

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

In the matter of:)
)
Schools and Libraries Division) CC Docket No. 02-6
of the Universal Service Support Mechanism)
_____)

**Reply Comments on the Eligible Services List
for Universal Service Mechanism for Schools and Libraries
for Funding Year 2008-2009**

I. INTRODUCTION

The Cleveland Metropolitan¹ School District (“CMSD”, or “District”) submits these Reply Comments to the Federal Communication Commission (“FCC”, “Commission”) as noted in the Public Notice released July 17, 2007 (FCC 07-130) seeking comment on USAC’s (“Administrator”, “E-Rate”) proposed Eligible Services List (“ESL”) for Funding Year (“FY”) 2008. The Reply Comments are in support of the initial Comments submitted by the Los Angeles Unified School District (LAUSD, or “Los Angeles”), the New York City Department of Education (NYCDOE, or “New York”), and E-Rate Central on or before August 10, 2007 regarding the entities’ respective recommendations noted below.

The District thanks the Commission for the opportunity to submit reply comments relevant to the Draft Eligible Services List for FY 2008.

¹ Previously known as Cleveland Municipal School District, a.k.a. Cleveland City School District

II. PRIORITY OF BASIC MAINTENANCE SERVICES

Both the Los Angeles and the New York City schools present strong and valid arguments to place Basic Maintenance of Internal Connections (“BM”) in the Priority One (“P1”) category. The argument is especially compelling since BM is now a service deliverable only between July 1st and June 30th of the respective funding year. New York accurately asserts that, since the FCC chose to place Basic Maintenance in its own category, this in itself is ample evidence that the FCC “...viewed (the maintenance of the network) as a required annual service like telecommunication and Internet services.” NYCDOE argues that urban schools have built complex technology networks over the last nine years with funds approved by the E-Rate program, as well as expending significant dollars disbursed from school district funds as their percentage, and therefore, these networks require reliable E-Rate funding to “...protect the costly investment in equipment and ensure that students and teachers can have reliable access to the Internet.”

The LAUSD justly argues that technology networks have grown both in size and complexity, use of emails has increased enormously, the number of network devices have grown to match demand, and the average number of Web site hits have increased exponentially in recent years. This is true for CMSD, and applicable to the majority of urban – the most disadvantaged – school districts. It was the core goal and intent of the E-Rate program to provide support for reliable Internet access for schools, and in particular to the large urban districts. If the network is not maintained properly, the reliability of accessing the Internet is not assured. Systematic maintenance and repair/reconfiguration are essential for network reliability.

Los Angeles’ discussion of basic maintenance as a service, the Program Integrity Assurance (“PIA”) process for BM services, and the aging infrastructure of complex technology networks add weight to the argument to place the Basic Maintenance category as a Priority One service. CMSD urges the Commission to consider these arguments and to take action to reclassify Basic Maintenance.

LAUSD’s recommendation that “...basic maintenance services are afforded the same Priority One designation as... telecommunication and (I)nternet access...” is on target. “...(W)ithout the date (*sic*) link connecting multiple points using ...

available technology, the digital transmission connecting the eligible schools to the services are necessary to support the transmission of the data; without the maintenance on the eligible device, transmission would be negligible if the devices continues (*sic*) to be in a state of repair.” New York succinctly summarizes the issue: “Better maintenance of equipment will result in the longer use of equipment and provide savings in unnecessarily early replacement costs.” In short, if the network is not suitably maintained, there is no access to the Internet in the classroom and unnecessary early replacement expenditures may occur.

The Cleveland Metropolitan School District strongly supports NYCDOE’s and LAUSD’s recommendation to change Basic Maintenance of Internal Connections to a Priority One category service.

III. ELIGIBILITY OF FAILOVER AND REDUNDANCY

The District supports LAUSD’s recommendation that “...the SLD reconsider its position regarding the cost allocation of redundant components (failover) and that consideration be given to (d)istricts that have large network infrastructure to maintain.” The Draft ESL states that “Components that are installed in standby mode, redundant, not active and online, or otherwise not an essential element in the transmission of information within the school” does not consider the necessity to have failover capability for a core router or a backbone switch in large, and I might add aging, complex networks. It is akin to having a land-line telephone(s) in a school with Voice over Internet Protocol telephony to allay instances of power failure, particularly for emergency situations. The ESL has not imposed an either/or scenario regarding telephony; the same logic should apply to (selected) redundant components for large, complex networks that require the assurance of reliability and consistence of connectivity.

The District is keenly aware and supports the FCC’s and the E-Rate Program’s efforts to eradicate waste, fraud and abuse. The failover component eligibility is not in this realm. Through judicious PIA reviews and unambiguous ESL

language for eligible failover components the FCC and the E-Rate program will assure the continued maintenance of network connectivity for its urban district users.

The Cleveland Metropolitan School District supports LAUSD's recommendation that the SLD reconsider its position regarding the cost allocation of redundant components (failover).

IV. USER TRAINING

The Cleveland Metropolitan School District supports E-Rate Central's recommendation that the ESL language regarding on-site training be clarified to read "In addition, on-site training of users and network administrators is eligible...". The current SLD interpretation provides only for the technical training of personnel who are, or will be responsible for the operation and (future) maintenance of the eligible equipment. Actual users are currently considered ineligible for such on-site training. The District differentiates, as E-Rate clearly states in its comments, end-user training from staff development activities, or instructions to use the equipment in program curriculae. The semantic clarification is necessary and the District supports ERate Central's recommendation.

V. CONCLUSION-RECOMMENDATIONS

The Cleveland Metropolitan School District supports the recommendations of the Los Angeles Unified School District, the New York City Department of Education and E-Rate Central submitted to the FCC as comments to the Draft Eligible Services List, and respectfully urges the Commission to accept the recommendations for the following changes to the Draft Eligible Services List:

- a. Change Basic Maintenance of Internal Connections to a Priority One category service.
- b. Reconsider USAC's position regarding the cost of allocation of redundant components (failover).
- c. Clarify language for on-site end-user training.

The District again thanks the Commission for the opportunity to submit reply comments relevant to the Draft Eligible Services List for FY 2008.

Respectfully submitted,



By: _____
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