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Washington Office of Superintendent of
PUBLIC INSTRUCTION
Chris Reykdal, Superintendent

October 12, 2026

Federal Communications Commission
45L Street NE
Washington, DC 20554

Re: Comments to the Federal Communications Commission's Notice of Proposed
Rulemaking regarding the E-Rate Program

Dear Federal Communications Commission:

The Office of Superintendent of Public Instruction (OSPI), Washington state's primary K–12 education agency, appreciates the opportunity to submit comments in response to the Federal Communications Commission's (FCC) Notice of Proposed Rulemaking (NPRM) regarding the E-Rate Program.

Secure, robust, and reliable internet access, as well as access to the state's K-20 Education Network, is vital to Washington state's pre-K–12 education system. Broadband connectivity is essential for teaching and learning, online assessments, and critical school operations; E-Rate makes connectivity affordable. In funding years 2021–2025, Washington school districts and educational entities received approximately \$204 million in E-Rate discounts to fund broadband connectivity and network infrastructure. While rural and high-poverty districts receive some of the greatest benefits, *all* districts benefit from E-Rate and would face harmful consequences if the program were to be narrowed or eliminated.

About Washington's K-20 Statewide Education Network

In addition to the individual school and district E-Rate applications submitted each year, the State of Washington also submits consortium applications annually on behalf of the members of Washington's K-20 Education Network. The K-20 Education Network connects school districts, community and technical colleges, universities, libraries, and other educational entities to one another over a secure, statewide, education-only wide area network (WAN). This allows the educational community to work together to provide cross-sector remote learning opportunities,

as well as secure records retention management, training, and collaboration, regardless of geography.

Founded in 1996, one of the foundational principles of the K-20 Network was that all members of similar sizes would pay the same amount via an annual co-pay, regardless of their location in the state. With a combination of E-Rate funding and \$9 million annually in state-appropriated funds, OSPI has been able to maintain that model for over 25 years.

For E-Rate Funding Year 2025–26, Washington’s K-20 consortium applications included 268 of the state’s 295 public school districts, along with 5 tribal schools, 2 charter schools, the State School for the Blind, and the State School for the Deaf. By aggregating statewide demand and procuring services on behalf of these eligible entities, the state secured over 2.3 Terabits of connectivity for the K–12 members of the K-20 Education Network at a monthly pre-discount average of only \$0.32/Mbps. This is dramatically below the cost to serve individual districts if there was no state network.

Despite utilizing the consortium approach to drive down connectivity costs, Washington state still relies on millions of dollars in E-Rate funds to meet the connectivity needs of the state’s educational community. In E-Rate Funding Year 2026–27, Washington state’s funding requests to serve the entire state network total approximately \$6.87 million. In the absence of E-Rate funding, these costs would fall back on the state and/or individual school districts, who lack the financial capacity to absorb these additional expenses without impacting other critical educational priorities.

Specific Areas of Concern

In response to the questions posed in the Commission’s NPRM, OSPI would like to highlight a few areas of particular concern:

I. Re: Whether E-Rate has achieved its goals (NPRM Paragraphs 12–18)

The Commission seeks comment on whether the E-Rate program has achieved its core objective and whether the program should be limited or sunset (NPRM Paragraph 12). The 1996 Telecommunications Act directs the Commission to “enhance...access to advanced telecommunications and information services for...school classrooms” (47 U.S.C. § 254(h)(2)(A)). The Commission offers that virtually all schools report having broadband connectivity, suggesting that universal connectivity may have already been achieved. This argument mischaracterizes the nature of broadband connectivity.

Connectivity cannot be achieved at a single point in time and considered a fulfilled need. Connectivity is an ongoing need with ongoing costs, and access to connectivity depends on

affordability. A school only has access when it can afford connectivity, and the E-Rate program makes this possible. To narrow or discontinue the program will inevitably reverse its progress. Schools that rely on E-Rate support for broadband connectivity will be at risk of losing connectivity if the Commission removes affordability measures. The negative effects of reduced or terminated E-Rate support would likely impact small and high-poverty communities the most, widening the economic disparities that the program has helped to reduce.

Recommendation: Do not narrow, weaken, or eliminate E-Rate.

II. Re: Discount methodology and populations served (NPRM Paragraphs 25–27)

The Commission seeks comment on the E-Rate discount methodology and the populations served by the program (NPRM Paragraphs 25–27). Specifically, the Commission asks whether the use of National School Lunch Program (NSLP) eligibility in determining an applicant's discount remains an effective method for calculating support. NSLP serves as an effective proxy for economic need and should remain a primary factor in E-Rate discount methodology.

