

June 30, 2015

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Re: **Notice of Ex Parte Communication**
Lifeline and Link Up Reform and Modernization -- WC Docket No. 11-42
Telecommunications Carriers Eligible for Universal Support -- WC Docket no. 09-197
Connect America Fund -- WC Docket No. 10-90
Modernizing the E-rate Program for Schools and Libraries -- WC Docket No. 13-184
Schools and Libraries Universal Service Support Mechanism -- CC Docket No. 02-6

Dear Ms. Dortch:

On June 25, 2015, Dr. Jeffrey Moss, Superintendent of Beaufort (South Carolina) Public Schools ("BCPS"), Dr. Dereck Rhoads, BCPS Chief, Office of Curriculum and Instruction, Barry Kubic, Beaufort County Manager, Mark Chauhan, Beaufort County Director of Network Operations-Technology, Andrew Dalkos, Beaufort County IT Division Director for Systems Management, Orin Heend, our firm's outside counsel, and I met with Commissioner Jessica Rosenworcel and her Legal Advisor, Travis Litman, and separately with the FCC staff listed below. We discussed BCPS' proposal to help close the broadband "Homework Gap" with the help of E-rate and/or Lifeline support. The following are the FCC staff with whom we met:

Jon Wilkins, Managing Director
Jonathan Chambers, Chief - Office of Strategic Planning & Policy Analysis
Lisa Hone, Associate Bureau Chief – Wireline Competition Bureau (WCB)
Ryan B. Palmer, Chief, Telecommunications Access Policy Division, WCB (TAPD)
Chas Eberle, Attorney Advisor, TAPD
Jonathan Lechter, Acting Deputy Division Chief, TAPD
Alexander Minard, Deputy Division Chief, TAPD
Mark Walker, Deputy Division Chief, TAPD

The “Homework Gap”

Children who have broadband access at home have a considerable educational advantage over children who do not. At both meetings, this is the problem we discussed. As the Commission recently observed: “It is difficult and sometimes impossible for students who lack broadband access outside of the classroom to complete their homework assignments and to broadly explore the subjects they are learning in school...This lack of access to technology and broadband in low-income households has created a “homework gap” between low-income students and the rest of the student population.”¹

The senior Beaufort County school district and county officials who attended these two meetings did so because of how extraordinarily important this issue is to them and how passionately they feel about closing the “Homework Gap” in Beaufort county *in the least amount of time possible*. Because of how strongly they feel about this issue, they invested the last two years working to develop a realistic, cost-effective plan to ensure that all 22,000 of the school district’s students would have broadband access at home and, ultimately, throughout the county. This is the issue and the solution they came to Washington, D.C. to discuss, and that is what they did.

The school district’s representatives described the wealth of digital learning opportunities that exist for BCPS students at school and what the digital landscape looks like for those same students after school. All 22,000 students in the school system, they explained, have a tablet or laptop computer, which they use throughout the school day for schoolwork. After school, students take home these devices, all of which have CIPA-compliant filtering built-in to them. The students, who have broadband access to the Internet at home, use them to continue the learning activities they started at school, to do their homework, to communicate with their teachers, to do research, and so on. There are, however, many thousands of students, who are not as fortunate as these students are, because they do not have broadband access to the Internet at home. Instead, they have to find some place that does and use their devices there or else not use them at all. It is not unusual therefore to see students who live in economically disadvantaged parts of the county scouring their neighborhoods after school looking for an open Wi-Fi signal.

To address this inequity, the school district and the county developed a plan for a countywide Wi-Fi umbrella that would be cost effective to build and operate because of, among other things, fiber already in the ground, which this network could take advantage of. This Wi-Fi

¹ *Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order (“Lifeline Reform/Modernization NPRM”)* (June 18, 2015) at paras. 18-19.

umbrella would be able to offer students high-speed Internet access anywhere within the county, regardless of the township or neighborhood in which they happened to live. At both meetings, the county and school district officials used the attached presentation to show that a technologically feasible, cost-effective solution exists to provide this ubiquitous access, and explained further that the E-rate program, either alone or in concert with a modernized Lifeline program, could be leveraged to close the “Homework Gap” in Beaufort county.

