



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

August 21, 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 mine) to obtain affordable telecommunications and internet access.

Cleburne Independent School District is a rural community south of Fort Worth, Texas. Our community has a high poverty rate, and a large number of families are not homeowners. A high percentage of our parents move in and out of the district to follow employment opportunities. Providing our communities children with an equitable education requires Internet access. Internet access enables the students of our district to access online credit recovery resources, online classrooms enabling students to collaborate, access to lessons, research, and two-way communication with their teachers. To make this possible E-Rate funds are used to purchase network equipment, cabling, wireless access points, and engineering services ensuring students and teachers have reliable Internet access.

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 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—would be a poor course of action. 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.

E-Rate funds are vital to the daily operation of providing our students with an outstanding education. E-Rate funding makes Internet access, and category two (network equipment, access points, cabling, bundled warranty) purchases possible for Cleburne ISD. However, five years ago, the per-student cap limiting category two E-Rate funding put the district in a tough place financially. At that time, the outdated wired and wireless network needed upgrading. Internet access was not reliable, and funding levels were decreasing. Over the course of the last five years, upgrades were made, but the per-student cap has limited our ability to fully build-out the wireless networks. All students, including our low socio-economic students, deserve equitable Internet access at school. However, the community can't bear more of the burden.

- a. Cleburne ISD has approximately 6,800 students, with 68% of those students qualifying for free breakfast and lunch, and over 200 sq. miles of service area with the majority being in rural areas. Adequate E-Rate funding enables the District to provide campuses network equipment, cabling infrastructure, and wireless access points to be upgraded at the appropriate time. Unfortunately, the existing per-student cap does limit our ability to

provide adequate wireless coverage throughout the campuses. The district cannot bear the burden of this expensive endeavor without adequate E-Rate funding.

- b. In 2017-18 the district sought a more economical solution to provide wide-area network (WAN) services to each campus. At that time, the State of Texas offered a state matching grant to offset the cost of a WAN build-out. The district applied and was awarded E-Rate funding along with the state matching funds. Together the programs made a project that was financially out of reach, possible. The build-out lowered our WAN yearly expenses saving the district and E-Rate funds.
- c. The 2014 modernization of E-Rate included a category to cap reducing districts funding. Raising the cap minimally to \$250 per student would enable the district to maintain, upgrade, and build-out adequate networks to provide Internet access to enhance instruction and student learning.

Consistent budgets are critical for the planning and execution of category two build-outs. Competing with rural health care for funding introduces great financial uncertainty. Preparation for build-outs lacking funding certainty creates unrealistic plans resulting in wasted effort. I have grave concerns that inadequate funding will negatively impact the education of our students, especially our low socio-economic students. 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 handwritten signature in cursive script that reads "Kyle Heath".

Dr. Kyle Heath
Superintendent
Cleburne ISD
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