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September 16, 2013

The Honorable Mignon Clyburn, Acting Chairwoman  
Federal Communications Commission  
c/o Commission's Secretary  
236 Massachusetts Avenue, N.E., Suite 110  
Washington, D.C. 20002

*Re: Comments on Notice of Proposed Rulemaking - Modernizing the E-Rate Program for Schools and Libraries, WC Docket No. 13-184*

Dear Acting Chairwoman Clyburn:

The National School Boards Association (NSBA), representing over 90,000 local school board members across the nation is pleased to submit comments on Modernizing the E-Rate Program for School and Libraries. The Notice of Proposed Rulemaking (NPRM) is the most comprehensive call for modernization of the Schools and Libraries Program of the Universal Service Fund since it was enacted in 1996, and builds on the transformative impact of E-Rate on schools and libraries over the last seventeen years.

NSBA believes that the E-Rate program is a vital source of assistance for schools in maintaining Internet connectivity, bringing new learning opportunities to students, enhancing distance-learning in rural areas and helping school districts set and meet technology goals.

As the FCC moves toward universal Broadband access, a number of opportunities and challenges to the E-Rate program present themselves. While schools and libraries embrace the potential of new technologies for learning, the impact of new funding demands on the E-Rate program is a concern when there are well-documented unmet needs at schools and libraries.

NSBA believes that more can be done to strengthen the program. NSBA supports efforts to ensure efficient operation and integrity of E-Rate, increase the quality and speed of connectivity in our nation's schools, and address the technology gaps that remain. The needs of schools and libraries must be met and Congress should refrain from expanding eligibility for E-Rate for other services, uses, devices and programs until the unmet needs of schools and libraries are addressed.

The E-Rate program has a remarkable record of success - Prior to providing NSBA's recommendations to the NPRM, it is important to recognize the progress and success of the current program. The transformative impact of E-Rate can be seen in schools and libraries across the nation, and the data tell the story. In 1996, only 3 percent of public school classrooms were connected to the Internet. Less than 60 percent of schools with enrollments of 1000 or more reported having Internet access. Less than 45 percent of public libraries had some type of Internet connection. Since 1998, the percent of public school instructional classrooms with Internet

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access has climbed to 94 percent and public libraries with Internet access has reached nearly 100 percent, helped to a great extent by E-Rate. In Funding Year 2012, E-Rate provided \$2.2 billion in discounts for Internet access, telecommunications, internal connections and basic maintenance to more than 36,000 high-need school, school district, library and consortia applicants.

The success of E-Rate is anchored in the vision of legislators who created the program. During Senate floor consideration of the Telecommunications Act, reflections on the potential of telecommunications for learning resonate as much now, if not more, than they did in 1996:

“...telecommunications will enable students and teachers to do research in libraries across the country and the world, and to connect to experts and other students across the country. It will ensure that small schools in remote rural areas, and schools with limited financial resources have access to the same rich learning resources.

...Our schools need access to educational telecommunications services to prepare our children for economic success. In the 21st century, our children will be competing in a global economy where knowledge is power. Their future depends on their ability to master the tools and skills needed in that economy.

U.S. Senator Olympia Snowe, *Congressional Record*, 104<sup>th</sup> Congress, Senate, February 1, 1996, p. 709.”

The National School Boards Association salutes the vision and fortitude of Congress in establishing the E-Rate program, celebrates its achievements, and further, welcomes this opportunity to update the program on behalf of schools, districts and libraries in response to the changing landscape for technology and education.

NSBA also applauds the momentum in Washington, DC to modernize and leverage the E-Rate program to get Internet connectivity and educational technology into classrooms, and into the hands of teachers trained on its advantages. Broadband has an important role to play in education, from digital learning resources to professional development for teachers, remote instruction, and data-driven decision-making. Increasing high speed Internet connectivity is vital to provide 21st Century skills and prepare students and communities to be competitive in a global economy.

NSBA therefore recommends the following for E-Rate 2.0:

**1. Identifying Additional Funding to support Broadband to Schools and Libraries.** In response to paragraphs 173 - 175 of the NPRM, NSBA calls on the FCC to increase E-Rate resources to meet demand as a first vital step to improve access to Broadband and Internet connectivity generally. Other than inflationary adjustments authorized in 2010, there has been no increase in the \$2.25 billion cap on E-Rate resources since the program's inception. Current demand (\$4.9 billion) is more than double the resources currently available, and has consistently been so for several years. Achieving the goal of the NPRM to ensure that schools and libraries have access to 21<sup>st</sup> Century Broadband will require a substantial and ongoing increase in resources, even as we vigorously pursue efficiency and cost effectiveness in the program. Anything less will merely redirect resources, but not meet new goals for the program.

