



E-Rate

Request: The E-Rate works. Continue to support it.

Background: The E-Rate is part of the federal universal service program authorized under the Telecommunications Act of 1996. Originally, E-Rate’s authors focused the program on connecting all schools and libraries to the Internet. Since the FCC’s 2014 E-Rate modernization orders, the E-Rate’s goal is to ensure that all schools and libraries have ample bandwidth to meet the educational needs of students and library patrons. To accomplish this goal, E-Rate support, capped at \$4.15 billion annually, provides public and private schools and public libraries with support for:

- **Broadband/Internet access** (Category 1) – Applicants receive service discounts ranging from 20% to 90%, with the lowest income applicants receiving the deepest discounts.
- **Wi-Fi/Internal Connections** (Category 2) – Applicants receive 5-year formula distributions, with schools getting \$167 per student and libraries \$4.50 per square foot of space. The next 5-year cycle begins this year. Small schools receive no less than \$25,000.

Over the last two decades, E-Rate has increased public school classroom Internet connections from 14% in 1998 to nearly 100% today. ***E-Rate has committed more than \$54 billion to applicants since its founding in 1998.***

Our Position: E-Rate works. It has a positive impact on schools and the students they serve.

1. Schools and Libraries Trust and Need the E-Rate Program

- 89% of school and library applicants agree that they can depend on E-Rate every year.
- 95% of applicants agree that E-Rate funding is vital to Internet access in schools and libraries.
- The majority of respondents are satisfied with the administration of the program and the online portal that enables applicants to file for E-Rate funding.

2. E-Rate Demand Is Strong

- E-Rate demand over the past three years has been strong: in ***2020 applicant demand totaled \$2.9 billion, with application requests up 6.5% from the previous year.*** Demand has continued at a high rate even with the elimination of support for voice services, the imposition of a formula for the distribution of Category 2 Wi-Fi funding, and the onset of the COVID-19 pandemic.

3. E-Rate Is Meeting Wi-Fi Goals

- The 2014 E-Rate Modernization Order focused E-Rate funds on ensuring that all schools and libraries meet high benchmarks for Wi-Fi connectivity – 100 Mbps/1000 students in the short term and 1 Gbps/1000 students in the long term. Library benchmarks are similar.
- Four years after the E-Rate modernization order, schools and libraries are making great strides towards meeting these targets. ***As of 2019, 99% of school districts had met the short term connectivity goal and 38% had met the long term connectivity goal, according to a survey by EducationSuperhighway.***

4. E-Rate's Category 2 Formula Works Adequately but Per Pupil Formula Needs Adjustment

- The FCC's Category 2 formula will be increased to \$167 per student per five years starting this year. However, many school districts believe that the current formula, while helpful, is insufficient. According to recent Funds for Learning National Trends Reports:
 - Most schools and libraries will increase their Internet bandwidth by at least 50% over the next three years, with an average annual increase of 17% reported by respondents. (2020)
 - 79% of applicants will upgrade their Wi-Fi within three years. (2020)
 - 78% of schools and 63% of libraries indicated that the current formula was insufficient for their needs. (2019)
 - 49% of schools surveyed thought that the formula should be increased to \$250 per pupil while 28% thought that it should be \$350 or higher. (2019)



ESSA Title II-A Supporting Effective Instruction State Grants Program

Request: Provide full funding for Title II-A in FY22

Current Funding Level: \$2.143 billion

Authorized Level: \$2.295 billion

Background:

The Importance of Effective Educators

Research shows that effective teachers and school leaders significantly influence student achievement. High quality professional development is essential but unfortunately many teachers, particularly those in small and isolated districts, do not have access to these advancement opportunities. The shift to remote learning caused by the COVID-19 pandemic highlighted the importance of educators gaining access to professional learning opportunities that help them teach both online and in blended settings.

Title II-A — Revised and Strengthened in ESSA

The Every Student Succeeds Act (ESSA) renewed the federal commitment to Title II-A. This included affirming the program's ed tech emphasis on helping teachers and school leaders effectively integrate technology into curricula and instruction and promoting high-quality instruction and instructional leadership in science, technology, engineering, and mathematics subjects, including computer science.

