



Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
Modernizing the E-rate) WC Docket No. 13-184
Program for Schools and Libraries)

**COMMENTS BY Berks County Intermediate Unit - Entity
RELATED TO THE E-RATE 2.0 NOTICE OF PROPOSED RULEMAKING**

The Berks County Intermediate Unit (BCIU) provides more than 100 diverse programs and services to help meet the needs of today's schools and families. As a growing educational service agency, the BCIU addresses a wide spectrum of issues related to the well-being of children and schools, as well as federal, state, and local initiatives. These challenges can best be met through the combined efforts of schools, government agencies, and community organizations. By sharing resources, BCIU helps teachers and administrators keep pace with developments in such areas as assessments and standards, instructional methods, and technology.

In 1971, the state legislature created the Berks County Intermediate Unit and 28 other intermediate units throughout Pennsylvania. By offering certain centralized services to groups of schools, the BCIU and other intermediate units are able to reduce wasteful duplication of services and produce an economy of shared resources. As a result of increased costs, the BCIU formed a consortium of schools to provide cost effective high-speed fiber internet service to our schools within Berks County (15 public, 3 career and technology, and 1 private). Through this consortium we have created a fiber network to all the participating schools, with the BCIU acting as the hub site, thus enabling our school districts to greatly reduce the cost of providing this high speed internet service.

Our position on the proposed changes to the E-Rate 2.0 NPRM is as follows:

- Districts are consolidating school buildings to cut costs, but the method used to calculate the district's discount is outdated; last year's data does not reflect that students who reported to a building now closed are going to a new building. PIA reviewers subtract the students which lowers the discount.
- Rural vs. urban district definition should be updated, small schools that need the funding the most are not accurately reflected in the discount method used.
- Consortiums should be given additional consideration, i.e., additional discount, for those schools that collaborate to get lower rates on commodity internet, etc.

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TOPIC	Proposed BCIU Position
<p>Make Broadband Priority 1/Revising Eligible Services</p> <p>FCC proposes to update E-rate priorities so that high-capacity broadband <u>and</u> the associated equipment needed to disseminate that broadband to and within those buildings becomes Priority 1.</p> <p>All other services (including voice service, webhosting, e-mail, basic maintenance) would become Priority 2 or phased out altogether (¶ 65)</p>	<p>Changing Priorities: Support changing priorities/discounts as follows with conditions outlined below:</p> <p>Priority 1A – Broadband and internet access services. No changes to discount matrix. All requests funded every year. No additional discounts for special construction charges because vendors would simply rearrange their proposals to front-load the NRCs. Instead, a special fund should be created to pay for these costs in high-need areas whereby applicants could submit separate applications.</p> <p>Priority 1B – Broadband equipment (routers, switches, wireless access points, internal data cabling). Discount matrix changed so that maximum discount is 70% and all other discount rates are adjusted downward 20%, with no one receiving less than 20% discount.</p> <p>Priority 2 – Voice services, including hosted VOIP and cellular service. Everyone receives flat 40% discount.</p> <p><u>Conditions:</u></p> <ul style="list-style-type: none"> • Never a proration or of Priority 1A broadband and internet services. • Continue funding access to voice services. • Priority 1B equipment/wiring/installation funding is available to all applicants on a predictable basis to ensure meaningful technology planning. • No elimination of any current Priority 1 service before Funding Year 2017. <p>Other Eligible Services:</p> <ul style="list-style-type: none"> • Eliminate webhosting, hosted e-mail, basic maintenance and all internal connections other than those needed for broadband connectivity (servers, hubs, voice equipment, video equipment, ups, etc.). • Filtering should be eligible because it's an unfunded mandate, but if we're making tough choices, no additional services should be added to the eligible services list. • Mobile broadband to the home, while desirable, cannot be supported with E-rate funding. Recommend that other universal service programs be used to bring broadband connectivity to the home.

