

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
Establishing Emergency Connectivity Fund) WC Docket No. 21-93
to Close the Homework Gap)

COMMENTS

**Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI)
Association of Late-Deafened Adults (ALDA)
Cerebral Palsy and Deaf Organization (CPADO)
Communication Service for the Deaf (CSD)
Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD)
Deaf Seniors of America (DSA)
Hearing Loss Association of America (HLAA)
National Association of the Deaf (NAD)
National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH)
National Cued Speech Association (NCSA)
Northern Virginia Resource Center for Deaf and Hard of Hearing Persons (NVRC)
Registry of Interpreters for the Deaf (RID)
Rehabilitation Engineering Research Center on Technology for the Deaf and Hard
of Hearing (DHH-RERC)**

Telecommunications for the Deaf and Hard of Hearing, Inc. (“TDI”), Association of Late-Deafened Adults (“ALDA”), Cerebral Palsy and Deaf Organization (CPADO), Communication Service for the Deaf (CSD), Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), Deaf Seniors of America (“DSA”), Hearing Loss Association of America (“HLAA”), National Association of the Deaf (NAD), National Association of State Agencies of the Deaf and Hard of Hearing (“NASADHH”), National Cued Speech Association (NCSA), Northern Virginia Resource Center of Deaf and Hard of Hearing Persons (NVRC), Registry of Interpreters for the Deaf (“RID”), and the Rehabilitation Engineering Research Center on Technology for the Deaf and Hard of Hearing (DHH-RERC), (collectively, “Commenters”) respectfully submit these comments in response to the Federal Communications Commission’s

public notice published on March 16, 2021 seeking comment on issues relating to the Emergency Connectivity Fund to Close the Homework Gap (the “Fund”).¹ Enacted as part of the American Rescue Plan Act of 2021, the Fund is intended to help schools and libraries provide devices and connectivity to students, school staff, and library patrons during the COVID-19 pandemic.² Commenters applaud the Commission’s efforts on this Fund and specifically respond to portions of the Public Notice that relate to individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues.

I. The Commission should adopt rules to ensure “connected devices” are both accessible and usable by people with disabilities when using video conferencing platforms.

Commenters support the Commission adopting rules to ensure “connected devices” are both accessible to and usable by individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues.³ Connected devices, including “laptop computers, tablet computers, and similar end-user devices that are capable of connecting to advanced telecommunications and information services,” should support accessible video conferencing platforms and other software necessary to ensure students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues can fully participate in the remote learning experience.⁴

Throughout the COVID-19 pandemic, video conferencing has become necessary for education. Unfortunately, students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues face accessibility problems when using video conferencing platforms. Video conferencing platforms, including Zoom, WebEx, and Google Meet, often do not provide captioning, American Sign Language (“ASL”), cued language transliterators (“CLTs”), or similar accessibility services

¹ *Wireline Competition Bureau Seeks Comment on Emergency Connectivity Fund to Close Homework Gap*, WC Docket No. 21-93, Public Notice, DA-21-317 (rel. Mar. 16, 2021) (“*Public Notice*”).

² *Id.* at 1.

³ *Id.* at 6.

⁴ *Id.* at 5-6.

as baseline features.⁵ This necessitates schools to arrange third-party software for captioning services or make arrangements for captioners, ASL interpreters, CLTs, or other services.⁶ The fact that there are certain limitations with captioning on some video conferencing platforms is especially problematic for students because they may miss crucial information from their teachers during classes and subsequently fall behind in their studies.⁷

Additionally, video conferencing platforms are not accessible to all relay services. Although some video conferencing platforms are starting to implement automatic speech recognition (“ASR”) captioning, that is separate from giving a third party TRS provider access to live captioning, using API codes. Some video conferencing platforms have neither ASR captioning nor API access. The Commission should adopt rules to ensure interconnectivity between video conferencing platforms and relay services. Also, as video connectivity platforms’ infrastructure continues to evolve and mature towards becoming a commodity technology service, it could be beneficial to introduce platform neutral interoperability into the service delivery model. Commenters strongly encourage the Commission to adopt rules to ensure connected devices that use video conferencing are accessible, usable, and interconnected with relay services so that individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues can utilize the platforms.