With the Commission’s Help, BCPS Could Close the Homework Gap Relatively Quickly and Cost Effectively

The timing of these meetings could not have been more fortuitous. That is because the Commission, in its just-released *Lifeline Reform/ Modernization NPRM*, asked how to leverage the E-rate program to reach out to low-income households with school children to ensure that they are “aware of and have the opportunity to participate in a broadband-focused Lifeline program.”² “How does the fact that E-rate discount levels are based on the percentage of children eligible for both free and reduced school lunches impact the usefulness of E-rate data for identifying households that are eligible for Lifeline support which is limited to lower-income households,”³ the Commission wanted to know. And “[a]re there other ways to use the E-rate program and the data we already collect,” the Commission asked, “to address the ‘homework gap’?”⁴

We explained that a broadband-focused Lifeline program could easily leverage the NSLP data that schools collect to qualify for E-rate discounts and other administrative aspects of the E-rate program to address the “homework gap.” For example, rather than trying to reach out one at a time to the thousands of Lifeline-eligible households with one or more students living in them, and then, requiring each household to procure broadband separately from a service provider, a school district, with permission from each household, could competitively bid and procure broadband for all of them all at one time. It would be relatively simple, we explained further, to establish a Category 3 on the E-rate Form 471 for Lifeline broadband support for every eligible household in the school district where a student lives. And since USAC is already reviewing and auditing the NSLP data that school districts provide, it would require little extra work for USAC to verify these additional Category 3 requests, and then pay the school district’s Lifeline provider with Lifeline funds. This approach is by far the most efficient, most effective, and least expensive way to help solve the “homework gap” problem – except, perhaps, for one other option, which requires no Lifeline rule changes or Lifeline funds to succeed.

² *Lifeline Reform/Modernization NPRM* at para. 23.

³ *Id.* at para. 24.

⁴ *Id.* at para. 26

This approach, which we also mentioned, is even more exciting, because the Commission could implement it easily and relatively quickly. What’s more, it appears to be something that the Commission is already considering seriously – namely, issue an order permitting students off campus access to E-rate supported services through wireless hotspots. This is an issue the Commission raised in its *E-rate Modernization NPRM* and again, more recently, in its *Lifeline Reform/Modernization NPRM*.⁵

Respectfully Submitted,

/s/ John D. Harrington

John D. Harrington

Chief Executive Officer
Funds For Learning, LLC
2575 Kelley Pointe Parkway, Suite 200
Edmond, OK 73013
Jharrington@fundsforlearning.com

cc: Commissioner Jessica Rosenworcel
Jonathan Chambers
Lisa Hone
Travis Litman
Jon Wilkins

⁵ *Id.* at n.50. (“While the recent modernization of the E-rate program, among other things, took major steps to close the Wi-Fi gap within schools and libraries, services used off school or library property are generally ineligible for E-rate support because they are not deemed to be used for “educational purposes.” ... **Although the Commission sought comment on permitting students off campus access to E-rate supported services through wireless hotspots, it has not gone to order on that proposal.** See *E-rate Modernization NPRM*, 28 FCC Rcd. 11304, 11397-99, paras. 319-323. As such, the Commission’s current E-rate rules prevent full utilization of the learning opportunities that wireless broadband can provide beyond the boundaries of the school day.”) (Emphasis added).

"The Homework Gap is the cruelest part of the new digital divide. Today, too many students without broadband at home are unable to complete basic school assignments. They fall behind in the classroom—and we all lose out when we have a generation ill-prepared to enter the digital economy."

-FCC Commissioner Jessica Rosenworcel

Beaufort County School District

Nestled between Charleston, South Carolina and Savannah, Georgia, Beaufort County is rich with history, culture and outdoor beauty. Its warm Lowcountry climate, barrier and sea islands, pristine beaches and salt marshes, vibrant Gullah traditions and true Southern hospitality attract nearly 3 million visitors each year from all over the world.

The Beaufort County School District serves a diverse population of more than 22,000 students in 17 elementary schools, six middle schools, two prekindergarten through eighth grade (PK-8) schools, one PK-8 charter school, five high schools, a career center and an alternative program. Construction is currently under way on a sixth high school. The District's 2,600 employees include a superintendent, academic and fiscal officers, teachers, administrators and support staff.