The reauthorized Title II-A - the Supportive Effective Instruction State Grants Program - serves as a vital federal supplement to State and school district efforts to ensure that educators have access to high quality professional development, including those offered online. The new program incorporated new evidence requirements and a more rigorous definition of professional development. It also revamped formula program benefits by helping educators use education technology, increase content knowledge and classroom practices; promoting leadership, coaching, and mentoring; offering specialized training to meet student needs; and implementing support for effective instructional materials and innovative technologies. This training funding includes a focus on equipping educators with the knowledge and skills they need to use technology for instruction, conduct data analysis and protect student privacy, communicate effectively with students and families, use assessments for learning, and more.

History of Appropriations

Despite the bipartisan reauthorization of Title II-A in ESSA, both the President and the House of Representatives called for significant cuts to Title II-A in the last several years. Congress was able to maintain level funding for the program in FY18 and 19 as a result of a budget deal to raise federal spending caps and the Senate's strong support for the program. As a result of a budget deal to raise the caps, Title II-A actually received increases of \$76 million in FY20 and \$11.25 million in FY21, and is now funded at \$2.143 billion.

Title II-A Talking Points

- **FUNDING IMPACT:** For FY22, Congress must enact a spending deal that finally increases Title II-A's investment to its fully authorized level of \$2.295 billion.
- **POSITIVE STORY:** This important source of professional development funding helps my State/school district to meet our teachers and school leaders' professional learning needs, including helping them use technology to support student success, protect student data privacy, and more.
- **IMPACT IF NO FUNDING:** Without funding Title II-A at its fully authorized level, our nation's educators and school leaders will not have access to the professional learning opportunities they need to teach effectively online and better prepare the nation's students for success after graduation.

Homework Gap

Request: Support the passage of the Budget Reconciliation Bill that would provide \$7 billion to help close the homework gap through the E-Rate program.

Background: Even before the COVID-19 pandemic, the homework gap was experienced by up to 16 million K-12 students who couldn't finish their schoolwork from home because they lacked internet access or an appropriate computing device. COVID-19 has created a new reality; schools have physically closed their doors and moved classes online, leaving students without the Internet behind. The inequity among students experiencing the homework gap is stark.

According to Pew Research:

- 37% of rural Americans do not have broadband internet access at home
- 35% of students from households with annual incomes below \$30,000 do not have access to high-speed internet at home
- 25% of African-American households and 23% of Hispanic households with school-age children do not have access to high-speed internet at home

Since the pandemic began, some progress has been made on bridging the homework gap but much work remains to be done. According to Common Sense Media, “up to 12 million K–12 students remain under-connected going into 2021 due to limitations of poor broadband mapping data, current infrastructure and supply chains, insufficient marketing and adoption support, and inadequate funding.” This report estimates that permanently closing this gap will require between \$6 billion and \$11 billion in the first year and between \$4 billion and \$8 billion annually thereafter, to address affordability and adoption gaps. In addition, closing the digital divide for teachers will cost approximately \$1 billion in its first year.”

Solution: Direct funding for the homework gap through the E-Rate

The House Budget Reconciliation bill proposes to allocate \$7 billion for emergency educational connections and devices via the E-Rate program. Specifically, the bill would:

- Allow this funding to be disseminated to public and private schools and public libraries to purchase Internet access and connected devices (including hotspots, routers, modems and computers) for students, educators and library patrons who lack home Internet access, a connected device, or both.
- Schools and libraries would be reimbursed for 100% of the costs associated with the eligible services and equipment. The FCC, which would administer the program, is empowered to determine whether requests for discount are reasonable, thereby preventing gold-plated requests.
- This funding would flow to and be distributed via the existing E-Rate program, which would operate separate and apart from the existing E-Rate program.
- Schools and libraries would be eligible to purchase eligible services and equipment for the duration of the COVID-19 pandemic plus at least one year.

Why use the E-Rate?