⁵ Telecommunications for the Deaf and Hard of Hearing, Inc. Comments, , WC Docket No. 20-445, at 3 (filed Jan. 25, 2021) (“TDI et al. *Comments*”); *Video Conferencing Platforms Feature Matrix*, HEARING LOSS ASSOCIATION OF AMERICA, https://www.hearingloss.org/wp-content/uploads/Video_Conferencing_Platforms_Feature_Matrix.pdf (last visited Mar. 30, 2021).

⁶ TDI et al. Comments at 3; Letter from Laura M. Moy and Michael Rosenbloom, Communications & Technology Law Clinic Georgetown University Law Center and Blake E. Reid Samuelson-Glushko Technology Law & Policy Clini) at Colorado Law to Marlene H. Dortch, Secretary, FCC Docket No. CG 10-213 et al. at 6 (filed Mar. 9, 2021).

⁷ *Remote Workplace Communications Access: Recommendations for Employers During Times of Expanded Telework*, NAD, <https://www.nad.org/remote-workplace-communications-access-for-employers/> (last visited Apr. 5, 2021).

II. There are various types of equipment and services that can be particularly helpful for individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues.

The Commission seeks comment on whether there are types of equipment or services that can be particularly helpful to people with different types of disabilities when interpreting advanced telecommunications and information services.⁸ Commenters support the Commission interpreting advanced telecommunications and information services to include equipment necessary to deliver data transmission and internet access services because students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues require, at minimum, connected devices that have video, camera functions, Bluetooth, and hearing aid compatibility (“HAC”) features.

The Commission should also interpret advanced telecommunications and information services to include video devices that facilitate access to video relay services (“VRS”) and audio devices that facilitate access to Internet Protocol captioned telephone services (“IP CTS”).⁹ It is crucial that students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues have access to VRS and IP CTS equipment. Without such equipment, students may be unable to understand their teachers which can increase the homework gap during the COVID-19 pandemic. For any equipment provided, end-users should receive or have access to end-user compatibility training that is necessary to optimize the utilization of any provided devices. Also, providing funding for schools and libraries (possibly also hospitals and other similar institutions) to include enterprise videophones and captioned telephones to use as public kiosks, will greatly assist individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues.

⁸ Public Notice at 7.

⁹ TDI et al. Comments at 4.

III. The Commission should provide at least 50/50 broadband speed and eliminate data caps to accommodate Telecommunications Relay Services and Video Relay Services (“VRS”).

The Commission seeks comment on what speeds are necessary for individuals who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues to use Telecommunications Relay Services (“TRS”) and VRS.¹⁰ Commenters respectfully disagree with the Commission’s current 25/3 broadband speed benchmark because a signing household with a student who is deaf, hard of hearing, DeafBlind, or deaf with mobility issues requires at least 50/50 broadband speed to accommodate TRS and VRS.

In addition, the Commission should not impose data caps on internet service offerings for students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues. Since video conferencing platforms do not have adequate captioning capabilities, students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues need captioners, ASL interpreters, CLTs, and other services to ensure e-learning classrooms are accessible.¹¹ This requires additional bandwidth and uninterrupted access to these services.¹² To ensure students with disabilities can adequately attend their class without videos disconnecting, the Commission should provide at least 50/50 broadband speed and eliminate data caps. Commenters urge the Commission to adopt rules addressing these issues to adequately protect disabled students.

IV. Schools and libraries should place Wi-Fi hotspots at various locations outside of schools and libraries.

Commenters strongly support the Commission allowing schools and libraries to place Wi-Fi hotspots at various locations outside schools and libraries.¹³ The Commission’s proposal “to allow schools to use Wi-Fi hotspots on buses to provide broadband services to students and school

¹⁰ Public Notice at 8.

