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Funding Status – FY 2021

Wave 11 for FY 2021 was released on Thursday, June 24th, for a total of \$72.3 million including \$7.54 million for 9 North Carolina applicants. Cumulative commitments are \$1.45 billion including \$53.9 million for North Carolina. Nationwide, USAC has now funded 80% of the FY 2021 applications representing 49% of the requested funding.

ECF Application Window Opens June 29

FCC Releases FAQs:

With the Emergency Connectivity Fund (“ECF”) application window for 2021-2022 opening this Tuesday, June 29th, the FCC released [FAQs](#) and held a webinar last week addressing some of the most common questions facing potential ECF applicants. As discussed in our [newsletter of June 21st](#), the most important issue concerned the definition of “unmet needs.” This definition is critical to understanding which students, staff, and library patrons are eligible for ECF-funded, off-campus, internet services and connected devices.

Note: The FCC’s FAQ is a multi-paged document. When viewing it online, be sure to use the arrows near the bottom of each page to move from one page to another.

We encourage applicants to carefully read the FCC’s FAQs — and check frequently for additions. The following four FAQs deal most specifically with “unmet needs:”

Q: How should applicants determine their unmet needs?

A: The FCC has not prescribed a specific way for applicants to go about estimating what they will need to address unmet needs.

In the case of schools, applicants should provide their best estimates about the number of students who did not have access to adequate connected devices, broadband connections, or both when the pandemic began; the number of students who do not currently have adequate access; and how the applicant expects those numbers to change with the requested ECF Program support.

While the FCC has not dictated specific data collection requirements for estimating the unmet for students, schools must describe how and when they collected the information that they use for the estimates provided in their responses.

There is no such data collection requirement for libraries to estimate the unmet need for library patrons. However, both schools and libraries must certify that they are seeking support for eligible equipment and/or services for students, school staff, and/or library patrons that would otherwise lack adequate access.

We encourage applicants to make their best efforts to estimate what they will need and apply for ECF funding in a timely manner, just as they do for the E-Rate Program.

Applicants may seek funding for only one fixed broadband connection per location and only one connected device and/or Wi-Fi hotspot per student, school staff member or library patron.

Q: Can an applicant receive ECF funding for a broadband connection to the home for a student that previously received support for that connection from another government program (such as CARES Act funding) that is no longer available?

A: ECF rules do not permit applicants to receive duplicative support for the portion of the services that have already been reimbursed through other federal or state programs. If a student's household is receiving support from, for example, the Emergency Broadband Benefit (EBB) Program for broadband internet access connectivity, the student would not be eligible for broadband connectivity under the ECF Program.

If the previous program funding is no longer available, and the student as a result lacks adequate access, the applicant may seek funding for providing broadband connectivity to that student.

Additionally, a student whose household is receiving broadband service through the EBB Program could receive a connected device through the ECF Program if they would otherwise lack such access.

Q: If a district-owned connected device was assigned to a student, but the device is no longer sufficient to engage in remote learning (for example, a three-year old laptop), can the district request ECF support for a new connected device?

A: Yes. If a device is no longer sufficient for a student to engage in remote learning, ECF support can be used to provide a new device. Applicants must certify on their funding application that they are only seeking support "for eligible equipment and/or services provided to students and school staff who would otherwise lack connected devices and/or broadband services sufficient to engage in remote learning."

Q: Can an applicant request funding for connected devices or Wi-Fi hotspots for all of its students as part of a 1:1 device initiative?

A: No. Applicants must certify, as part of their funding application, that they are only seeking support for eligible equipment and services provided to students and school staff who would otherwise lack access to connected devices or broadband services.

Defining, Surveying, and Documenting Unmet Needs – Part II:

Without a lot of initial guidance, our [newsletter of June 21st](#) began a discussion of how to define, survey, and document "unmet needs." What last week's FCC FAQs and webinar indicate to us is that the FCC will be reasonably flexible — at least during the application phase — in relying on applicant certifications of needs. The FCC clearly intends ECF to be an emergency connectivity program, not an optimal 1:1 connectivity program.

What also appears clear is that USAC and FCC reviews of applicant funding requests will occur in three stages: application review, invoice review, and post-disbursement review (i.e., audits). The focus of application reviews will be on the reasonableness of the costs and quantities of

services and equipment. Well-designed surveys need only estimate the number of students, staff, and patrons to be served during the initial 2021-2022 period. Actual purchases, when invoiced, however, should be trackable to specific individuals. This could mean that purchases of equipment may have to be staged. It appears that advanced purchases, if initially held in reserve, cannot be invoiced until equipment is ready for deployment or actually deployed.

To be audit-ready, should that need ultimately arise, we recommend that applicants seek certification of need from the individual beneficiaries of equipment and/or services. The ECF rules already require tangible certifications from library patrons. There is no reason that schools and school districts can't take a similar approach.

The [Emergency Connectivity Fund Program \(“ECF”\) Resources](#) section of the E-Rate Central website contains several forms that ECF applicants may find useful.

- The [ECF Household 2021-2022 Survey](#) can be used to survey student households to determine the “Unmet Needs” of students who will require new internet services or connected devices for the 2021-2022 school year. This survey may be used as the basis for estimating new student needs during first funding window. When signed, which should be required of any family receiving equipment or services, the form provides certification of actual need.
- The [ECF Household Retroactive Survey](#) can be used to survey and document the “Unmet Needs” for internet services and connected devices actually provided to students during the period March 1, 2020, to June 30, 2021. This will be useful if a second ECF application window is opened to cover retroactive expenditures. To the extent that internet services for these students will continue into the 2021-2022 school year, this survey will also support those ongoing needs.
- The [ECF Inventory Tracker](#) can be used to provide the detailed tracking of applicant-provided internet services and connected devices needed by individual students, school staff, or library patrons as required by ECF program rules.