- The FCC's E-Rate program is uniquely positioned, as the only federal program that supports schools and public libraries' with connectivity, to be used to quickly and efficiently address the homework gap.
- Having committed over \$54 billion in support to schools and libraries since its founding in 1998, the E-Rate can certainly handle processing promptly and efficiently the \$7 billion in homework gap funding, ensuring an equitable distribution.
- The FCC can quickly and easily make changes to help get appropriated emergency E-Rate funds out specifically for the homework gap to connect students to the internet while their school buildings are closed.
- The E-Rate operates under strong guardrails that ensure program integrity and that funds are accurately and appropriately disbursed.
- It is both efficient and expedient to move federal dollars through an already existing proven program; and it is much easier to use an existing program than "start from scratch" during an emergency.
- Schools and libraries know the E-Rate. Introducing a new program during this COVID-19 emergency saddles them with more bureaucracy and delay – the opposite of what is needed.



Pandemic Emergency Relief for Schools

Request: Support additional emergency relief for education, including providing funding for technology, connectivity, and necessary educator tools and resources, to ensure that state education agencies, school districts, and higher education institutions are equipped to support students during the pandemic.

Background: Helping families and communities address the COVID-19 pandemic is the Biden Administration's top 2021 priority and a major focus of work on Capitol Hill. Congress passed several pandemic response bills over the past two years. Two of the measures, the CARES Act (March 2020) and the Relief and Recovery Act (December 2020) provided billions of dollars to help states and school districts serve their students during the pandemic. The CARES Act and the Relief and Recovery Act use the same three-part structure to provide emergency education aid to the field: (1) the Governor's Emergency Education Relief fund; (2) the Elementary and Secondary Emergency Education Relief fund; and (3) the Higher Education Emergency Relief fund. Each of these three emergency programs permit recipients to use the funding for education technology and connectivity, while also supporting a wide array of other educational uses.

Our Position: Ensuring that states, schools, and postsecondary institutions are able to serve students during the special conditions created by the pandemic is paramount. This includes providing resources to collect and use data to promote learning recovery for students at risk of falling behind and to help all students stay on track for success after graduation. This goal can be accomplished by:

- Providing \$130 billion in additional dedicated emergency K-12 funding to schools and \$40 billion for postsecondary institutions through the flexible existing structures established by the CARES Act; the GEER, ESEER and HEER funds. Education technology, including broadband connectivity and devices, as well as educator professional development, must continue to be eligible uses of these vitally important emergency programs.
- Allocating between \$4 billion and \$12 billion in dedicated emergency funding to the Federal Communications Commission for the E-rate program to help schools connect students and teachers to high-capacity broadband and devices in their homes. All students must be able to participate in remote learning during the pandemic and beyond.



Student Data Privacy

Request: Support state and district efforts to protect student privacy by empowering teachers and school leaders. Support the use of relevant data to inform teaching, learning, and family engagement.

Background: In recent years, states passed well over a 100 new laws focused on promoting student data privacy while preserving the ability of school districts and states to use data effectively, including working with community and other partners to promote student achievement. These new state laws complement the protections provided by the Family Educational Rights and Privacy Act (FERPA), including the important regulatory improvements to FERPA adopted by the U.S. Department of Education in 2008 and 2011. Building educators' knowledge about how to meet these requirements and protect students' personally identifiable data is vitally important. The Department of Education's Privacy Technical Assistance Center (PTAC) serves as a powerful resource for schools, school districts, state education agencies and other entities required to comply with FERPA. PTAC's guidance materials, presentations, and other tools help the education community understand how to meet FERPA's requirements and adopt other best practices to protect student data.

Our Position: Protecting the privacy of student personally identifiable information and empowering teachers and other education professionals to effectively and responsibly use data to better serve their students go hand-in-hand. These goals can be accomplished by adhering to the following principles:

- Effective data use, including upholding best in class privacy protections, not only requires sound policies and practices, but also meaningful attention to building the privacy protection capacity of our school leaders, teachers, and other staff. We commend Congress for including language in the Every Student Succeeds Act (ESSA), which permits the use of ESSA Title II's professional development resources to help educators use data effectively, including better protecting student data privacy.
- Using technology to provide the right people, with the right data, at the right time is critical to effective decision-making at the classroom, school, district, and state levels. States and districts are working hard to ensure their data uses are supported and guided by well-designed strategies and practices to protect students. PTAC provides invaluable resources to support this work.
- Community based organizations, researchers, and private partners play an important role in supporting district efforts to meet every student's needs. Collaborating with partners, including appropriately and lawfully sharing student information with them to improve teaching and learning, and to support school and district decision-making, greatly enhances the ability to improve student outcomes and efficiently run school districts.
- While Congress considers privacy legislation, it should avoid overreaching in ways that might create unintended consequences for educationally appropriate data sharing, including avoiding prescriptions that disrupt appropriate private partnerships, research, evaluation, and other activities designed to support classroom education, district administration and related State policymaking or stifle innovative and effective web-based technology resources.
- Protecting student data is an ongoing process of continuous attention and improvement. Educators' data needs evolve, security threats are constantly changing, and professional development needs are ongoing. Congress should provide ongoing support that recognizes the complex and dynamic nature of this work, with resources, including training and technical support to help states and school districts build mature privacy programs that properly protect the privacy of student data.