The district's nearly 600 square miles include a mix of suburban and rural communities on a series of large sea islands linked by bridges along 30 miles of the South Carolina coast. Located at one tip of the county are the Hilton Head Island schools, including a small school on Daufuskie Island that is reachable only by boat. At the other end of the district are the St. Helena Island and Whale Branch-area schools. Beaufort is one of South Carolina's fastest-growing counties and is home to a diverse population of residents. Many students have parents who serve in the U.S. Military at the Marine Corps Air Station, Parris Island Marine Corps Recruit Depot and the U.S. Naval Hospital. Nearly two-thirds of students come from families with incomes low enough to qualify them for free or reduced-price meals, and eight of the district's schools – nearly one out of three – have free and reduced-price lunch eligibility rates of 100 percent. Our county is 59 percent minority: 29 percent African-American, 25 percent Hispanic with 41 percent Caucasian.

Enhanced Services

Expanded food service programs deliver meals to families' homes during the school year and to 56 different sites countywide during summer vacation. Newly expanded prekindergarten programs will soon serve all eligible at-risk four-year-olds.

The school district's most ambitious effort to date is Connect2Learn, a program that in just two short years has provided a mobile computing device for nearly every child in the district. Connect2Learn has put all students, regardless of family income, on an equal playing field in terms of access to cutting-edge technology and wireless Internet during the school day. Once the school day ends, however, the playing field shifts dramatically in favor of students from more affluent families. Students from those families can

employ the full capabilities of their Connect2Learn mobile devices at home, students from high-poverty families cannot. For them, the limiting factor is the lack of wireless Internet service. Families in rural areas that lack wireless Internet service also experience this limitation.

We have provided equity through providing a digital device to every student kindergarten through twelfth grade. We allowed students to take these devices home last school year (14-15) in grades 6-12. This school year we will allow all students to take their devices home. We made the decision to purchase devices for students to ensure all had the same type of device and all would use the same programs and have the same access at school.

All of our schools are WiFi ready with enough access points and bandwidth to provide unique learning experiences. However, the missing link is broadband access at home and within the students' community. It is not abnormal to watch students sitting outside of schools after school hours to find a signal to continue learning. We also have a community partner who establishes extra help programs within low rent developments. It is heart breaking to see the numbers of students hanging around these apartments trying desperately to bring a WiFi signal to their school device so they can "be" like every other student. This is important to not only complete homework assignments and have access to school-provided intervention and enrichment programs, but to conduct independent research and engage in self-directed learning.

We have telecommunications partners who offer WiFi to students for \$9.99 per month. We also have funds set aside for those who truly cannot afford the \$9.99 per month. What else can be accomplished? We would like to provide ubiquitous access to WiFi throughout the entire county regardless of where a student lives or plays.

Our proposal

We are proposing a three-year phase in approach to provide social equity for all students and their families. The three phases include providing WiFi in each of our schools, move to create hot spots in the communities, and then ubiquitous access throughout the county, a dome if you will over each home, road, park, river, and sidewalk.

Phase 1: Complete. We have 1Gbps to each school and 2 Gbps Internet, and one wireless access point per classroom. We have provided each student (22,000) with a device to provide equity in a county with an extremely diverse demographic. We have trained all staff and teachers in identifying opportunities to enhance student-learning activities.

Phase 2: Create access points in approximately 80 locations based upon our physical count of high-density areas throughout the County that we identified in our strategic plan. This is based upon our student physical residences. The capital investment for approximately 80 WiFi deployments (identified areas of concentration, irrespective of

location) is roughly \$3 million. The associated annual operating expense is about the same, \$2.5 million. The annual operating expense could drop to less than \$1 million after the first year.

Phase 3: Creating ubiquitous community digital access. The capital investment would be roughly \$8 million to \$10 million with associated annual operating expenses roughly \$4 million to \$5 million.

