

In the Matter of)
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Universal Service Contribution Methodology) WC Docket No. 06-122

The Council of the Great City Schools is pleased to submit comments in response to the Commission's Notice of Proposed Rulemaking (NPRM) published on June 13, 2019 (WC Docket No. 06-122) regarding an overall cap for the Universal Service Fund (USF), as well as the possibility of combining the Schools and Libraries program (aka E-Rate) with the Rural Health program under a single cap. The Council opposes the imposition of additional caps for Universal Service programs.

The Council of the Great City Schools appreciates the efforts of the Commission and staff in recent years to modernize the E-Rate, prioritize broadband service for schools and libraries, and continuing to determine if further improvements can be made. Since its inception, the financial support of the E-Rate has helped many urban schools be a part of the immense technological advancements our society has seen, and provided educators with access to modern communications that they may not have been able to obtain otherwise.

The Council of the Great City Schools includes 75 school districts, or less than one-half of one percent of the approximately 14,000 school districts in the U.S., but as the nation's largest urban school systems, our members enroll almost 8 million students, including approximately 28 percent of the nation's Hispanic students, 29 percent of the nation's African American students, and 25 percent of the nation's children living in poverty. The value of the E-Rate is apparent every day to the districts in the Council, as we serve the highest numbers and concentrations of disadvantaged children, employ the largest number of teachers, and operate in the greatest number of outdated and deteriorating buildings.

The Commission's recent efforts to strengthen the E-Rate has provided additional benefits to schools and helped them implement the kind of innovative changes urban districts want to make, like online assessments and computer adaptive testing, interactive instruction, blended learning, and 1:1 computing initiatives. Our nation has an interest in improving our schools to make sure the American workforce has the skills needed to expand opportunities, grow our economy and compete in the international marketplace. In urban school districts, this means making sure that our students and teachers learn and work in safe, secure and modern classrooms that prepare graduates for college and careers after their K-12 experience. Continued financial support and further refinements to the E-Rate program will help deliver the benefits of next-generation broadband and high-speed wireless to more schools and students in our nation's cities.

The Council opposes the proposals to impose an overall cap on the Universal Service Fund and to combine the Schools and Libraries and Rural Health programs due to both the importance of the services the E-Rate currently supports and the needs that the program does not currently address. We appreciate those

Commissioners that supported the proposed changes saying that the purpose is not to reduce essential services in the Universal Service programs. But our concern with the Notice is that the practical and operational result of any cap may be to limit or cut funding for the Schools and Libraries Program. All of the individual USF programs, including the E-Rate, already operate under program caps and eligibility rules to limit funding disbursements. The FCC only recently increased the E-Rate funding cap above the inadequate level first established when the program began in 1998. Limiting funding through an overall USF cap or combining the E-Rate and Rural Health programs under a single cap raises the possibility that funds from the E-Rate will be used to satisfy demand in another USF program, or that funding for multiple programs will be lowered – regardless of applicant need or demand – in service of the newly-designated cap.

Limitations of Current E-Rate Rules

In the Notice, the Commission stated that, “In other USF proceedings, some stakeholders have asked the Commission to reexamine the rules to better harmonize the USF program rules.” The implication is that better alignment among the four major USF offerings is important to make sure each individual program works more efficiently. In previous proceedings, the Council has asked, and we continue to prefer, that the Commission reconsider some of the E-Rate’s current requirements in order to improve efficiency and ensure the program rules are better aligned with the needs of students and the schools and libraries community.

The Notice cites the gap between E-Rate demand and the current program cap as a justification for the proposed changes, implying that because the E-Rate program is undersubscribed the unused funds would be better suited servicing other programs in the USF. But the E-Rate program’s current rules and restrictions are the cause for the depressed demand for funds, rather than a lack of need throughout the country. A review of these limiting factors, some of which are described below, would help improve E-Rate operations and further the Commission’s goal of advancing telecommunications better than a superfluous cap could.

Calculating Category 2 Budgets on a District-wide Basis

Many districts cannot take full advantage of Category 2 funding due to the current student allocation per site model. Each school has differing needs and different failure rates for network equipment. We appreciate that the Commission is also considering moving the E-Rate program to a district-based allocation for Category 2 that would allow applicants to maximize full funding and meet a greater amount of school site needs. The Council will also submit comments to that NPRM, but asks the Commission in this proceeding to recognize that the current surplus of unused E-Rate funding is the result of an existing budget system that should be addressed first.

In comments to a 2017 Public Notice regarding Category 2 funding (WC Docket No. 13-184), the Council and other E-Rate stakeholders were essentially unanimous in calling for a fundamental change to the program: allowing the use of Category 2 budgets district-wide, rather than limiting them to the school level. The uniform calculation that currently exists does not reflect the varied costs of deploying and maintaining Wi-Fi at school sites. In urban districts, issues of equity and access are central to our mission of providing a high-quality education for all students regardless of the school they attend. High student mobility in urban areas means that students often attend multiple schools in the district, and further emphasizes the need to implement a standard wireless infrastructure throughout the school system. This is not always possible when individual school budgets for Category 2 can vary considerably.

