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

August 23, 2019

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 those here in San Diego County, to obtain affordable telecommunications and internet access.

I have had the privilege to serve in various California school districts, both large and small, supporting many diverse learners. I currently serve as the Assistant Superintendent, and CTO, of the San Diego County Office of Education (SDCOE), which provides services to over 500,000 K-12 students, in nearly 800 schools across the county. In addition, we directly support Juvenile Court and Community Schools (JCCS), providing a fully accredited educational program for school-age youth who are either wards of the court or have been referred by social services, probation, or one of the 42 school districts in San Diego County. Services are provided to students who are incarcerated, pregnant or parenting, in foster care, expelled, chronically truant, in drug treatment centers and group homes for neglected or abused children, and experiencing homelessness. All students in San Diego, including the nearly 5,000 JCCS students, deserve access to the tools, resources, and ultimately opportunities, which are enabled by wired and wireless connectivity to the Internet. This connectivity is expensive and complex, and the E-Rate program has enabled the SDCOE, and our partner districts in San Diego, the ability to access and utilize telecommunications services and equipment that might not otherwise be obtained without these funds.

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).

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San Diego County Superintendent of Schools Dr. Paul Gothold

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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 in 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 E-Rate.

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.

In closing, I reiterate my county'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,



**Terry Loftus**

Assistant Superintendent & CTO

Integrated Technology Services Division

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