Cost Effectiveness

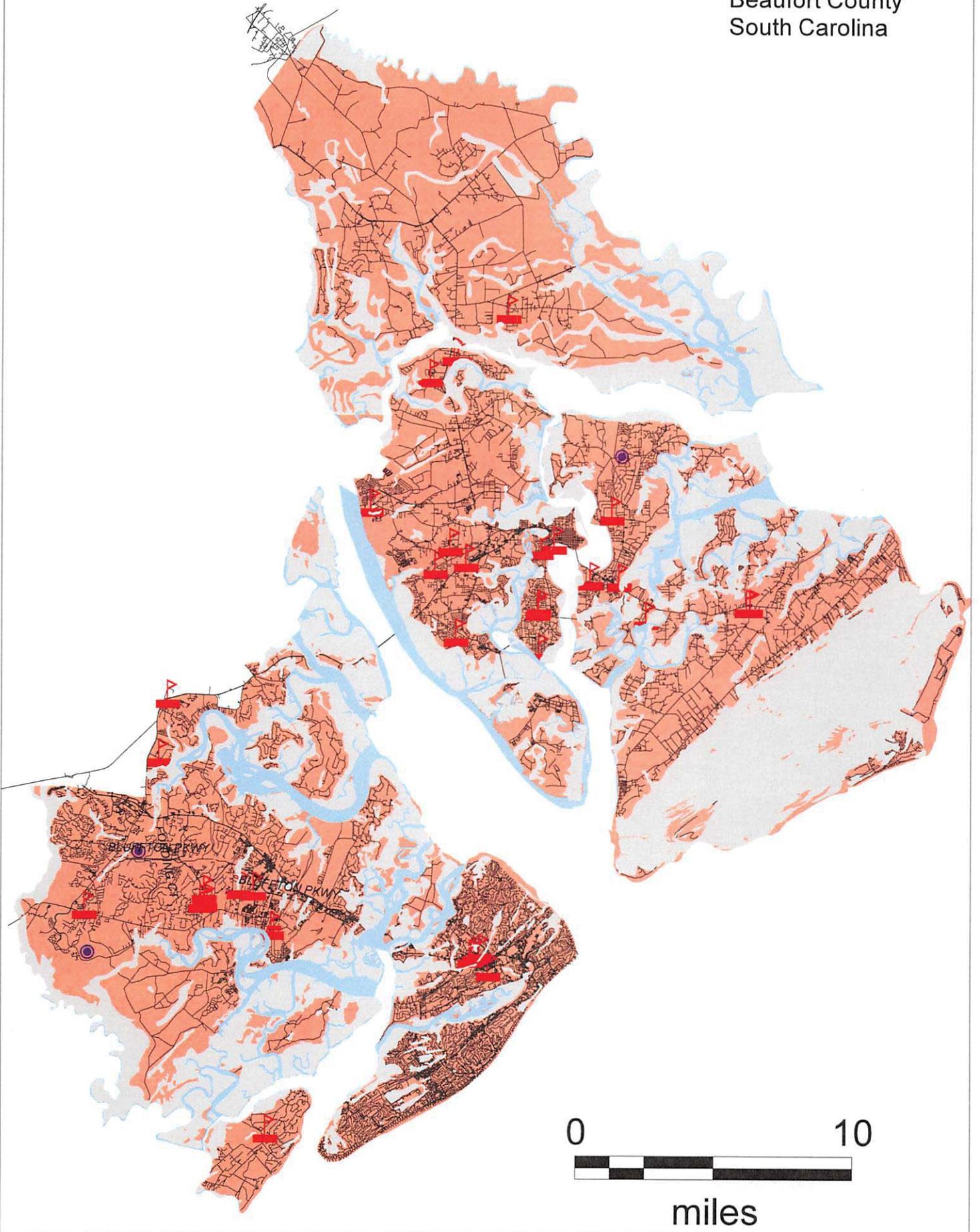
This concept would be less expensive and more productive in the long term. Using the \$10 per month for 12 months with 22,000 students the annual cost is over \$2.6 million per year. This only provides access in homes. We can leverage the power of bandwidth by leveraging additional partners. These partners could be our county government, school district, local governments, and private providers. We have held extensive conversations with each of these groups to analyze where each would fit in our strategic vision.

Once the "Dome" is complete we could offer access to the 3 million visitors per year on a limited basis for a cost, which would allow this system to be self-sustaining in both annual operational costs and capital investments. We have explored dozens of options in both concept and cost. This plan is DOABLE. We are in position to begin this journey to develop what would be a PILOT program setting the course for 24/7 student equity to information.

