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**State of Vermont**  
**Agency of Education**  
120 State Street  
Montpelier, VT 05620-2501

September 12, 2013

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street SW  
Washington, DC 20554

Re: Modernizing the E-Rate Program for Schools and Libraries, WC Docket 13-184

Dear Ms. Dortch,

*The Vermont Agency of Education applauds the direction of the Federal Communications Commission in its exploration of modernizing the E-rate program for schools. This is a task that is long overdue and holds potential for being much more beneficial to the schools, both in terms of fiscal assistance and guidance around policies and procedures with relation to the Children's Internet Protection Act. Vermont is a rural state and many of our schools rely heavily on E-rate as a mechanism to provide their connection to resources beyond the classroom. The Vermont Agency of Education oversees 60 supervisory unions/districts with a student population of roughly 84,000 students.*

*The Vermont Agency of Education plays an active role in encouraging robust broadband acquisition in schools and has been working with other states on a Multi-State Learning Technology Initiative to build more access for students to resources beyond the classroom. The Agency of Education has fostered the start of a state-wide network, developed resources around integration of technology and supported flexible pathways legislation that builds in virtual and blended learning for all students in Vermont. The rural locations of many of Vermont's schools create a priority at the State level around getting schools connected to high-speed Internet connections. At this point, all schools have some access to "broadband" but most of those connections lack the speed to support multiple classrooms and devices sufficiently for the most robust learning environment possible. Many schools struggle with providing sufficient wireless networking so that all areas of the buildings are served. Our multi-state technology effort is seeking to address this issue, but additional fiscal support from the E-rate program will make this a reality in the long run.*

The purpose of this letter is to offer the following comments regarding the efforts by the FCC to modernize the critically important E-rate program. What follows are some key areas that Vermont schools would like to see in this modernization of the E-rate program. Under each of these key areas I have addressed specific sections of the NPRM and indicated the related paragraph. We believe:

- Universal, robust educational broadband access is necessary to meeting our school reform and improvement goals, including to preparing all of our students for college and 21st century careers. In terms of getting clear information on what is needed to continue to provide these kinds of services the FCC should devise a way to continually measure the broadband capacities being delivered to schools.
  - *Paragraph 31, 32:* Devise a measurement tool, tied to the 470 or 471 process that allows for records to be kept on all connectivity levels over time. Better yet, provide information about that cost as well and allow it to be searched publicly online.
  - *Paragraph 35:* Consider making the Education Superhighway project be used as a national measurement center. Expand the relationship to Education Superhighway so it can serve this purpose and provide continuous data on connectivity levels.
  
- The demands for access to broadband for learning are growing beyond our ability to provide it cost-effectively. Without universal, cost-effective, high-speed access, we will not be able to prepare students for their future successfully. Costs are inconsistent in Vermont for similar services, and local schools seek to have some support on creating a more equitable pricing structure.
  - *Paragraph 39:* The FCC should try to build in ways to measure compliance with its “lowest corresponding price” rule, but it should go beyond this and demand that schools are paying in an equitable fashion on similar services.
  - *Paragraph 62:* to help to equalize commitments, there should be a focus of the FCC on keeping the funding dedicated to Priority One services.
  - *Paragraph 67:* Another way that the FCC could assist schools with expense is to allow for infrastructure work that may cost more to be addressed in a scheduled manner, like in 4-5 year increments. This way, network upgrades could be planned and know there would be additional funds in that cycle to upgrade.
  - *Paragraph 74:* Again, to help defray costs on deploying fiber or other technologies to schools, the FCC should allow for a system allowing schools to make long term investments on infrastructure. These costs are usually not annual and would allow schools to keep abreast of the latest and most efficient technologies to deliver service. The limit that is mentioned could be similar to response on 67.. allow for a 4-5 year incremental increase to cover those costs.
  
- As mentioned in the introduction above, most Vermont schools are in rural locations making it difficult to get high-speed access that is of sufficient quality to support multiple classroom access or 1:1 device deployments. The following points correspond to the paragraphs indicated in the NPRM:
  - *Paragraph 133:* Yes, further increase the amounts of E-rate funding available for schools and libraries in rural areas. Costs are high in last mile connections and schools in rural areas often are in high poverty areas as well.
  - *Paragraph 222:* Pilot programs: While often times, the notation of a “pilot” program can sometimes lead to a non-sustainable program, there is merit in considering this for rural schools with E-rate funds. There could be pilot programs established that allow for significant initial funding and tapering funding off over a 3 year period so locals can have time to plan in budgets. These pilots could address core curricular programs in Science and Math and with a focus on rural locations, make the case in a national sense for the importance of robust broadband connectivity at all schools, to serve all students in the states.
  - *Paragraph 238.* Yes, make exception for pre-schools to reduce the burden of paperwork involved in figuring out the exception when it is included in the same

building. The FCC should allow for pre-schools no matter their status within the state. If they serve students, and provide an Internet connection they should qualify for a reimbursement under E-rate. In Vermont, this would positively impact roughly 120 programs.

