



July 7, 2014

Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RE: WC Docket No. 13-384, Modernizing the E-rate Program for Schools and Libraries

Dear Chairman Wheeler, Commissioner Clyburn, Commissioner Rosenworcel, Commissioner Pai, and Commissioner O'Reilly:

SETDA is supportive of the major elements of the E-rate modernization proposal before the FCC as the first in a series of steps that must be taken to modernize the program to meet the needs of students and educators in a digital age. As you move into your final days of deliberation on the current order, we believe that there are three issues that deserve further consideration.

To Maximize Benefits to Students and Accountability for E-Rate Expenditures, A Modernized Technology Planning Requirement Should be Reinstated

In our April 7, 2014 filing of further comments on E-rate modernization SETDA asserted the following:

By eliminating the requirement for technology planning instead of modernizing it, the Commission unintentionally created a gap between state and school district education reform and improvement strategies that rely on access to robust, cost-effective, scalable broadband capacity.

Comprehensive and actionable technology plans for digital teaching, learning and enhanced school operations are both a local school district and state responsibility and should be required of all E-rate beneficiaries. Further, we maintain that states have an important role

to play in providing technical assistance and helping to assess local technology plans for sufficiency, to identify opportunities to scale up demand and reduce costs, and to ensure that the full scope of education needs are being addressed, including those beyond the scope of E-rate (e.g., access to devices for learners and educators; availability of content and software, technical support, and professional development; strategies for off-campus access by learners, etc.). Thus, while plans should be required and the specifics of the planning requirements should incorporate broadband and networking needs, states should define the full range and requirements of the plans.

SETDA maintains that the FCC and E-rate program itself would be ill served by walking away from a mechanism to help ensure that applicants have in place technical assistance and support to develop and implement long-range and comprehensive technology plans that meet federal, state and local needs and requirements. We further maintain that the process of long-term planning is important to ensure that decisions about the purchase and deployment of technology are efficient, effective, and tightly aligned to student learning needs and school reform and improvement goals.

Moreover, a technology planning requirement is integral to protecting the integrity of the E-rate program, to ensuring that state and local matching and complementary funds are identified, and to minimizing potential waste, fraud, and abuse. It is vital that the E-rate have a mechanism in place to assess progress toward program goals and that those goals remain aligned to broader school reform and improvement priorities.

States are uniquely positioned in our system of schools to support public school applicants with their technology planning needs and to help ensure that districts consider the impact of emerging federal and state policies and initiatives, such as those that have called for the increased use of online student assessments and interactive digital textbooks, as well as those that have expanded educational opportunity by increasing access to online and blended learning.

Modernized planning requirements need not resemble past approaches under the E-rate program, which have been rightly criticized for being inflexible and disconnected from the broader needs of schools. Indeed, any modernized planning requirement must provide states with the flexibility to take into account current practices and state and local context (including existing programs and processes).

Finally, if a technology planning requirement is reinstated as a condition of receipt of funding, it must not be in the form of an unfunded mandate on states.

Consider Tactics to Support All Schools in the Case Initial Demand for Wi-Fi Exceeds Projections

SETDA supports a focus on Wi-Fi and internal connections in a modernized E-rate, as the need in schools is clear and immediate. Providing specific and guaranteed support will increase educational equity and support long-range planning and budgeting for states and districts.

Given what we anticipate to be pent up demand for Wi-Fi, however, we fear a gap between the resources available for Wi-Fi support and demand in the initial year or two of a modernized E-rate. This gap could present a real and significant challenge to the nation's K-12 students, some of whom may find themselves on the wrong side of the digital divide, unable to access digital learning opportunities and assistance in navigating postsecondary options and careers.

In the case that demand for Wi-Fi is higher than available funds in initial years, it is important that there is (1) clarity on what support schools can expect and (2) they are held harmless in purchasing decisions that are out of sync with support as the initial five-year funding cycle is established. If sufficient funding is available – as the FCC has asserted is the case for at least the first two years of a modernized program – it is imperative that student learning opportunities are not diminished for reasons fully within the control of program administrators.

To that end, SETDA encourages the FCC to consider the ideas advanced in the July 3, 2014 filing of the State E-rate Coordinators Alliance, which offers suggested strategies for addressing these issues.

Methodology to Calculate Consortium Discount Rates Should Incent Districts to Meet E-Rate Goals of Affordable, Scalable and Robust Connectivity

The E-rate modernization record shows strong support for consortium E-rate applications, which serve to aggregate both demand and the expertise needed to improve service delivery, decrease costs, and support student learning. SETDA is encouraged that the FCC is considering prioritizing stronger support for consortia as a core strategy to ensure all schools have affordable, scalable high-quality broadband access.

In so doing, the FCC must ensure that the methodology used to calculate discount rates does not inadvertently provide a disincentive for some school districts – particularly school districts eligible for the greatest amount of support under E-rate based on need - to participate in statewide or regional consortia, whether through instituting regulations that reduce flexibility in applying consortium discount calculations to consortium members or in the calculation of overall consortium

discount rates. Consortia must be provided the flexibility to manage the allocation of discounts within consortia to meet state and local needs and in accord with any existing agreements made with participating entities.

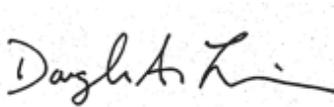
In fact, it is exactly high-need districts that have the most to gain from consortia pricing and expertise – and the FCC would do well to consider providing incentives for their participation in consortia.

In Closing

Over the last year, the FCC has received thousands of comments from the full spectrum of program beneficiaries and participants, and it is now time for the FCC to act. SETDA appreciates the hard work done to date, and we look forward to continuing to being strong partners in advancing digital learning opportunities for all children and youth through a strengthened and modernized E-rate.

Thank you for your leadership.

Respectfully,

A handwritten signature in black ink that reads "Douglas A. Levin". The signature is written in a cursive style with a horizontal line at the end.

Douglas A. Levin
Executive Director

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