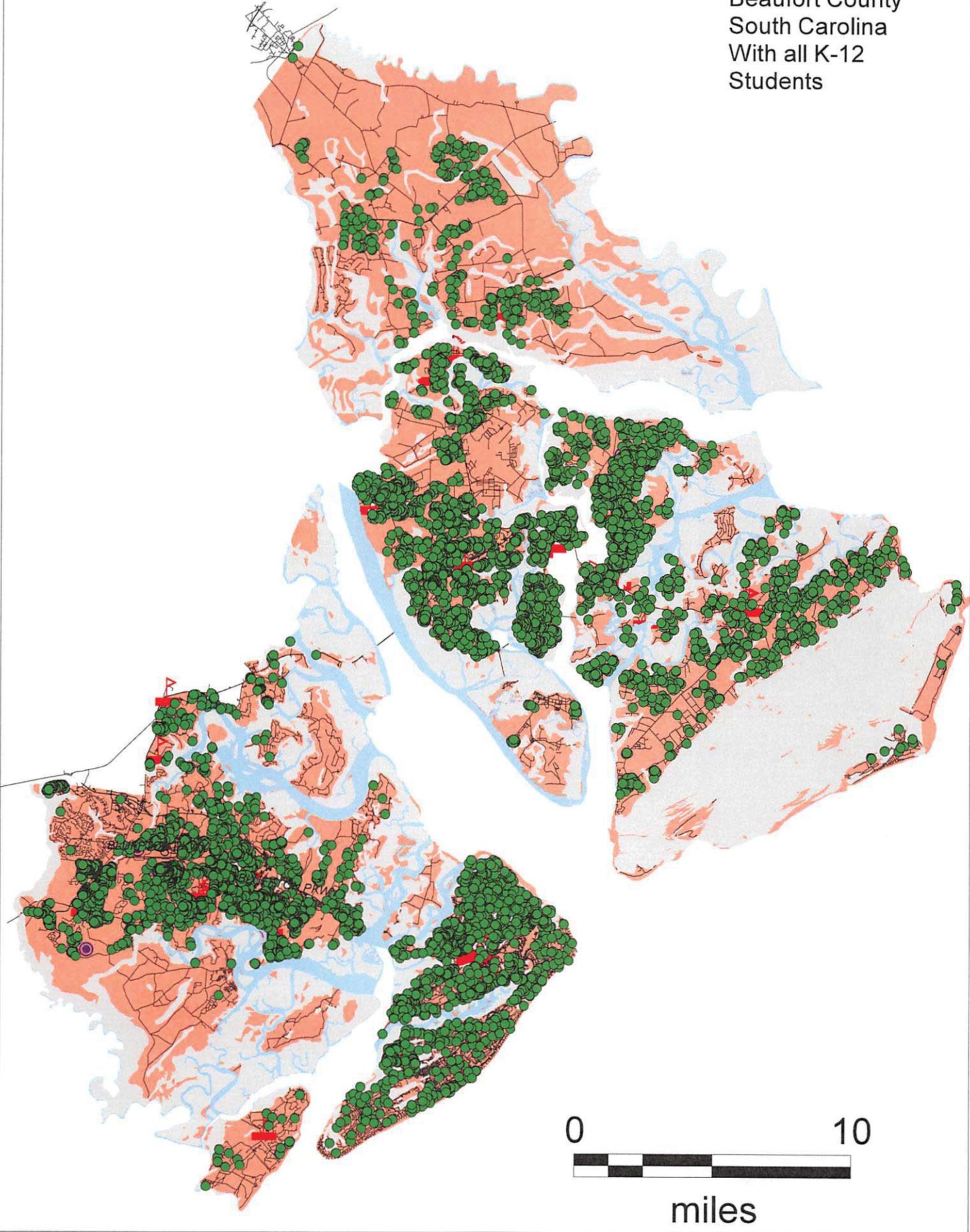
Attachments:

- County map
- School district population
- Median household income
- WAN network distribution
- County fiber Connections