## OTHER OUTSTANDING ISSUES

- *Paragraph 95:* Do not drop reimbursement for text messaging. This service is used by administrators and teachers for a variety of work-related tasks. This is also something that could be used in emergency situations as well.
  - *Paragraph 272.* Address directly the idea of allowing personal devices on networks at schools and how those can be put under the CIPA umbrella..
  - *Paragraph 274:* In the first inquiry, schools should only be responsible for those devices they own or control. Change any phrasing around “computers” with Internet access to “devices” with Internet access, this will cover the increasing availability of mobile devices for students, including tablets, Smartphones, etc. There should be also language that explains away how other devices, (bring your own devices) are covered or could be covered by CIPA without laying liability on the schools. There needs to be clearer language about the limits of the schools’ liability in any of these areas.
  - *Paragraph 319:* Vermont supports the action taken earlier on changing the language from “solely” to “primarily” with regard use of E-rate supported facilities to the general public. With regard the new inquiry under 319, this is a local decision, but there could be limits placed on this that would not restrict those cases where there may be real opportunities to support community centers, adjoining libraries, etc. We encourages the FCC to build allowances under this piece.
- A modernized E-rate program must be less burdensome to participate in and better aligned to our current and future priorities, including in helping us to plan and budget for ongoing technology needs. In general, the program needs to be streamlined. In Vermont, many smaller schools and districts do not take advantage of the program simply due to the complexity of the paperwork that is involved.
    - *Paragraph 160:* Vermont schools would like to see steps taken to make the process easier and less arduous for seeking reimbursements. The elimination of the 470 OR the 471 could be helpful so long as there is a mechanism that simplifies the overall process. The timing of the process, (470 several months in advance) seems to work and spur schools to begin their process of soliciting bids but there should also be a mechanism that allows for schools to seek reimbursement beyond the current deadlines. Allowing schools to simply submit invoice copies after the payment or after the funding year has begun would also create an easier alternative to the current process. As for technology plans, Vermont uses the technology planning piece from E-rate to provide technical assistance to schools. The process also helps schools to recognize their responsibility under CIPA rules and Internet safety. As we move forward, Vermont plans to allow other “plans” developed at the local level to suffice as “technology plans”. Strategic plans, action plans, school improvement plans, all are filed with the State. An indication within those plans that clearly spells out the technology planning portion would be beneficial to schools in the face of their numerous planning activities. USAC should allow the same to be done, so that schools are not creating an additional “plan” for something that should be part of a larger scope or focus. Learning with technology should be part of a larger planning scope for schools. Having USAC bear a greater part of the burden of calculating

funding amounts would be beneficial to schools. Notifying schools as to the total amount of funding available and allowing them the flexibility to spend on their choice of eligible services would also be beneficial. Any steps USAC takes to reduce the time for schools to receive funds would be beneficial. As mentioned above, allowing schools the flexibility to submit invoices after the funding year has begun would also be beneficial. School business offices struggle with the closing of books, when the reimbursements are held up from year to year.

- *Paragraph 228*: Move to a fully online electronic filing system for all aspects of the program.
- *Paragraph 241*: Multi-year contracts. Yes, allow multi-year contracts to be filed on multi-year applications. There could be a process that allows for an annual “check-in” of some sort without going through the whole process.

- Given our growing demand for educational broadband and the high cost of access, E-rate funding will need to be increased. Vermont schools rely on E-rate to cover the increasingly high cost of broadband access in rural locations. As we move further into the 21<sup>st</sup> century, schools’ needs around broadband will only increase. Earmark additional funding now and build in planning to continue supporting schools in their acquisition of truly high-speed, high-quality access.

It is past due time to modernize the E-rate program, and we would encourage you to move with all due haste in your deliberations.

Should you have any further questions about Vermont schools and/or the role of the Vermont Agency of Education in the E-rate process, please do not hesitate to contact me.

Sincerely,



Peter Drescher  
Education Technology Coordinator  
Vermont Technology Plan Approver (USAC program)  
120 State St.  
Montpelier, VT 05620-2501  
802-828-5149  
[peter.drescher@state.vt.us](mailto:peter.drescher@state.vt.us)



Armando Vilaseca  
Vermont Secretary of Education