In the Matter of	)	
	)	
Addressing the Homework Gap	)	WC Docket No. 21-31
Through the E-Rate Program	)	
	)	

REPLY COMMENTS OF THE COUNCIL OF THE GREAT CITY SCHOOLS

The Council of the Great City Schools is pleased to submit reply comments in response to the Commission's Public Notice published on February 1, 2021 (WC Docket No. 21-31; DA 21-98) regarding Emergency Relief to Allow the Use of E-Rate Funds to Support Remote Learning During the COVID-19 Pandemic. The Council underscores our request for immediate and broad support for school districts to provide at-home internet service, and it urges the Commission to provide the assistance and flexibility needed for school districts to help reach this goal.

Introduction

The Council of the Great City Schools continues to offer its wholehearted support to the petitioners and urges the Commission to approve the use of E-Rate funds for remote learning quickly. Since COVID-19 began forcing changes to K-12 instruction across the country, the nation has become more aware of the institutional inequities that exist in our public-school systems, especially in large urban districts with some of the highest concentrations of students of color, English learners, and high poverty. In their comments in support of the petitioners, the Los Angeles Unified School District (LAUSD) highlighted the specific challenges of COVID-19 for the urban school community in saying, "As health officials urge the population to socially distance and stay home as much as possible, many of our students' families do not have those options as they live in densely populated urban areas, have jobs that are deemed essential, and must rely on members of intergenerational households to care for their children as they go out into the world to make ends meet."

The E-Rate has been an invaluable resource to connect classrooms, but the urban students we enroll have long lacked the at-home access that is now essential to participate in a remote learning environment, including Internet connections, devices, and computers. Many of the nation's urban schools remain closed today, and those that are open for in-person learning are still educating only a fraction of their enrollment on campus. The challenges of remote learning and connectivity remain severe for urban students, but the Commission's proposal was welcomed by a broad swath of the nation and the E-Rate community. We noted widespread enthusiasm from school districts in large cities such as New York City, Chicago, and Miami, as well as support from remote educators like the NEA-Alaska. Regional providers such as the Central Texas Telephone Cooperative offered their approval of the Commission's support for remote learning, as did international corporations like Amazon and Apple.

As a major stakeholder of the E-Rate program since its inception, we have rarely seen a proceeding where almost uniform support exists for the Commission's proposed actions. In major cities and throughout the United States, public schools have revamped operations and instructional systems to help meet the unexpected COVID-19 challenges the nation has struggled with for almost a year. School districts made a rapid transformation from school-based to home-based learning with the help of public and private partners, and the energy, dedication, and urgency that was made to launch this work have been extraordinary. The support of the Commission to sustain remote learning is a great relief to the ongoing and costly efforts that have been required.

Areas of Support

As we mentioned in our initial comments, a variety of methods are being used during the pandemic to connect students in all settings and locales remotely. The Council and many commenters noted that with ubiquitous virtual learning, the eligible services that should be deemed as "primarily for educational purposes" is quite long, as are the "activities that are integral, immediate, and proximate to the education of students." As a result, the Council supports the speediest and broadest-possible approval of the petitioners' requests and focuses our reply comments on the expansive support for those two areas: flexibility and urgency.

Eligible Services
The Chicago Public Schools, in comments filed jointly with the City of Chicago and the Chicago Public Library, underscored that items typically ineligible for E-Rate support should be approved during the pandemic. "Schools and libraries, in collaboration with the City and other partners, should be allowed to use E-rate discounts to purchase any goods and services necessary to connect students and patrons off-campus but engaged in educational purpose activities. This should include hotspots, but also the purchase of infrastructure such as fixed wireless equipment to extend Internet access from school campuses and library buildings. …For example, many school applicants will have to support the stand-up of simultaneous synchronous learning for both in person and remote learners and thus investments are needed, quickly, in schools, libraries, and living rooms."

The State Department of Public Instruction in Wisconsin echoed the flexibility needed, and even warned the Commission against trying to outline even a broad list of temporarily eligible services. "We suggest the Commission to take a liberal position on this issue and not be too proscriptive on what kinds or types of equipment are needed to support off-campus broadband connectivity. Certainly modems, routers and wireless hotspot devices should be eligible but we caution that even if the Commission develops a long 'laundry list' of eligible equipment it is still likely to omit some equipment needed in some areas of the country to make remote connectivity possible. Rather than a specific list, we strongly recommend the Commission define 'eligible equipment' to mean any equipment needed to provide 'advanced telecommunications and information services'…' to off-campus locations."

Positions similar to these were shared not just by SEAs and LEAs, but also by providers and consultants to the program. ENA submitted that, "…the Commission has always avoided mandating or preferring specific technologies in the E-rate Program, instead allowing schools and libraries to make their own decisions about which equipment and services best serve the needs of their students, patrons, and staff. The Commission should take the same approach as it considers expanding the use of E-rate funding to support

remote learning: let applicants make their own decisions about what equipment and services best serve their needs, rather than mandating specific technologies."

