The Education and Libraries Networks Coalition (EdLiNC), a group comprised of the major public and private K-12 education associations and the American Library Association (see Appendix A for full list), writes in strong support of the Federal Communications Commission’s proposal to make permanent its recently granted waiver of the E-rate program rule that allows members of the community to make use of E-rate supported connectivity during non-school hours. EdLiNC has long advocated for this change believing that such a waiver will not only leverage E-rate supported connectivity for the greater good of the public generally but also will lend material assistance to those seeking to gain access to government services, employment opportunities, and continuing education. We were especially pleased that the Commission opted to grant a temporary waiver immediately, thereby expanding access to online resources to the millions of Americans seeking employment during this difficult economic downturn. We urge the Commission to move quickly to allow community members to gain access to E-rate supported Internet access in their local schools during non-school hours on a permanent basis.

EdLiNC supports the revisions to program rules 54.504(b)(2)(v) and 54.504(c)(1)(vii) that the Commission advances in its Order and Notice of Proposed Rulemaking¹ (hereinafter “the NPRM”). These revisions would accomplish two goals: 1) allowing community members to gain access to E-rate supported connectivity in non-school hours; and 2) ensuring that student access to E-rate supported connectivity would remain the program’s priority and principal objective. Specifically, EdLiNC supports the Commission’s proposed rules revisions, which would permit E-rate supported services to be used “primarily for educational purposes” rather than only for educational purposes. We believe that these changes strike the appropriate balance between meeting the program’s central goal – connecting students and educators to the resources of the

¹ In the Matter of Universal Service Support Mechanism Order and Notice of Proposed Rulemaking, CC-Docket No. 02-6 (2010)
Internet – and permitting use by the community of those same resources so long as such use does not impinge on student and educator Internet access.

EdLiNC also agrees with the three conditions that the Commission would impose permanently in exchange for this new flexibility on community use during non-school hours. In particular, we support the condition that would bar community usage of E-rate supported Internet access during school hours. We think this condition underscores the importance of putting students and educators first in Internet access and limiting community access to only those periods where it will not adversely impact student and educator usage.

We also suggest that the Commission make clear in its final order on this matter that it is each school’s decision whether to grant community access to their facilities and Internet connectivity during non-school hours. Allowing the community into schools in off-hours inherently entails additional costs to schools, such as additional staffing and security, which many school districts simply cannot afford during the current budget crunch. In no way should schools be required to or feel compelled to open their doors in non-school hours by any order the Commission might issue in this matter.

Finally, EdLiNC cautions against adding another certification to the E-rate application through which schools would attest that they are not requesting additional E-rate support to serve community access. The E-rate applications are already lengthy and complex and an additional certification, with its attendant additional pages of guidance, would prove time-consuming and burdensome for applicants. Moreover, an additional certification would cut against the grain of the proposal advanced in the Commission’s recently released National Broadband Plan that the E-rate’s application process be streamlined. (see Recommendation 11.19 of the National Broadband Plan). Beyond the burden to applicants, we counsel against this certification as it might serve to deter school applicants from opening their doors to the public for fear of inadvertently imperiling all of their E-rate support.

In conclusion, EdLiNC supports wholeheartedly this NPRM’s proposed permanent rule changes related to community member access to E-Rate supported school connectivity during non-school hours and urges the Commission to approve them.
Appendix A

EdLiNC is a coalition of educational and library groups that have been working together to provide schools and libraries with affordable access to telecommunications and to ensure the effective implementation of the program. More information about EdLiNC is available from our website at http://www.edlinc.org. EdLiNC’s members include:

American Association of School Administrators
American Library Association
Association of Educational Service Agencies
Consortium for School Networking
Council of Chief State School Officers
International Society for Technology in Education
National Association of Elementary School Principals
National Association of Independent Schools
National Association of Secondary School Principals
National Catholic Educational Association
National Education Association
National Rural Education Association Coalition
National School Boards Association
United States Conference of Catholic Bishops