However, an opportunity exists to increase program efficiency while providing applicants with greater financial predictability: Implement a 5-year discount rate, with the option to adjust, to match the current 5-year Category Two (C2) budget cycle. Validating student enrollment numbers once at the start of the 5-year cycle—just as applicants currently do to lock in their pre-discount C2 budget—would streamline the process for both applicants and the Universal Service Administrative Company (USAC).

The Commission also seeks comment on whether E-Rate support should be limited to rural areas or areas served by a single provider (NPRM Paragraph 26). The Commission should continue to prioritize support to rural areas, but OSPI does not support any changes to eligibility for urban applicants or those with multiple providers in their communities. Suburban and urban communities do not all have universal access to affordable broadband. Based on the current discount matrix, *all* applicants with 50% or greater NSLP eligibility qualify for the same discount, regardless of their urban or rural designation. These discounts are based on the communities' ability to pay the non-discount portion of eligible expenses, not on their specific geographic designation. In Washington state, 72% of rural districts and 59% of urban districts have more than half of their student population eligible for NSLP. This is a true, accurate measure of each district's ability to pay for connectivity, far more than their urban or rural designation.

While rural districts contend with geographical limitations, urban and suburban districts face their own set of challenges including larger and more complex networks, faster wear on equipment because of use by larger student populations and the school staff that support them and increased aggregate monthly recurring costs.

The presence of multiple providers in an urban area does not automatically make broadband connectivity affordable. Removing E-Rate support for schools simply because multiple providers exist in the area ignores the district's actual financial ability to pay for services. This approach would redirect funding away from urban communities that contain large populations of students experiencing poverty. Additionally, even if an urban school district has multiple internet service providers to choose from, those providers do not maintain, replace, or manage the C2 equipment that makes connectivity possible within school buildings.

Recommendation: Preserve NSLP as a central factor in the E-Rate discount matrix, implement a 5-year discount rate, and do not restrict E-Rate support to only rural or single-provider communities.

III. Re: E-Rate and Educational Outcomes (NPRM Paragraph 28)

The Commission asks whether E-Rate should be evaluated based on educational outcomes (NPRM Paragraph 28). Imposing educational outcome metrics onto the E-Rate program misunderstands the program's purpose—to provide affordable access to technology infrastructure—and treats access to basic infrastructure as an incentive rather than a baseline requirement for schools. Stripping broadband resources from struggling schools undermines their operational capacity, making it more difficult to achieve performance metrics. This approach would create a punitive feedback loop and systematically harm the most vulnerable school districts. The Commission should not condition funding for technology infrastructure that is critical to school operations on how well students perform academically. Schools need the infrastructure in order to function.

Recommendation: Do not condition E-Rate support on educational outcomes.

IV. Re: Screen-Time (NPRM Paragraphs 29–32 and 49–52)

The NRPM's discussions about screen time reveal profound misunderstandings about what the E-Rate program actually funds: infrastructure, not end devices, such as computers and tablets. Connectivity is the backbone of modern schools, supporting everything from classroom learning and online assessments to safety systems, family communication, and daily operations.

Broadband connectivity supports:

- School safety mechanisms such as electronic door access and security cameras.
- Communications, including staff email, telephone services, intercom and emergency broadcast systems, and parent/teacher communication portals.
- Business functions, such as payroll and management of partnerships for food service and transportation.

- Building-wide environmental outputs such as heating, ventilation, and air conditioning (HVAC) controls.
- Student information systems that manage student attendance and enrollment data, schedules, gradebooks and transcripts, medical records, compliance reporting for federal and state funding, and emergency contact information for all students.
- Accessible educational materials and support services for students with disabilities, including real-time captioning, voice amplification systems, and braille technologies.

E-Rate funds support the infrastructure that makes all these functions possible. It is critical, operational processes like these that would be impacted most by limiting E-Rate. Whether, when, why, or how long a student's experience at school involves a screen is a separate issue entirely. Screen-time is an aspect of instructional policy that should be left to local school boards, educators, and families. The Commission should not condition E-Rate funding on screen-time policy—it has nothing to do with the Commission's directive.

Recommendation: E-Rate and screen-time are separate issues. Keep them separate.

V. Re: Program Support for Head Start and Pre-Kindergarten Schools (NPRM Paragraph 33)

The Commission seeks comment on whether Head Start and pre-kindergarten students should continue to receive E-Rate program support and whether schools should be required to cost-allocate and remove Head Start and pre-kindergarten students from their funding requests (NPRM Paragraph 33). We believe that it is important to maintain E-Rate eligibility as defined by each state. Cost-allocation based on the enrollment of students under age 5 is unlikely to address any of the screen-time concerns stated in the NPRM, but is likely to create additional funding deficits for many elementary schools where such early learning programs are located as well as increased administrative burden for school districts.