There are a number of reasons why individual schools have different per-pupil funding needs for wireless deployment, such as enrollment size, facility age, and specific technology needs. In smaller schools and

those in areas of economic disadvantage, the existing Category 2 budgets are often not high enough to cover basic wireless needs. The age and location of buildings, the existing infrastructure and refresh cycle, and the size and scope of wireless deployments can also play an important role in selecting the proper solution for a school campus. For example, some school buildings are over 100 years old and their cabling projects are more labor-intensive than newer sites. In other schools, deciding between cloud or campus-based Wi-Fi solutions is dependent on the difference in function and features needed for that specific site.

The Commission can provide districts with the flexibility to meet differing costs, simplify budget calculations, and streamline the application process by moving to district-wide budgets for Category 2. This change in program rules will allow school districts to spend their budgeted funds more effectively and efficiently, and provide tangible benefits and improvements to the program's applicants.

Loss of Reimbursements for Voice Services

Since the E-Rate Modernization Order, the reduction of reimbursements for Voice Services, and the complete elimination of any Voice support for all applicants beginning this year, has had an impact on districts' ability to pay for other technology services. Funding reimbursements that districts previously received for Category One Voice Services are no longer available, and the need to cover all Voice costs locally has diverted district funding for other investments, including Category Two services. The Council made this same point in our FNPRM comments in 2014, explaining, "The Report and Order focused the program's existing resources on wireless deployment, but eliminated support for other existing services, shifting a significant financial burden onto district budgets and potentially putting the broadband targets out of reach."

We understand and appreciate the Commission's goal of advancing broadband and wireless technologies, but school districts in every setting have not been able to eliminate entirely land line-based voice and data technologies in their operations. Land line-supported voice and data is still a significant portion of the life safety plans, emergency systems, and telecommunications services in both schools and administrative buildings. Traditional voice service, whether delivered as an analog or digital service, is a proven, reliable and cost-effective solution for bringing telephony services to schools and classrooms. In many instances, moving to an IP phone solution is desirable, but also requires the rewiring of entire schools, as well as the purchase of new voice communications systems and end-user equipment. Many districts simply do not have the additional funding they need to rewire dozens, if not hundreds, of school buildings for newer IP-based communications services.

Voice Services are necessary for school districts to provide its students, teachers and staff with the communications, instructional, and security services to function efficiently. Eliminating reimbursements for Voice Services did not eliminate this need, and the loss of support has impacted district budgets and lessened the amount of local funding available for additional technology investment, including E-Rate eligible costs and services. A review of the need for Voice Services and the decision to eliminate reimbursements by the Commission would provide welcome relief to the schools and libraries community.

Additional Reasons Districts Do Not Seek Funding Reimbursements

There are additional program rules that affect a school district's decision to not seek available E-Rate funding beyond the need for district-wide budgeting or lack of local funding for the match as a result of technology funds being used to cover Voice Services. One example is the complexity of cost-allocation for the eligible portion of services. Districts have reported that E-Rate's required cost-allocation in order to receive reimbursement on eligible items like firewalls and Internet routers is overly burdensome due to the necessary adjustments on each schools' budget. In large districts, this can require significant staff time for dozens or hundreds of schools. Districts often choose to forego this funding due to the potential liability

that cost-allocating poses to the rest of the application's eligible items, as well as the prospect of a delayed funding commitment due to a prolonged review.

The timing of the filing window and the reimbursements continue to be a factor in application decisions for school districts. One district indicated that they could not apply for eligible services for a consortium fiber service since they needed more time to negotiate a new contract within the E-Rate's deadlines. Large school systems with mobile populations, shifting housing patterns, and annual enrollment changes mean that some schools must come on-line quickly, and network equipment needs to be purchased outside of the funding application window.

The timing constraints of the E-Rate program can result in an inability to use committed funds. In order to coordinate E-Rate requirements, applicable state and local procurement rules, and district classroom schedules, as well as school board notice and approval timelines, large school districts often begin planning construction a year or more in advance. Applicants are required to project what equipment and cabling will be installed in each school building. Once the funding commitment is received, there is a possibility that the specific equipment to be installed, whether in type or quantity, might change, leading to further delays or possibly an inability to access reimbursements.

In some urban school districts, especially those that are financially dependent on the city (i.e. do not have their own taxing or revenue-raising authority), ongoing application and funding delays can mean the district is no longer eligible to receive capital funding for the local share of the project, resulting in abandoned E-Rate funds. Additional review of the timing of the application and funding process will do more to improve the efficiency of E-Rate disbursements than the proposals in the Commission's Notice.

Additional Needs that are Currently Ineligible

In a situation where additional E-Rate funds are available, rather than redirecting cap space to other programs we urge the Commission to consider additional items that could be made eligible to further the goals of the FCC and the Schools and Libraries program. One major example that the Commission has considered before is E-Rate-supported broadband access off-campus. The Council remains concerned about the educational deficit that results for students that do not have internet access once they leave their school. Recent administrations of the National Assessment of Educational Progress (NAEP) demonstrate the academic benefit that home internet access has on student assessment results. We highlight the NAEP results for fourth graders that show significantly higher achievement levels for the students who indicate having home internet access.