¹¹ TDI et al. Comments at 3.

¹² *Id.*

¹³ Public Notice at 7.

staff who currently lack sufficient broadband access to fully engage in remote learning” is encouraging.¹⁴ In addition to buses; other locations, such as nearby parks, recreational areas, and community centers should also receive Wi-Fi hotspots from schools and libraries. Communities are already supporting such actions. For example, in South Bend, Indiana, to provide Wi-Fi for students and school staff, school buses drive near parks and open spaces to enable Wi-Fi hotspots.¹⁵ Buses, parks, recreation areas, and community centers should receive Wi-Fi hotspots from schools and libraries as they are frequented by students to continue their studies and complete their homework.

V. The Commission should consider whether schools or libraries provide education to students with disabilities when determining Fund availability.

Commenters support the Commission allocating a portion of the Fund to schools that provide education to students with disabilities. The Commission proposes to consider poverty, rurality, and broadband availability in the allocation of funds within the Fund.¹⁶ However, the Commission should also consider whether schools, such as state schools for the deaf, and libraries provide education to students with disabilities. State schools for the deaf only receive a small portion of states’ budgets and with e-learning and current restrictions and limitations on states’ budgets, they are undergoing additional hardships. In an in-person class setting, teachers who work with students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues can engage with about five to ten students at a time with the assistance of special education teachers and paraeducators.¹⁷ As a result of the pandemic, some schools for the deaf are increasing the number of students they are serving because of the lack of access provided in neighborhood schools. The schools are adjusting to e-learning with different methods. For example, the Kansas School for the

¹⁴ *Id.* at 9.

¹⁵ See *Coronavirus Exposes How Bad Americas’ Homework Gap Really Is*, BLOOMBERG (Mar. 20, 2020), <https://www.bloomberg.com/news/articles/2020-03-20/coronavirus-exposes-america-s-homework-gap>.

¹⁶ Public Notice at 12.

¹⁷ Suzie Dalien, *Self-Contained Classroom Defined*, SPECIAL ED RESOURCE, <https://specialedresource.com/self-contained-classroom-defined/> (last visited Apr. 5, 2021).

Deaf had language facilitators join its classrooms to assist students and the California School for the Deaf - Riverside provided trainings for its teachers, students, and families on how to use online learning platforms.¹⁸ However, additional funding will continue to help state schools for the deaf provide such services. Further, many deaf schools have provided ongoing outreach services to students and personnel in their state. Allocating a portion of the funding within the Fund to state schools for the deaf would support deaf students statewide.

In addition, allocating a portion of the Fund to schools that provide education to students with disabilities, like state schools for the deaf, will also provide funding for Tribal students. The Commission is seeking comment on whether a portion of the Fund should be allocated for Tribal schools and libraries.¹⁹ Commenters support the representation of Tribal schools and libraries and note that some state schools for the deaf, for example, in New Mexico, have many students attending from Tribal lands. Many of the students stay at school during the week and only return home on weekends or holidays. Allocating a portion of the Fund to schools that provide education to students with disabilities, like state schools for the deaf, will also benefit Tribal students who are deaf, hard of hearing, DeafBlind, or deaf with mobility issues.

VI. Conclusion

Commenters appreciate the opportunity to provide input on the Commission's questions regarding the Emergency Connectivity Fund to Close the Homework Gap and urge the Commission to take action to protect access to individuals with disabilities.

¹⁸ *Kansas School for the Deaf*, CEASD, <https://www.ceasd.org/kansas-school-for-the-deaf/> (last visited Apr. 5, 2021); *California School for the Deaf – Riverside*, CEASD, <https://www.ceasd.org/kansas-school-for-the-deaf/> (last visited Apr. 5, 2021).

¹⁹ Public Notice at 12.

Respectfully submitted,
/s/

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