Funds for Learning also expressed strong support for the flexibility needed by offering, that, "…the Commission should adopt an 'all of the above' approach when it comes to the services eligible for support during this limited period. The needs of schools and libraries are not uniform. There is no one-size-fits-all solution to address the connectivity gap facing K-12 students without adequate Internet access. To avoid narrowing the range of available broadband solutions, the Commission should make all available options eligible for support with the primary consideration being whether the services are used to support remote learning."

Program Rules
Flexibility should extend not just to the eligible services and equipment list, but also to program requirements that obstruct the goals the Commission seeks and students need. At the top of the Council's list of needed flexibilities is the requirement to cost-allocate out ineligible costs such as off-campus private LTE networks. The program rules that limit eligibility for off-premises use and require cost-allocation have severely constrained the ability of school districts to expand wireless access off campus. These limitations affected school districts' abilities to address the homework gap before the pandemic, and numerous commenters noted that the rules have curtailed more widespread participation in remote learning since the COVID-19 emergency forced almost every school in the nation to close.

As a solution, the State E-Rate Coordinators Alliance suggested that, "The rescission of the cost-allocation requirement is a sensible and relatively inexpensive way to grant immediate relief to schools and libraries striving to meet students' remote learning needs during the pandemic as well as post-pandemic, when students must still access the Internet to complete homework assignments after hours."

Removing the cost-allocation requirement could increase the deployment of existing broadband networks from school campuses into the community. According to the North Carolina Department of Information Technology, "The expansion of off-campus access to broadband services should be facilitated by the E-Rate program's support of wired and wireless networks, including wireless hotspots and fixed and mobile wireless towers. Many schools within North Carolina are interested in optimizing existing infrastructure to send internet signal to surrounding students in a closed network format provided that the Commission expands E-Rate to apply to off-campus services."

Similarly, the Kentucky School Boards Association shared that the services which are typically not pursued due to cost-allocation requirements are actually more cost-effective ways of providing internet service. "We also have pockets of extreme poverty in some of our rural areas as well as our urban areas, where cost of service is severely hindering our students in participating in school work during the COVID pandemic. Frankly, this was an issue for us before the pandemic as well. Permitting the use of E-rate funding for a broad range of home broadband access would help all our districts ensure that students and teachers have access to broadband service, includes wireless hotspot devices and fixed or mobile wireless towers."

We will note that there were commenters from the wireless provider industry that did not support school districts deploying their own broadband network from school campuses. Both CTIA, representing wireless communications companies, and individual wireless corporations like Verizon rejected such approaches and said that the Commission should only support the use of commercially available wireless services. The Council will counter that solutions such as wireless hotspots have been a great fix that schools continue to

rely on for remote learning, and we included support for these devices in the requests in our initial comments. But wireless services such as hotspots are not available, dependable, or fast enough in every part of the nation, including in many urban areas in big cities. School districts seeking other methods to connect students to the internet are doing so because there are more cost-effective and reliable options than what is currently available.

Urgency

We also would like to repeat our request to the Commission for quick action on these decisions, as the nation approaches the one-year anniversary of school closures and most urban school districts continue to operate wholly or partially remotely. In their comments, the Miami-Dade County Public Schools included their letter to the Commission from March 2020 at the start of the pandemic, when they outlined the importance of quick action. "The urgency of rising to this challenge is immediate, and it is underscored by the possibility of school closures next year. Essential adjustment to FCC policies will make or break local school districts' efforts to complete the transformation to 21st century learning."

As many others have also outlined in this proceeding, the urgency of action has not abated after a year and the impact of this crisis on all students is significant. We support the request of the Education & Libraries Networks Coalition (EdLiNC), in their call for quick action. "Finally, in the interest of expediency, we recommend that the Bureau not issue an additional Public Notice to implement these proposed changes to the E-Rate program to support Homework Gap needs; instead, we believe that you can and should rely upon the record created by this Notice to move forward." We agree that ample evidence exists in this proceeding and from schools and communities over this past year that action by the Commission is sorely needed and long overdue.

Conclusion

The changes requested by the petitioners will help ensure the benefits of the E-Rate continue to close the digital divide for students, regardless of their income level or their location. Districts are working hard to mitigate the damage from the pandemic, both in terms of the virus itself and the unfinished learning and academic loss that has resulted. Central to much of this work is ensuring that students have reliable internet access when they are at home, as the "homework gap" is now a full-fledged "essential instruction gap." Despite substantial district expense and efforts since the start of the pandemic to provide off-campus connectivity, our work to ensure that all urban students have reliable Internet access is ongoing. We appreciate the Commission's eagerness to work with school district leaders to address historical gaps in access, use the E-Rate to build solutions that transform education, and make a difference in the lives of urban students nationwide.

Respectfully Submitted,

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