Nationwide, the percentage of students scoring at or above proficient in NAEP was 25-30 points higher in Math for students with home internet access in the 2013, 2015, and 2017. In Reading results for the same years, the percentage of students scoring at or above proficient was about 24-26 points higher for students that indicated having home internet access on NAEP's secondary survey. Other factors may also contribute to the proficiency differential, but the significant academic benefit for students with home internet access is evident both at the national level and in NAEP's "Large City" group, as well as when breaking down the assessment data for minority students, English learners (EL), and students eligible for the National School Lunch Program (NSLP).

In October 2015, the National Center for Educational Statistics (NCES) published a paper titled, "Performance of fourth-grade students in the 2012 NAEP computer-based writing pilot assessment." Consistent with the Reading and Math results discussed above, NCES found that students with internet access at home – and therefore prior and greater exposure to writing on a computer – were more likely to write longer responses, use editing tools more frequently, and score better on the writing tests. This same study also found the percentage of fourth-graders who did not have access to the Internet at home was

higher for Black and Hispanic students than White or Asian students, NSLP-eligible students than NSLP not-eligible students, EL students than non-EL students, and students with a disability compared to students with no disability.

In the past decade, the Commission has taken action acknowledging the importance of internet access beyond the school day. The “community use” changes approved by the Commission in 2010 authorized school districts to allow the general public to utilize services and facilities supported by E-Rate after school hours. The Commission also examined the benefits of off-premise wireless connectivity for both schools and libraries through the Learning On-The-Go pilot program. Providing off-campus access for students at home or even on school buses will help the Commission close the “Homework Gap” and enable students to take what they have learned during the school day and apply it to school projects, homework, and other required assignments at a minimal cost to the program.

Another vital service which the Commission should consider supporting is Network Security. School districts need to respond to cybersecurity breaches on a routine basis, and E-Rate funds can play a key role in maintaining a safe business and learning environment and protecting the program’s investments. Allowing E-Rate support to be used for Network Security resources including Network Vulnerability Scanning, Intrusion Detection and Prevention, and DDoS mitigation will allow E-Rate recipients to benefit fully from the broadband services provided, ensure the integrity of the networked environment, and the protection of sensitive data.

One final example the Commission may consider is a direct result of the E-Rate’s success in wiring schools and providing internet access in America’s classrooms. The dependence on technology for classroom instruction increases each year, as does the need to have non-duplicative secondary internet connections in the event that the primary line fails. Before the prevalence of technology in the classroom, instructional resources for students came in the form of textbooks and other print media. Today, students stream current events as they happen, interview subject matter experts via videoconferencing, access reading and project materials located throughout the world, and take annual State assessments online. Disruptions in network connectivity create an environment where the learning process ceases until connections are restored. Reliable network connectivity services, which includes secondary internet access, allows districts to minimize the loss of instructional time.

Conclusion

The E-Rate has allowed city school districts to access the benefits of digital learning, and the program has helped many students and schools integrate the technology, media, and information-rich instructional content that is a necessary part of modern education. The importance of the E-Rate will only continue to expand, and needs still exist throughout the country in order for school districts to persist in their efforts to close the digital divide for students, regardless of their income level or their location. We urge the FCC to reject the cap proposals in this Notice that would hamper the progress that school districts are making, and ask the Commission to continue its work to support access to affordable, reliable, and robust broadband services for all schools.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Michael D. Casserly". The signature is fluid and cursive, with a large, stylized initial "M".

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The Council of the Great City Schools is the only national organization exclusively representing the needs of urban public schools. Composed of 75 large city school districts, its mission is to promote the cause of urban schools and to advocate for inner-city students through legislation, research and media relations. The organization also provides a network for school districts sharing common problems to exchange information, and to collectively address new challenges as they emerge in order to deliver the best possible education for urban youth.

Member districts: Albuquerque, Anchorage, Arlington (Texas), Atlanta, Austin, Baltimore, Birmingham, Boston, Bridgeport, Broward County (Ft. Lauderdale), Buffalo, Charleston County, Charlotte-Mecklenburg, Chicago, Cincinnati, Clark County (Las Vegas), Cleveland, Columbus, Dallas, Dayton, Denver, Des Moines, Detroit, Duval County (Jacksonville), El Paso, Fort Worth, Fresno, Guilford County (Greensboro, N.C.), Hawaii, Hillsborough County (Tampa), Houston, Indianapolis, Jackson, Jefferson County (Louisville), Kansas City, Long Beach, Los Angeles, Miami-Dade County, Milwaukee, Minneapolis, Nashville, New Orleans, New York City, Newark, Norfolk, Oakland, Oklahoma City, Omaha, Orange County (Orlando), Palm Beach County, Philadelphia, Pinellas County, Pittsburgh, Portland, Providence, Puerto Rico, Richmond, Rochester, Sacramento, San Antonio, San Diego, San Francisco, Santa Ana, Seattle, Shelby County (Memphis), St. Louis, St. Paul, Toledo, Tulsa, Washington, D.C., and Wichita.