The Student Support and Academic Enrichment (SSAE) Grant Program Title IV-A of ESSA

Request: Provide full funding for Title IV-A in FY22

Current Funding Level: \$1.22 billion

Authorization Level: \$1.6 billion

Background

The bipartisan Every Student Succeeds Act (ESSA) includes the flexible block grant known as the Student Support and Academic Enrichment (SSAE) grant program, or Title IV-A for short. The block grant is authorized at \$1.6 billion and funds activities in three broad areas:

1. Providing students with a well-rounded education (e.g., college and career counseling, STEM, music and arts, civics, IB/AP),
2. Supporting safe and healthy students (e.g., comprehensive school mental health, drug and violence prevention, training on trauma-informed practices, health and physical education); and
3. Supporting the effective use of technology (e.g., professional development, blended learning, and devices).

Distribution of Funds

Each state will receive an allocation based on the Title I funding formula. Using the same Title I formula, the states will then allocate funds to school districts. Any school district that receives a formula allocation above \$30,000 must conduct a needs assessment and then must expend 20 percent of its grant on safe and healthy school activities and 20 percent on activities to provide a well-rounded education. The remaining 60 percent of the allocation may be spent on all three priorities, including technology. However, there is a 15 percent cap on devices, equipment, software, and digital content. If a district receives an allocation below \$30,000, the law does not require a needs assessment or setting aside percentages for well-rounded and safe and healthy student programs. However, it must still direct the funds it receives toward activities in at least one of the three categories. The 15 percent technology purchase cap would continue to apply.

History of Appropriations

FY 2017: The SSAE grant program only received \$400 million in FY 2017. Funding this program at less than 25% of its authorized level in its first year presented serious implementation issues and many districts did not receive the statutory minimums under ESSA and some received no funding at all due to the extremely low funding level.

FY 2018-2021: Despite the President's request to eliminate the program four years in a row and the recognition that FY17 funding level was simply too low to allow the program to operate as intended under ESSA, Congress recognized the importance of this block grant and provided \$1.1 billion for Title IV-A in FY18, \$1.17 billion in FY19, \$1.21 in FY20, and \$1.22 billion in FY22. At these funding levels, many districts are receiving at least enough funds and have the flexibility to make meaningful investments in the program areas they need most based off of their needs assessments. Additionally, these funding levels obviate the need for a competitive option and allows the flexible block grant to operate as Congress intended, as a formula grant that benefits all districts equitably.

Talking Points

- **FUNDING IMPACT:** For FY22, we urge Congress to provide full funding for the Student Support and Academic Enrichment Grant program in order to give states and districts the flexibility to invest in the programs that they need most, including the effective use of technology.
- The SSAE grant program must continue to be sufficiently funded—consistent with the authorization level established by Congress—to adequately prepare teachers to effectively use technology for the advancement of student learning and updates to the nation’s education technology infrastructure.
- Technology serves as a powerful tool for promoting educational opportunities when it is used appropriately. The nation’s education technology infrastructure is insufficient in many parts of the country and distributed inequitably to meet schools’ growing needs, leaving many communities far behind their more affluent peers.
- As we raise expectations for what students need to know and be able to do for success, we must also set a higher bar for the nation’s technology infrastructure and related professional development required to enable its effective use for teaching and learning.
- **IMPACT OF NO FUNDING:** The absence of robust education technology and related professional development for teachers and school leaders, not only impacts instruction and decision making, but also jeopardizes implementation of foundational federal policies, such as using online assessments to support learning and promote accountability.