<p>Treat Lit and Dark Fiber Equally</p> <p>Should E-rate support the purchase of WANs if it's more cost effective than leasing? (§ 80)</p> <p>Should the one-time installation costs receive a higher discount?</p>	<p>Concern about the long-term liability of decisions that move schools and LEA's into an ownership role without the corresponding technical expertise.</p> <p>One-time installation costs should not receive higher discounts, but rather there should be a separate fund established that could be used for extraordinarily high NRCs, similar to how the state has a separate special education fund that school districts can apply for when they extraordinarily high special education costs.</p>
<p>CIPA</p> <p>The FCC seeks comment on several CIPA related questions, including:</p> <p>Are laptops, netbooks with Internet access, smartphones, and Internet enabled e-readers considered computers that must comply with CIPA?</p> <p>Are personally owned devices that are not owned by schools and libraries required to be CIPA compliant when used on-campus?</p> <p>Are school-owned devices used off campus and used with outside networks required to be CIPA compliant? (§271)</p>	<p>Either CIPA is required or it is not. Selectively "permitting" individuals to use network bandwidth that is subsidized by E-rate dollars and establishing different rules is problematic.</p>
<p>Establish Connectivity Goals</p> <p>The State Education Technology Directors Association (SETDA) has set the following goals:</p> <p>INTERNET connectivity goal of 100 Mb per 1000 users by 2014 (increasing to 1 Gb per 1000 users by 2017).</p> <p>WAN connectivity goal of 10 Gb per 1000 users by 2017.</p> <p>Should the FCC adopt these goals?</p> <p>Are these targets appropriate for all schools?</p>	<p>Support general concept of high-capacity broadband and internet goals, but:</p> <ul style="list-style-type: none"> ■ The Goal of establishing a consistent level of capability will require some impetus to make it happen and not fall victim to local School Board politics. Suggest that a reasonable approach might be an EPA "fleet" model that seeks to drive improvement in overall mg rates across the various makes and models. In our case the base improvement could be driven broadly, but, put some impetus in the plan to require certain minimum or baseline improvements for all participants. ■ Shouldn't judge program, states or schools if they don't meet these specific goals by 2017 ■ Only LEAs should establish their own connectivity goals based on their own needs
<p>Streamline E-rate</p>	<p>Support streamlining the E-rate application process.... Explain ways.</p>
<p>Change Funding Distribution Model</p> <ol style="list-style-type: none"> 1) Revising the discount matrix to increase certain applicants' matching requirements through a phase-in process. (§117) 2) Incorporating a per-student or per-building cap on funding into the discount matrix. (§ 135) 3) Providing more equitable access to Priority 2 funding (§ 133) 4) Allocating funds through a fixed dollar amount before the funding year begins (§ 149) 	<p>Oppose per building or per student funding caps, oppose fixed dollar amounts that aren't based on true need.</p> <p>Support revisions to discount matrix as follows:</p> <p>P1A – no changes</p> <p>P1B – maximum discount becomes 70%. All other discount bands are reduced by 20%</p> <p>P2 - Flat 40% discount</p> <p>Support providing more equitable access to P2 funding.</p>

<p>Change Discount Calculations</p> <p>Changing the E-rate discount calculations to be based on a simple average of the District's NSLP enrollment whereby a district would receive a straight matrix discount. The current formula is a weighted average approach that uses each school building's discount as part of the calculation) (§ 126)</p> <p>Districts would apply for all services (P2/P2) using district-wide discount; no building discounts would apply.)</p>	<p>Support district-wide discount calculations.</p>
<p>Definition of Educational Purposes</p> <p>Should "educational purpose" definition be narrowed so that services only qualify for E-rate if they are used for the core purpose of educating students and serving library patrons, and services used for administrative purposes would not qualify? (§§99-100)</p>	<p>Oppose narrowing definition of 'educational purposes' that would in any way limit, restrict or eliminate funding for administrative service, including services provided to educational service agencies, bus barns, food service facilities, etc.</p>
<p>Increase Funding Cap</p> <p>The FCC seeks comment on whether to increase the \$2.25 billion E-rate cap (temporarily or permanently) to ensure high-capacity broadband connectivity to and within schools and libraries. (§ 173)</p>	<p>Support increase E-rate funding cap, particularly through the expansion of the contribution base – which providers pay into the fund. Don't set funding cap until FCC decides what the new E-rate program will look like. Important – the size of the fund must match demand. Proration or lack of predictability cannot be an option.</p>
<p>Increase Consortia/Bulk Buying</p> <p>The FCC seeks comment on ways to increase consortium purchasing (§186) Does consortia purchasing reduce costs? How should the FCC encourage more consortia and other types of bulk buying opportunities?</p>	<p>Consortiums should be encouraged through discounts that are made available to the participants. Application review of consortium applications should have a higher priority and move first through the queue. Consortium applications are generally more complex and should receive the same scrutiny as other applications.</p>
<p>Direct BEAR Payments to Applicants</p> <p>The FCC proposes to permit schools and libraries to receive BEAR reimbursement checks directly from USAC and not have to pass through the respective service providers (§ 259).</p>	<p>Support.</p>
<p>Permit Multi-year 471s</p> <p>The FCC proposes to have PIA only review the first year of a 3-year contract allow applicants, provided there was no changes to the contract or recipients of service in the second and third years of the contract. *</p> <p>In the second and third years, applicants would still have to request E-rate funding via the Form 471, but their contracts would not be subject to PIA review.</p> <p>Should the FCC also consider multi-year funding commitments?</p> <p>Should applicants only be permitted to sign contracts up to 3-years in length? (§ 241)</p>	<p>Support multi-year contract and multi-year funding request approvals.</p> <p>Oppose efforts to limit the length of contracts.</p>

<p>Expand Document Retention</p> <p>The FCC proposes to extend the E-rate program document retention requirements from five to at least ten years and seeks comments on the benefits and burdens of doing so. Should applicants and vendors be required to keep records of all communications relating to bids for and purchases of E-rate services/equipment? Should the additional retention period only be required on an "as-notified" basis? (¶ 295)</p>	<p>Oppose requiring records to be retained more than 5 years except on an "as-needed" basis.</p>
<p>Restrict Authorized Signatories</p> <p>The FCC proposes to require E-rate applications be required to be signed by a person with authority equivalent to that of a corporate officer (presumably this is to eliminate E-rate consultants from signing forms). (¶ 306)</p>	<p>Requiring school officers to sign E-rate applications is NOT a bad thing. While it is true that many may not fully understand the program, allowing this to be a local decision is not the solution.</p>