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August 5, 2019

Chairman Ajit Pai  
Federal Communications Commission  
445 12th Street SW,   
Washington, DC 20554

Dear Chairman Pai,

I am writing today in response to the Federal Communications Commission’s (FCC) Public Notice which, among other things, considers changes to the Universal Service Fund (USF) programs, including E-Rate. Before delving into my response to the proposed changes, I want to thank the FCC for its continued support for the E-Rate program and for the critical programmatic and policy changes the commission adopted in 2014. The E-Rate program provides critical discounts to assist schools (like mine) to obtain affordable telecommunications and internet access.

Serving as a Superintendent of Schools in two rural schools districts (both with over 60% unable to have consistent access to the Internet given the geographical locations), having the E-Rate has been a cornerstone to our academic, athletic, and artistic successes, as well as a bridge to bond the communities together by means of sharing and learning about the internet together. Given the current educational trends (from basic learning to completing state assessments), the internet is essential for both compliance and relevant educational growth. Simply stated, tinkering with a program that has proven data points showing its’ success around the country would cause

The E-Rate program, and the broader USF program, is a program succeeding in its mission. As the FCC moves forward with this public notice, it is prudent to remain focused on the fact that E-Rate is a program that works. Any changes to the E-Rate program should be focused on expanding a successful program that has yet to reach its full potential and ensuring the FCC remains a good steward of the changes adopted 2014, allowing those changes to progress and play out as intended. Changes to the E-Rate program and the broader USF program must be focused on bolstering and strengthening the original intent of the underlying programmatic statute, expanding equitable access to connectivity in multiple areas, through all four USF programs (E-Rate, Rural Health Care, Lifeline, and Connect America Fund).

The organizing theme of the proposed rule is a focus on a funding cap for the USF program, including pairing E-Rate under a funding cap with Rural Health Care. E-Rate played a critical role is the rapid and significant expansion of connectivity in schools, and I am concerned that the proposed rule will unnecessarily pit two important priorities—connectivity in schools with rural health care—against each other, resulting in an arbitrary funding pressure that not only disregards and dismisses the original intent of the statute creating all four USF programs, but also stands to undermine and threaten the great progress of the E-Rate program.

I am opposed to the rule as drafted. The proposed rule conflicts with the original legislative intent of the underlying 1996 Telecommunications Act, which was explicit in its creation of two separate and distinct programs for schools/libraries and rural health care providers. The proposed rule unnecessarily pits schools/libraries against rural hospitals/clinics, creating a false race to the bottom under which both programs and the communities they support lose. The proposed rule will likely immobilize E-Rate funding and expand confusion among beneficiaries. Specific to E-Rate and schools, where school system leaders have a responsibility to balance their budget annually, the idea that the E-Rate funding would be hamstrung and lack certainty in availability will certainly impact how districts plan to continue (or discontinue, should funding not be certain or reliable) their effort to build out connectivity to meet the learning needs of their students.

The goal of the E-Rate program is simple: equitable access to affordable connectivity. While the overwhelming majority of schools and libraries are connected, the ongoing conversation about connectivity and E-Rate must continue to support and protect the shift from establishing connectivity to ensuring adequate connectivity (specifically, access to high-speed broadband). A massive overhaul of the E-Rate program without considering its initial purpose—one that has yet to be fully recognized—is poor policy. The FCC must support continuation of an E-Rate program that remains focused on expanding the E-Rate program from simple connectivity to expanded connectivity.

As previously stated, the E-Rate service has allowed our rural schools to not only offer the internet, but to expand our hybrid and online learning programs. The aforementioned success can be evidence in the New Jersey Department of Education school performance reports. The E-Rate has allowed these schools that I oversaw to drastically expand and upgrade our services. In one school, we went from one WAP (like the one you have in your home) that 400 employees shared to 26 WAP’s, allowing prompt and effective delivery of services. Should E-Rate have not been in place, I could assure than a modicum of upgrades would have been put into place since we could not have been to afford them. Insofar as when it comes to long-range planning, if the current E-Rate would not be in place, it would create gargantuan budgetary effects that will surely impact student growth and limit their chances of success in our ever-changing, digitally dominating society.

In closing, I reiterate my district’s continued, strong support for and reliance upon the E-Rate program for being able to access and afford the high-speed connectivity that is so central to our students’ learning. Thank you for considering these comments.

Sincerely,

A close up of a necklace

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Dr. Jason Eitner

Superintendent of Schools