A fourth form in the ECF Resources section, the [ECF Internet Availability Survey](#), can be used to determine and document instances in which internet services are not commercially-available from local ISPs. This can serve as documentation for special construction projects by ECF applicants.

E-Rate Updates and Reminders

Upcoming E-Rate Dates:

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| June 29 | Opening date for the initial application window of the Emergency Connectivity Fund (“ECF”). The 45-day window will close at 11:59 p.m. EDT on Friday, August 13 th . |
| July 2 | Form 486 deadline for FY 2020 covering funding committed in Wave 45. More generally, the Form 486 deadline is 120 days from the FCDL date or |

the service start date (typically July 1st), whichever is later. Upcoming Form 486 deadlines are:

Wave 46	07/09/2021
Wave 47	07/16/2021
Wave 48	07/26/2021

July 6 Due date for reply comments on Comcast’s FCC gift rule waiver request to provide its Lift Zone initiative to establish remote learning centers in seven selected library systems (see [Comcast waiver request](#) and FCC comment notice [DA 21-597](#)).

FCC Extends Special Construction Deadline:

With continued concerns regarding pandemic delays, the FCC extended the special construction service delivery deadline one additional year to June 30, 2022 for all FY 2019 and FY 2200 applicants with deadlines that expire on June 30, 2021 or during calendar year 2021 (see [DA 21-726](#)).

Interagency Coordination on Broadband Deployment:

The FCC, the U.S. Department of Agriculture (“USDA”), and the National Telecommunications and Information Administration (“NTIA”), announced an interagency agreement to share information about, and coordinate the distribution of, federal broadband deployment funds. In accordance with the *Broadband Interagency Coordination Act*, enacted as part of the Consolidated Appropriations Act of 2021, the agencies agreed to consult with one another and share information about the distribution of new funds from the FCC’s high-cost programs that support broadband buildout in rural areas, the USDA’s Rural Utilities Services grant and loan programs, and programs administered or coordinated by NTIA.

Although not specifically mentioned in the agreement, an interagency approach might also come into play should larger broadband funding be approved, as proposed, in the infrastructure bill currently before Congress.

USAC News Brief Dated June 25 – Three Topics

[USAC’s Schools and Libraries News Brief of June 25, 2021](#), covers the three topics discussed briefly below.

Update on the FY 2022 Form 470:

As discussed in our [newsletter of June 21st](#), the FY 2022 version of the Form 470 will be available in EPC later this week on July 1st. The News Brief describes the following format changes in the new version:

- Separate screens for Category One and Category Two service requests.
- Tiered guiding statements to assist users in their selections for service and function types.
- Alert messages and requirements for special circumstances related to certain function types.
- Save & Create Another Request, Save Request, and Cancel buttons added for entering service requests.
- Shortcut to create a related Basic Maintenance request under Internal Connections.
- Additional text added to Internal Connections drop-down options that include licenses and other associated options.

ECF Deployment in One Portal:

As of Tuesday, June 29, 2021, USAC plans to deploy a new ECF section to its One Portal platform. Applicants, who previously had access to EPC and/or the BEAR Form, will see a dashboard with multiple system options, including ECF, when they log in to One Portal.

Equipment Disposal and Transfer Reminders:

The News Brief reminds applicants that eligible products and services purchased with E-rate program discounts cannot be sold, resold, or transferred for money or any other thing of value, with the following exceptions:

- Effective January 1, 2011, applicants could dispose of, donate, or trade equipment five years after the date the equipment was installed.
- Applicants can transfer equipment to other eligible entities three years after the date the equipment was purchased.
- Applicants can transfer equipment to other eligible entities less than three years after the date the equipment was purchased if the location of the equipment is temporarily or permanently closed. These types of transfers must currently be reported to USAC on a Form 500.

With regard to transfers, USAC notes that the reporting requirement changes July 1st according to the following chart:

Date of Transfer	Timing of Transfer	Report Transfer on FCC Form 500?
Before July 1, 2021	Within three years of purchase date	Yes
" "	Three or more years after purchase date	No
On or after July 1, 2021	Within three years of purchase date	No
" "	Three or more years after purchase date	No

Newsletter information and disclaimer: This newsletter may contain unofficial information on prospective E-rate developments and/or may reflect E-Rate Central's own interpretations of E-rate practices and regulations. Such information is provided for planning and guidance purposes only. It is not meant, in any way, to supplant official announcements and instructions provided by USAC, the FCC, or NCDPI.

Additional North Carolina specific E-rate information is available through our Web site — <http://www.e-ratecentral.com/us/stateInformation.asp?state=NC>. Note that this site provides easy access to formatted North Carolina applicant E-rate histories via the Billed Entity Number ("BEN") search mechanism in the upper left-hand corner. Detailed information can be obtained by "drilling down" using the links for specific funding years and individual FRNs.

If you have received this newsletter from a colleague and you would like to receive your own copy of the North Carolina E-Rate Forum, send an email to join-ncerate@lists.dpi.state.nc.us. Please include your name, organization, telephone, and e-mail address.

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