

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 20554**

In the Matter of	)	
	)	
Lifeline and Link Up Reform and Modernization	)	WC Docket No. 11-42
	)	
Telecommunications Carriers Eligible for Universal Service Support	)	WC Docket No. 09-197
	)	
Connect America Fund	)	WC Docket No. 10-90

**COMMENTS OF THE COUNCIL OF CHIEF STATE SCHOOL OFFICERS**

The Council of Chief State School Officers (“CCSSO”) supported modernization of the E-rate program by creating a Digital Learning Taskforce in 2013 to engage state members in both meetings with the Federal Communications Commission (“FCC” or “Commission”) as well as comment submissions as part of the Education Coalition. CCSSO is passionate about ensuring broadband access in the home and supports the current efforts of the FCC to modernize the Lifeline program so that all Americans have access to the Internet.<sup>1</sup> In particular, CCSSO commends the Commission for its continued focus on the importance of access to high-speed broadband connectivity for educational purposes. The Commission has identified a very real “homework gap” between those students with access to the Internet and those who are unable to get online at home.<sup>2</sup> The Commission took a monumental step forward in ensuring that all schools (and libraries) have access to high-speed broadband networks capable of meeting their

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<sup>1</sup> The Council of Chief State School Officers is a nationwide, nonpartisan and nonprofit membership organization. It is the only one of its type to bring together the top education leaders from every state in the nation. CCSSO focuses its efforts on increasing the ability of schools to produce students ready to succeed as productive members of society. Access to broadband is a crucial part of that mission.

<sup>2</sup> *Lifeline and Link Up Reform and Modernization, Telecommunications Carriers Eligible for Universal Service Support, Connect America Fund*, WC Docket Nos. Second Further Notice of Proposed Rulemaking, Order on Reconsideration, Second Report and Order, and Memorandum Opinion and Order, 11-42, 09-197, 10-90 at ¶¶ 18-20 (rel. June 22, 2015) (the “Notice”).

students' digital learning needs through the 2014 E-rate modernization orders.<sup>3</sup> While the E-rate program is essential to school broadband connectivity, it is not a solution for at-home connectivity for those who can't afford access. The E-rate program is appropriately focused on connectivity to and within schools, not individual off-campus student Internet access. However, a modernized Lifeline program that supports broadband connectivity for low-income families with school-aged children can, and should be, part of the solution. Thus, CCSSO encourages the Commission to quickly move forward and bring the Lifeline program into the 21<sup>st</sup> century so that large swaths of our nation's students are no longer stuck in the 20<sup>th</sup> century after the bell rings.

## **I. THE HOMEWORK GAP IS REAL AND MUST BE ADDRESSED**

It is unquestionably true that, as the Commission acknowledges, “[s]tudent access to the Internet has become a necessity, not a luxury.”<sup>4</sup> It is also true that a significant number of students are not able to access this essential learning tool from their home which puts them at a decided disadvantage compared to their peers who are able to get online. That is the homework gap. It is real. It is unfair. It disproportionately affects certain segments of the population. It affects America's competitiveness. And it must be addressed.

A Census Bureau survey recently found that in 2013 73.4 percent of households subscribed to high-speed Internet access.<sup>5</sup> A separate report from the National Telecommunications and Information Administration (“NTIA”) demonstrates that the lack of access affects certain populations more than others. For example, the NTIA report concludes that 77 percent of White Americans used high-speed broadband at home, compared to only 61

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<sup>3</sup> *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Report and Order and Further Notice of Proposed Rulemaking, 29 FCC Rcd 8870 (2014) (“*First E-rate Reform Order*”); *Modernizing the E-rate Program for Schools and Libraries*, WC Docket No. 13-184, Second Report and Order and Order on Reconsideration, 29 FCC Rcd 15538 (2014) (“*Second E-rate Reform Order*”).

<sup>4</sup> *Notice* at ¶ 18.

<sup>5</sup> See News Release, *Census Bureau's American Community Survey Provides New State and Local Income, Poverty, Health Insurance Statistics* (Sept. 18, 2014), available at <http://www.census.gov/newsroom/press-releases/2014/cb14-170.html>.

percent of African Americans and 63 percent of Hispanic Americans.<sup>6</sup> According to a study by the Pew Research Center, five million out of the 29 million households with school-aged children in the United States lack access to broadband services.<sup>7</sup> Digging deeper, the study found that low-income households, especially low-income black and Hispanic households, make up a disproportionate share of those 5 million homes. The analysis also shows that the lowest-income households have the lowest home broadband subscription rates. Approximately one-third of households with annual incomes below \$50,000 and children ages 6 to 17 do not have a broadband connection. By comparison, only 8.4 percent of households with annual incomes more than \$50,000 lack a broadband connection. The Pew study points out that “... low-income homes with children are four times more likely to be without broadband than their middle or upper-income counterparts.”<sup>8</sup>