**2. Streamlining administration of the E-Rate program.** In response to Section V of the NPRM, NSBA calls for multi-year applications, electronic filing and other improvements to streamline and increase cost-effectiveness of the program. Over time the E-Rate application process has improved, particularly in response to recommendations in the 2010 National Broadband Plan. Nevertheless, additional improvements could increase efficiency and cost-effectiveness, while eliminating barriers to participation for school districts that lack capacity to navigate the system. NSBA calls on the FCC to take steps to lessen the burden of the application process on

applicants, including allowing multi-year applications for non-reoccurring services; developing applicant online portals that will permit application tracking and make it easier for applicants to apply, and encouraging consortia applications.

**3. Allocation of Funds to Schools and Libraries.** NSBA has grave concerns regarding proposals that could potentially redirect already inadequate resources away from schools and libraries with documented need, such as those described in section III. C. 6, and calls on the FCC to do no harm to high need schools and libraries currently participating in the E-Rate program, and to meet the well-documented and consistent demand. Recalling Senator Snowe's remarks on the Senate floor, the beating heart of E-Rate is its potential to eradicate learning disparities among rich, poor, rural, urban and all other schools: "It will ensure that small schools in remote rural areas, and schools with limited financial resources have access to the same rich learning resources," the Senator stated.

**4. Phasing Down Support for Certain Services.** Related to the allocation of funds, NSBA calls on the FCC to carefully consider any changes to eligible services described in paragraph III. B. 2, including telephonic services. While many parts of the country have abandoned dial-up, there remain wide swaths of America where Broadband deployment has lagged, so that schools and libraries cannot rely on access to high speed Internet or Broadband service. Phasing down support for certain services prior to achieving universal Broadband deployment could impact school districts in ways that are disruptive at best and potentially devastating to some. The FCC should embark on a research and data collection agenda to assure that any decisions regarding reducing or eliminating support for certain services is based on a clear and current understanding of services still in use, and provide additional resources to assist schools and libraries to make the transition to Broadband.

**5. Affordable Access to 21<sup>st</sup> Century Broadband that Supports Digital Learning.** NSBA support the goal of assuring that schools and libraries have affordable access to 21<sup>st</sup> Century broadband as described in section I. B. of the NPRM. In so doing, the FCC must maximize local flexibility to use E-Rate to meet speed, connectivity and technology goals without federal mandates or imposing conditions for receipt of E-Rate resources. The success of E-Rate over the years can be attributed in no small part to the primacy of local decision-making. Local school boards and other district and school leaders are in the best position to understand the needs of their students and harness the commitment of educators, students and communities. In addition, local governance has a deep understanding of local circumstances, resources and capacity.

For example, NSBA applauds the national momentum to expand high speed Internet and Broadband capacity to schools and libraries, and we must avoid mandates that could lead to unintended consequences from establishing goals that may not be necessary, appropriate or attainable for every school district given individual circumstances.

Further, E-Rate modernization must not mandate district-wide eligibility or applications (paragraph 116). As Education Secretary Arne Duncan has said many times, innovation begins at the local level. NSBA captures this potential for individual innovation and leadership through its *20 to Watch Recognition Program*, focusing on K-12 teachers, administrators, and board members - emerging leaders within the education technology community who have the potential to impact the field for the next 20 years. E-Rate modernization should not undermine local school innovation and leadership by mandating district-wide eligibility for E-Rate.

NSBA recognizes that moving forward as a nation to reach our 21<sup>st</sup> Century learning goals requires the wholehearted participation by a broad range of stakeholders, including civic, civil rights, business, education, technology and other organizations. That is why NSBA supports the recommendations of the Education and Libraries Network Coalition (EdLiNC), of which we have been a member since its inception. NSBA also joined a diverse group of organizations in supporting recommendations submitted by the Alliance for Excellent Education.

Thank you for the opportunity to share our concerns and recommendations. Questions regarding our comments may be directed to Lucy Gettman, director of federal programs at 703-838-6763; or by e-mail at [lgettman@nsba.org](mailto:lgettman@nsba.org).

Sincerely,

A handwritten signature in black ink that reads "Michael A. Resnick". The signature is written in a cursive, flowing style.

Michael A. Resnick  
Associate Executive Director

cc: Members, United States Senate

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