Beaufort County
South Carolina

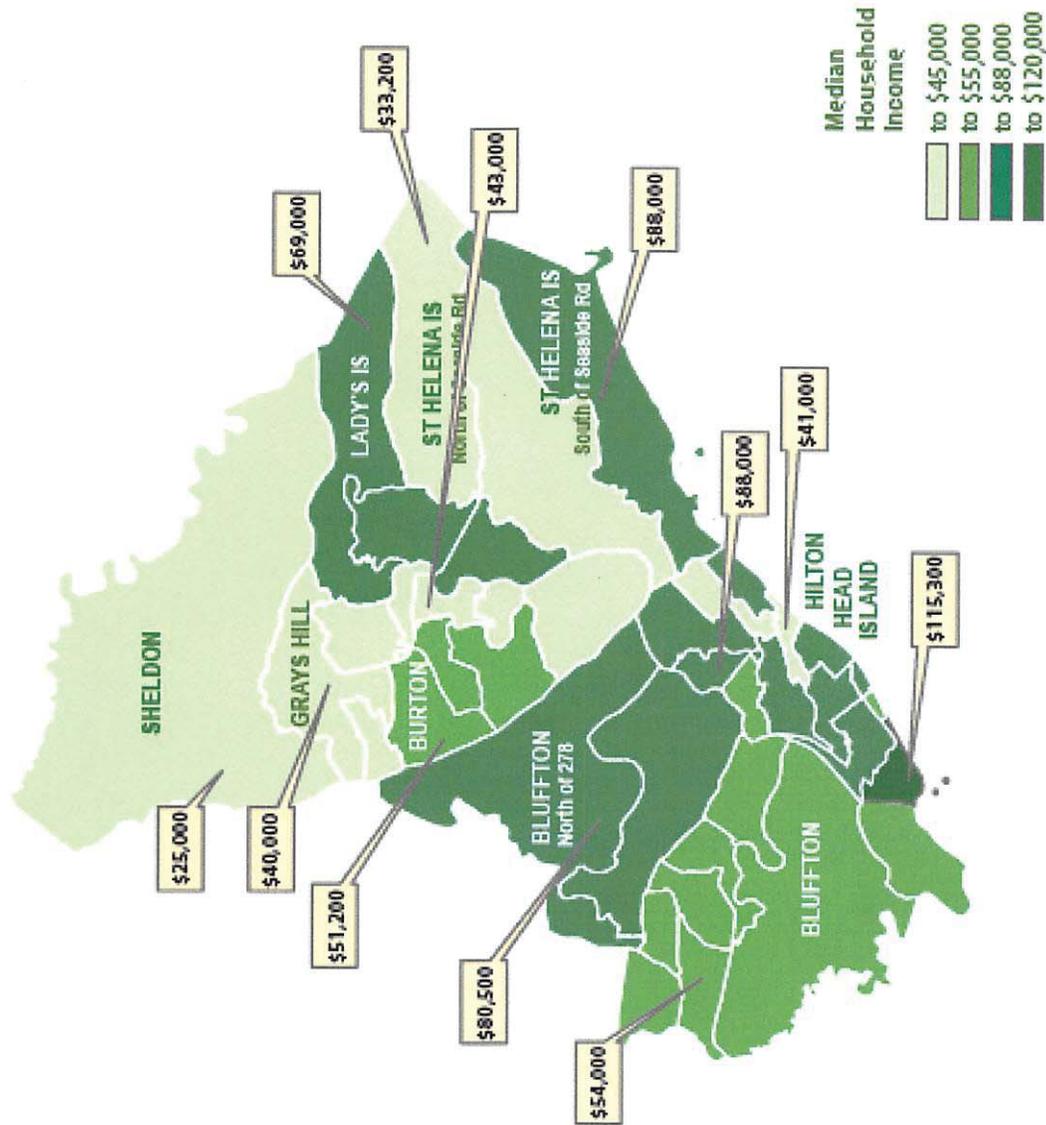


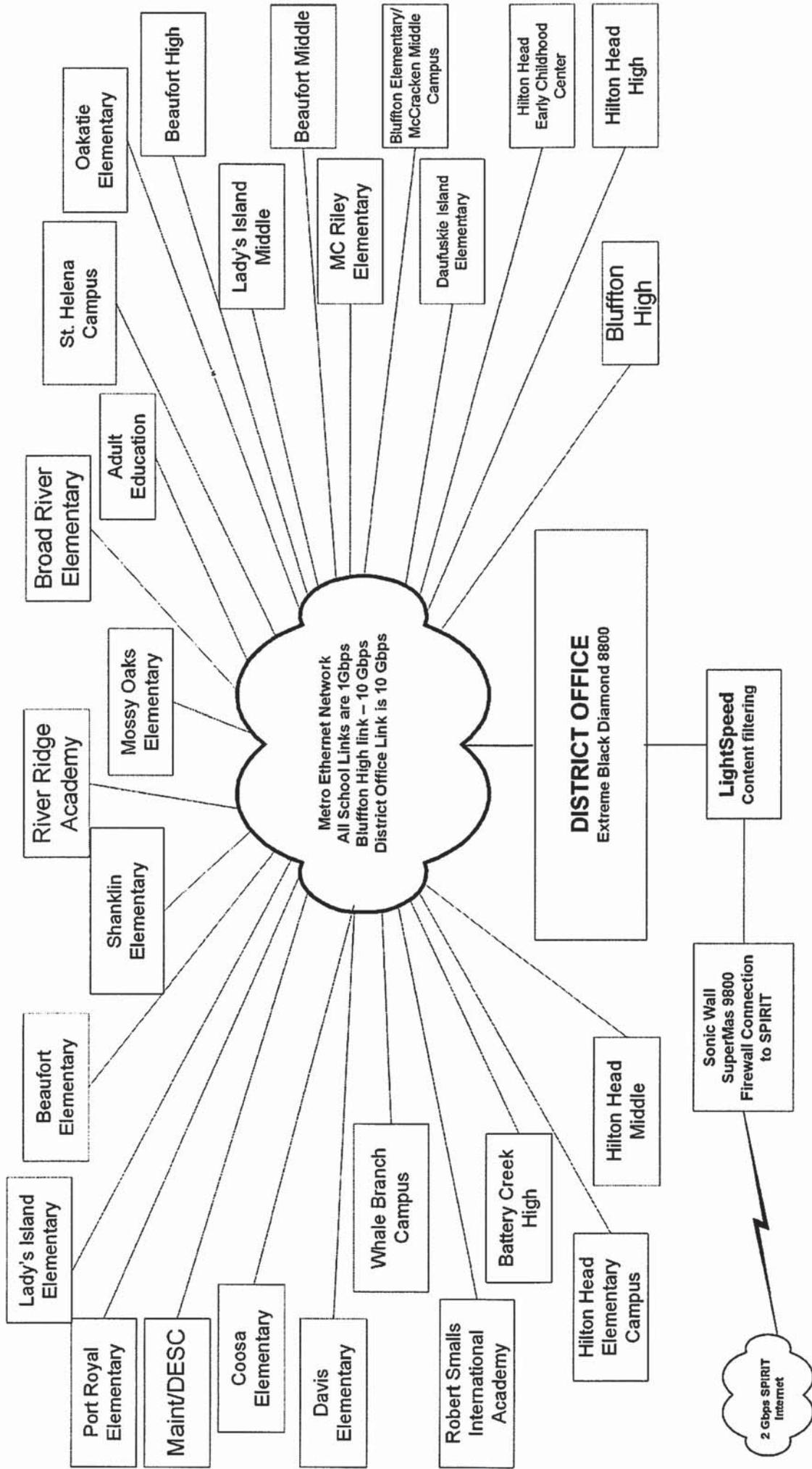
Beaufort County
South Carolina
With all K-12
Students



MEDIAN HOUSEHOLD INCOME WITH SAMPLE TRACT AVERAGES

HOUSEHOLD INCOME





**Beaufort County School District
 Generic WAN Network**

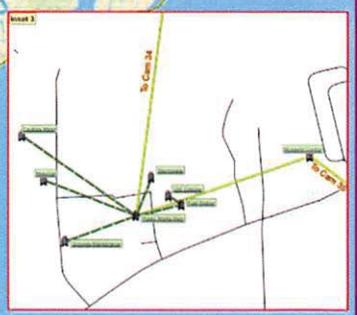
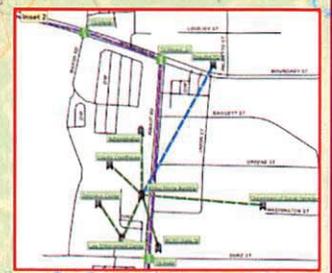
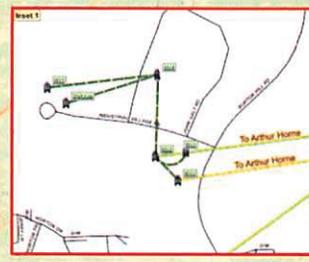
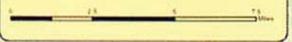
Updated: June 18, 2015

By: Dave Falls

Fiber Optic Connections; Beaufort County, SC



Prepared by
Beaufort County
GIS Division
Generated November 20, 2013



Fiber Optic Stations

STATION TYPE

- Building
- Camera
- Traffic Signal

Proposed Fiber Optic Line

..... < call other values >

Provider

- Hargray
- Hargray: TrafSig-TrafSig Connections
- Hargray: Camera-Camera Connections

Fiber Optic Connections (Straight Line)

Provider

- BUWSA
- CenturyLink
- City
- County
- Hargray
- MCAS
- Pamlico Island Fiber
- SCDOT
- USC



CONFIDENTIAL
HOMELAND SECURITY
SENSITIVE

{ Photos of students sitting outside buildings to access Wi-Fi. Photos removed for student privacy. }