As Commissioner Rosenworcel notes, evidence of the detrimental impact of the homework gap is “all around us.”<sup>9</sup> She cites three studies (the Hispanic Heritage Foundation, Family Online Safety Institute, and My College Options) that report that almost 50 percent of students were unable to finish their homework because they did not have Internet or computer access. In addition some 42 percent of students state that they received a lower grade on an assignment or project because they did not have Internet access.<sup>10</sup> When students and their families do not have Internet access, they must find creative ways to complete their homework. They do their work at fast food restaurants with Wi-Fi access or from the parking lot of the local

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<sup>6</sup> *Exploring the Digital Nation: America’s Emerging Online Experience*, NTIA (June 2013) at 26, available at [http://www.ntia.doc.gov/files/ntia/publications/exploring\\_the\\_digital\\_nation\\_-\\_americas\\_emerging\\_online\\_experience.pdf](http://www.ntia.doc.gov/files/ntia/publications/exploring_the_digital_nation_-_americas_emerging_online_experience.pdf) at 16.

<sup>7</sup> John B. Horrigan, The Numbers Behind the broadband ‘homework’ gap, Pew Research Center (rel. April 20, 2015) available at: <http://www.pewresearch.org/fact-tank/2015/04/20/the-numbers-behind-the-broadband-homework-gap/>.

<sup>8</sup> *Id.*

<sup>9</sup> Statement of Commissioner Jessica Rosenworcel, *Lifeline Reform Proceeding*.

<sup>10</sup> *Id.*

library.<sup>11</sup> Examples like those cited by Commissioner Rosenworcel, which are repeated in communities across the nation, highlight the educational inequities created by the growing homework gap.

**II. THE LIFELINE PROGRAM SHOULD SUPPORT BROADBAND SO ALL AMERICANS CAN TAKE ADVANTAGE OF THE UNDENIABLE BENEFITS OF DIGITAL LEARNING, REGARDLESS OF THEIR ECONOMIC STATUS**

Just as students without the Internet at home are forced to find creative ways to get online, policymakers must look for creative ways to help these students. Thus, as the Commission considers modernizing the Lifeline program, it should consider any and all ways that it can update the program to specifically address the homework gap. A modernized Lifeline program that supports high-capacity broadband connections can be an essential tool to close the gap.

Industry and other groups more actively involved in this work are better positioned to answer the many specific and detailed questions the Commission asks in the *Notice* about how to structure the program. Instead, CCSSO offers principles to guide the Commission. First, to ensure that the capacity and speeds made available for broadband are sufficient to meet the needs of online learning, Lifeline must support broadband sufficient to meet the digital learning needs of students. School children today require more than just the ability to surf the web for research purposes. Today's learning environment involves the use of on-line videos, interactive learning and gaming programs, real-time streaming video, and other content-rich applications. If broadband offerings supported by the Lifeline program are not sufficient to meet the digital learning needs of students, we will have missed a critical opportunity. With that being said, if

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<sup>11</sup> *Id.*

the Commission establishes any minimum service standards, the Commission should be careful not to set them so high so that certain technologies are shut out. A careful balance is required.

Second, the program must be technologically neutral allowing support for any form of broadband – fixed or mobile – that meets individual users’ needs. As stated above, support for broadband must be sufficient for connections cable of meeting digital learning needs, but the rules should not favor any one technology over another. High-speed fixed broadband connectivity is an important tool and the Commission should do more to encourage all fixed broadband providers to participate in the program, not just the historical wireline eligible telecommunications carriers (“ETCs”) that have participated. To that end, the Commission should carefully consider changes to the current requirement that only ETC’s can receive Lifeline support to encourage non-ETCs (*e.g.* cable companies) to also participate in the program. At the same time, the Commission should also continue to support wireless options for low-income consumers, including mobile broadband connectivity. At one time the exception, mobile learning platforms are becoming the norm. One survey found that nearly 60 percent of the respondents said mobile tech has been adopted in a quarter or more of the schools in their district.<sup>12</sup>

### **III. CONCLUSION**

For the reasons discussed above, the Commission should build on the success of its E-rate modernization efforts to also transform Lifeline into a broadband program. Doing so will help close the homework gap faced by so many low-income students and will them gain the knowledge and digital skills they need to fully participate in the modern economy.

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<sup>12</sup> See Liz Hogan, A Surge in K-12 Mobile Tech Adoption in 2013, National Survey Says (July 17, 2013), <https://www.amplify.com/viewpoints/a-surge-in-k-12-mobile-tech-adoption-in-2013-national-survey-says>.

