

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

In the Matter of

Emergency Connectivity Fund

WC Docket No. 21-93

**REPLY COMMENTS OF THE ACSA-CSBA FEDERAL PARTNERSHIP REGARDING
THE EMERGENCY CONNECTIVITY FUND ESTABLISHED BY THE AMERICAN
RESCUE PLAN ACT OF 2021**

The Association of California School Administrators and the California School Boards Association (collectively the “ACSA-CSBA Federal Partnership”), respectfully submit these Reply Comments urging the Federal Communications Commission (the “Commission”) to adopt an equitable, effective, and accessible structure for implementing the Emergency Connectivity Fund (“ECF”).¹ Testifying before the California’s Assembly Education Committee last fall, State Superintendent of Public Instruction Tony Thurmond estimated that up to 1 million California students lack access to the devices and broadband connectivity required for remote learning. This remote learning gap poses a huge challenge for local leaders working to serve their students and families and the problem will not subside at the end of the pandemic. Remote learning offers many advantages to students and we expect it to continue being an important tool for education in California well beyond the pandemic.

The Association of California School Administrators represents more than 17,000 school leaders and the California School Boards Association serves more than 5,000 locally elected

¹ American Rescue Plan Act of 2021 (P.L.117-2).

school board members. The groups formed the ACSA-CSBA Federal Partnership to educate federal policymakers about California's school districts and to work collaboratively to champion programs and policies important to the state's students and their families, including the vitally important E-rate program. Ensuring that all California students and teachers have access to secure broadband and sufficiently powerful devices for learning is a top priority for the state's school leaders.

The ACSA-CSBA Federal Partnership encourages the Commission to support the call by entities filing initial comments in this proceeding to: (1) use a low burden application process for school districts and other participants to facilitate equitable and rapid distribution of the program's funding; (2) defer to school district and other participants' local judgments about the best methods and technologies for connecting the most unconnected and under-connected students to broadband and devices; and (3) provide guidance to ECF participants, providers and companies about the minimum broadband speeds and device capacities required to support remote learning.

THE COMMISSION SHOULD PROVIDE A LOW BURDEN APPLICATION FOR SCHOOL DISTRICTS AND OTHER PARTICIPANTS TO FACILITATE EQUITABLE AND RAPID DISTRIBUTION OF THE PROGRAM'S FUNDING

The ACSA-CSBA Federal Partnership agrees with State Superintendent of Public Instruction Tony Thurmond's initial Comment in this proceeding that it is "critical to provide timely support to schools and libraries" and to "avoid bureaucracy and red tape." California's school districts are working hard to meet every student's needs during the pandemic, including now turning even greater attention to helping address our communities' learning recovery needs. Districts' human resources are stretched more than ever during this emergency period. Navigating a complicated and burdensome application process now would be very difficult,

especially for smaller districts that may lack the technical expertise to navigate a complicated process like the one required for the existing Schools and Libraries (“E-rate”) program.

Given school districts’ need for a low-burden but equitable and effective process for obtaining ECF funds, the ACSA-CSBA Federal Partnership urges the Commission to use a budget caps model similar to E-rate Category 2. Consistent with this vision for the ECF, we write to express support for Comments describing the advantages of a caps-based approach that were made by the Council of the Great City Schools, the Consortium for School Networking, the Schools Health & Libraries Broadband Coalition, the State E-rate Coordinators Alliance and the State Educational Technology Directors Association. We note that such a system must provide significantly more ECF resources to the applicants serving the lowest income and most rural communities. This approach will be equitable, easier to implement, and enable the speed of distribution our school districts need and request. It also enables the local decision making that districts need to most effectively use this vitally needed federal support.

THE COMMISSION SHOULD DEFER TO SCHOOL DISTRICT AND OTHER ECF PARTICIPANTS’ LOCAL JUDGMENTS ABOUT THE BEST METHODS AND TECHNOLOGIES FOR CONNECTING THE MOST UNCONNECTED AND UNDER-CONNECTED STUDENTS TO BROADBAND AND DEVICES

School district leaders best understand their students’ connectivity and device needs for remote learning. Congress recognized that districts require remote learning assistance covering both devices and connectivity and wisely provided flexibility in the ECF for program participants to decide the combination of devices and connectivity that would be most helpful for their students. The ECF also left to applicants’ discretion - by making the broad category of “advanced telecommunications and information services” an eligible investment - the range of innovative connectivity models that could be selected and used. For example, network expansion

should, consistent with the comments filed by the Schools, Health & Libraries Broadband Coalition, be permitted when it is the most cost-effective way to reach students. Local flexibility is particularly needed to serve our most isolated rural and other high-need populations. Thus, we strongly oppose unnecessary federal burdens on the local flexibility provided by Congress.

We also endorse the Comments of California IT in Education, which urged the Commission to “take prompt action to allow e-Rate funded services and equipment to be used off campus to enable remote learning so as many students as possible can engage in learning online.” The ACSA-CSBA Partnership made a similar request, earlier this year, when it filed comments responding to the Commission’s remote learning proceeding. Relatedly, existing E-rate supported networks should also be eligible for support through the ECF. Districts should not face hurdles to using existing school broadband infrastructure, like the networks support by E-rate, to help solve the home connectivity challenge.

THE COMMISSION SHOULD PROVIDE GUIDANCE TO ECF PARTICIPANTS, PROVIDERS AND COMPANIES ABOUT THE BROADBAND SPEEDS AND DEVICE CAPACITIES REQUIRED TO SUPPORT REMOTE LEARNING.

The ACSA-CSBA Federal Partnership supports the Comments filed by the Education and Libraries Networks Coalition and the Consortium for School Networking urging the Commission to adopt 25 Mbps/student download and 12 Mbps/student upload as the minimum goal for the ECF. Similarly, we highlight filings by these commenters calling on the Commission to note the importance of using ECF funds only for routers and equipment of sufficient capacity to support remote learning from the home. Investments in outdated and underpowered equipment would limit the ECF’s program’s effectiveness and leave many learners without the tools they need for remote learning. Accommodations must be made for rural and other areas plagued by inadequate

infrastructure but raising awareness about the connectivity levels and device standards required to support remote learning, especially video, is paramount.

CONCLUSION

The ACSA-CSBA Federal Partnership respectfully encourages you to adopt the above recommendations, so that California's school district leaders can effectively use their ECF funds to help meet the recent (anchoring eligibility to the beginning of the pandemic) and ongoing remote learning needs of their students and educators. Our districts expect remote learning to be a core part of public education on an ongoing basis, so we urge you to adopt an approach that not only meets students' immediate needs but also sets the stage for achieving schools' longer-term home connectivity goals.

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