In pre-kindergarten classrooms, the use of broadband connectivity is not driven by the students. It is overwhelmingly utilized by teachers and staff for instructional and administrative purposes. These include, but are not limited to, lesson planning and delivery, developmental assessment and progress documentation, required state and federal reporting, parent communication, and classroom management systems. Excluding pre-kindergarten students from eligibility does not change any student's screen exposure; it simply removes support for the connectivity that educators rely on to serve pre-kindergarten populations.

Recommendation: Retain the current E-Rate eligibility standards for state-recognized Pre-Kindergarten, Early Childhood, and Head Start facilities.

VI. Re: Definition of an E-Rate “Consultant” (NPRM Paragraphs 57–58)

The Commission proposes to define an E-Rate “consultant” as “any non-employee working on behalf of a school, library, consortium...who assists the school, library, consortium...whether or not for a fee, with any aspect of participating in the E-Rate program, including, but not limited to, the application, competitive bidding, or disbursement processes” (NPRM Paragraph 57). The Commission seeks comment on this proposed definition and asks whether certain individuals should be excluded from the definition (NPRM Paragraph 58). OSPI proposes to exclude State E-Rate Coordinators, specifically designated by state agencies, from the definition of an E-Rate consultant.

Many state education agencies throughout the nation, including OSPI, designate State E-Rate Coordinators to assist eligible E-Rate applicants of that state with various aspects of participation in the E-Rate program. These State E-Rate Coordinators provide training and application assistance to district and consortia applicants, as well as directly supporting USAC with entity and discount validations. These Coordinators support the E-Rate Program as a whole, and do not charge for their services.

In Washington, the State E-Rate Coordinator is a non-employee contracted by OSPI and is not paid through contingency fees. The State E-Rate Coordinator provides training and application assistance to members of the state’s K-20 Education Network consortium as an included benefit of membership. This means that all K–12 members of the state network have access to hands-on support from a subject matter expert at no additional cost. To further ensure that there is no potential for conflicts of interest, or profit-driven advice, Washington’s State E-Rate Coordinator is specifically prohibited from charging for the assistance they provide to any E-Rate applicants in the state.

Given that E-Rate Coordinators’ work on behalf of the K–12 applicants throughout their states, this unique role should not be included in the Commission’s proposed definition of consultant.

Recommendation: Exclude State E-Rate Coordinators, designated by state agencies, from the definition of an E-Rate consultant.

VII. Re: Creation of a Consultant Registration Database (NPRM Paragraphs 64–69)

The Commission proposes the creation of a consultant registration database and seeks comment on specific types of consultant information that would be beneficial to collect and share publicly (NPRM Paragraph 68). Applicants could benefit from access to previous appeals and decisions involving consulting firms with whom they might consider working. Currently, there is no easy way to see if a consulting firm has a history of application errors or rule violations. If an applicant searches the FCC’s Electronic Comments Filing System (ECFS) to find

appeal or waiver filings, there is no easy way to find the Commission's decisions on these matters. The more easily applicants can find and review past practices of consultants, the more effectively they can make informed decisions if they opt to utilize the assistance of a consultant.

Recommendation: Provide full visibility into each consultant's track record of appeals and waivers to empower applicants to make informed decisions.

Washington's Office of Superintendent of Public Instruction supports the E-Rate program's role in making affordable, secure, and reliable connectivity available to schools and libraries. OSPI strongly opposes eliminating or narrowing E-Rate; access to connectivity depends on affordability, and the E-Rate program makes affordability possible.

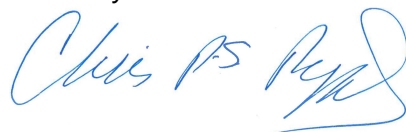
OSPI encourages the Commission to consider the following recommendations:

- Do not narrow, weaken, or eliminate E-Rate.
- Preserve NSLP as a central factor in the E-Rate discount matrix and implement a 5-year discount rate.
- Do not restrict E-Rate support to only rural or single-provider communities.
- Do not condition E-Rate support on educational outcomes.
- Do not condition E-Rate support on screen-time policies.
- Retain the current E-Rate eligibility standards for state-recognized pre-kindergarten and Head Start facilities.
- Exclude State E-Rate Coordinators, designated by state agencies, from the definition of an E-Rate consultant.
- Provide full visibility into each consultant's track record of appeals and waivers to empower applicants to make informed decisions.

OSPI urges the Commission to keep E-Rate focused on its core mission: Ensuring that every eligible school can afford the secure, reliable connectivity required to educate students, support staff, maintain safe and accessible learning environments, and operate effectively.

Our office is available should you have questions. Thank you for your consideration.

Sincerely,



Chris Reykdal
Superintendent of
Public Instruction