libraries, other community anchors and providers who will then further distribute the materials to households that can potentially benefit from the EBB program.⁶

In addition to publicizing the EBB program, we think that schools and state education agencies can play a much more direct role in the program, in part because they are already actively engaged to addressing the homework gap. This is highlighted by Common Sense Media’s comments: “In creating its process for qualifying EBB providers, the Commission should consider the groundwork school districts have already built and their unique understanding of and access to eligible students lacking the connectivity and devices needed to successfully engage in distance learning.”⁷ And other commenters support this more proactive role too with several specific suggestions. For example, the Education SuperHighway states, “the Commission should allow school districts to act as agents to enroll unconnected K-12 households...” in the EBB program.⁸ And the State E-Rate Coordinators’ Alliance states, “The Commission should allow schools to obtain a letter of authorization from a student’s parent or legal guardian and assist to enroll qualifying households in EBB.”⁹ Allowing schools to be more proactive can minimize the burden¹⁰ on households that—for a variety of reasons—may be reluctant to apply for the program. We ask the Commission to craft the EBB program’s regulations to provide specific language allowing schools and state education agencies to be more active program participants.

Related to this more proactive approach, when the pandemic struck last spring schools had to quickly pivot to a virtual learning environment. To help students without Internet access many school districts developed relationships with local providers to connect households that lacked access. For example, last year the Chicago Public School launched the “Chicago Connected” program that coordinates with local providers to provide free home Internet service to eligible students.¹¹ There are issues that must be addressed in these cooperative endeavors, including student privacy, but some states have moved aggressively to address these and other issues. For example, in Wisconsin the state’s Department of Public Instruction (WIDPI) and other parties have addressed issues of privacy via a series of legal agreements.¹²

⁵ See comments from Public Knowledge. “As a part of this effort, the FCC should create materials clearly describing the program and how to enroll...” Page 7. January 25, 2021.

⁶ Public libraries are particularly adept in the role of distributing print information which is often located at a kiosk near the circulation desk or the library’s entry/exit way. Most libraries are still closed but many are offering curbside service and could distribute information flyers as part of this.

⁷ Common Sense Media comments, page 5. January 25, 2021.

⁸ ESH, comments page 6. And Council of Great City Schools comments, page 5.

⁹ State E-Rate Coordinators’ Alliance (SECA) comments, page 3. January 25, 2021

¹⁰ Public Knowledge comments, page 2.

¹¹ Council of Great City Schools comments, page 3.

¹² SECA comments, page 5.

Acknowledging that SECA referenced the Wisconsin Department of Public Instruction in its comments,¹³ let us provide a brief description of our program to help close the homework gap. This program is an example of a very successful public – private partnership used to help address the homework gap in Wisconsin. We think this information may be beneficial as the Commission crafts its rules and regulations to implement the EBB program. Internet service providers from across WI, both national and local, are providing discounts for schools/districts to purchase Internet for a student’s home. These contracts are gathered and shared via a statewide purchasing agreement managed by a state Cooperative Educational Service Agency. The decisions for who receives this service are made at the local level. The school shares the address with the service provider they selected that serves the address. The service provider then works directly with the family, while the school district pays the monthly costs. We ask the Commission to craft the EBB program regulations to provide incentives to encourage the type of cooperative programs that Wisconsin and other states and districts have developed with providers.

While we support a robust role for schools in the EBB we also support a role for nonprofit community broadband providers that are now providing low-cost Internet access to thousands of households. We encourage the FCC to craft its EBB regulations to include these providers.¹⁴

In addition to our above comments we make the following points:

- As a condition of eligibility any EBB provider should be required to provide complete details on their service offering(s) including coverage area, pricing,¹⁵ speed options and any restrictions or other conditions.¹⁶
- No service agreement or contract should allow providers to automatically extend service after the EBB discount expires. Program rules must require an “opt-in” provision.¹⁷
- The Commission should prevent providers from imposing data caps on any wireless or wireline service offered as part of the EBB program.¹⁸
- At a minimum, the Commission should enforce its own standard¹⁹ that the EBB program require a minimum bandwidth of 25MB download speed and 3MB upload speed.
- The Commission should reserve 50% of the EBB fund for households without broadband connections.²⁰
- While we appreciate the value of using the National Verifier to determine eligibility, we believe it should be supplemented with other options in order to maximize the reach of the

¹³ SECA comments, page 5.

¹⁴ National Digital Inclusion Alliance (NDIA) comments, page 6. January 25, 2021.

¹⁵ See NCTA comments that “All EBB provider participants should be subject to cost-of-service disclosure requirements.” Page 11. January 25, 2021.

¹⁶ Wisconsin Public Service Commission comments, page 1. January 25, 2021.

¹⁷ ESH comments, page 3

¹⁸ SETDA comments, page 4. See also Benton Institute for Broadband & Society comments on CenturyLink’s disconnect policy for excessive usage. Page 15. January 25, 2021.

¹⁹ *Fourteenth Broadband Deployment Report*, GN Docket No. 20-269 (January 19, 2021). Referenced in the Benton Institute comments, page 36.

²⁰ ESH comments, page 3.

program to all eligible households.²¹ As we state above, for unconnected households with students the Commission should adopt regulations strongly encouraging providers to work directly with school districts to verify eligibility based on the national school lunch or breakfast program.²²

- Lack of household Internet connectivity long pre-dates the COVID-19 pandemic. We suggest the Commission use the EBB program as a “pilot strategy”²³ that can help inform it on how to develop further strategies to finally close the Internet connectivity gap.

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The Wisconsin Department of Public Instruction views the Emergency Broadband Connectivity program as another important option households have to get connected to the Internet and we look forward to the program’s implementation.

Respectfully submitted,

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²¹ T-Mobile USA, Inc. comments, page 9. January 25, 2021.

²² See Consolidated Appropriations Act, 2021 (PL 116-260). Division N -- Additional Coronavirus Response and Relief. Title IX -- Broadband Internet Access Service, Section 904(b)(2)(C).

²³ SEDTA comments, page 5.