

## EORC Meeting Minutes February 27, 2017

The meeting was called to order by Chairman Campbell at 9:00 am.

Present: Chris Campbell, Chairman; Will Goodman, Vice Chairman; Ryan Zimmerle, Dale Layne, Jim Doramus, Ann Joslin and Andy Mehl.

Absent: Scott Woolstenhulme

Others Present: Brady Kraft, Parana River Group; Michael Bartz, SDE; Mike Costa, SDE; Jo Ann Bujarski, SDE; Dylan Baker, Idaho Commission for Libraries.

The agenda was approved upon unanimous consent of the committee.

The minutes of October 28, 2016 were approved as amended by unanimous consent.

Ms. Joslin stated that none of the libraries are near the 1 Gigabits per second (Gbps) minimum standards for population areas larger than 50,000. If the libraries were getting less than twice the FCC target bandwidth and the cost was below the state aggregate, the appeal would be automatically approved. There are only two appeals, Mountain Home and West Bonner that need to be considered outside of this requirement.

Mr. Zimmerle made a motion to automatically approve the appeals of Burley Public Library, Valley of the Tetons Library District, and East Bonner Library District as their bandwidth was inside the guidelines for automatic approval. Mr. Mehl seconded, motion carried.

There was a discussion on the appeal of the Mountain Home Public Library. Ms. Joslin said the monthly cost is much lower than last year and there is a lot of use in the community of library internet services. The population numbers do not include the residents of Mountain Home AFB. Mr. Zimmerle moved to approve the Mountain Home district bandwidth and reimbursement. Mr. Mehl seconded, motion carried. Mr. Goodman abstained as Mountain Home is his residence.

There are two library buildings in the West Bonner Library District: one in Priest River and one in Blanchard. The costs have decreased substantially since last year. Mr. Doramus moved to approve the appeal of the West Bonner Library District. Mr. Goodman seconded, motion carried.

There was a discussion if Midvale had the wrong amount in their FCC Form 471. Mr. Mehl moved to approve the appeal of Midvale Library and Priest Lake Public Library to reimburse them for the costs not covered by E-Rate. Mr. Layne seconded, motion carried.

There was a discussion on a possible template to be provided for entities for use on appeals. Ms. Joslin offered to create that for the libraries. Mr. Goodman mentioned a short form for automatic appeals and a long form for the other appeals would be beneficial.

Ms. Joslin mentioned that the Idaho Commission for Libraries was not given any operational money for implementation of the reimbursement program. All of the money allocated to the

Library Commission is to be distributed to libraries. There are five out of a total of 61 library entities that fell outside of the standards metric.

Mr. Zimmerle asked how much of the money the Commission received has been allocated to be reimbursed versus what's been spent already. Ms. Joslin replied that an estimated \$140,000 of the \$180,000 appropriation would be spent in FY2017.

There have been some public records requests for contract information for school districts, which have been provided by the SDE. The Commission also responded to a public records request for libraries, their vendor(s), bandwidth, and monthly recurring charges.

There was a discussion on reimbursement levels for FY2017/2018 and if there should be an additional tier created for the population areas of 100-200 people. There may be a limited amount of devices in libraries, but people also bring their own devices. Ms. Joslin said the FY2018 request to JFAC related to the Idaho Commission for Libraries for this program is the same as the current appropriation. Chairman Campbell asked what happens if the amount to be paid out is more than the total appropriation. Does this cause the libraries to pay a percentage of what is requested rather than the total? Ms. Joslin said they could also request a supplemental appropriation in January of next year.

The larger city libraries in the state are getting their internet services through their cities and not using E-rate. If they chose to use E-rate, that could exhaust the appropriation to the Commission.

The current standards for reimbursement are 100 Megabits per second (Mbps) for a population area less than 50,000 and 1 Gbps for an area greater than 50,000.

Mr. Goodman moved to raise the cap for population areas under 50,000 to 200 Mbps rather than the current 100 Mbps. Ms. Joslin seconded. Mr. Layne asked what would happen if all of the money had been allocated. Mr. Goodman said the Library Commission would have to create a distribution formula for allocating the money rather than asking for a supplemental appropriation. FCC Form 471s are due before the budget year begins which would allow the Commission to determine if there will be a funding shortage. Mr. Layne said the libraries need to be aware they may not receive all of the money they requested. Mr. Doramus said that is the same situation as the Safe and Drug Free Schools funding. Motion carried.

Chairman Campbell updated the committee on State Department of Education staffing; the SDE is in the process of hiring a Security Coordinator.

Mr. Mehl made a motion for the SDE to ask the Hagerman School District if their second circuit is a failover circuit and if so, the request would be denied. Ms. Joslin seconded. Mr. Goodman said USAC only allows one circuit per entity. If the connections go to the same demarcation point, that does not count as a second line per USAC. Mr. Goodman asked if payments had already been made and Mr. Bartz said no payments had been made and it is a month-to-month payment; there is no contract involved.

Mr. Goodman made a motion to deny the FY2017 reimbursement for the Mountain View School District based upon a lack of good faith effort in applying for E-rate. Mr. Layne seconded. USAC put the district into a routine review process and no one responded by the deadline, which resulted in the district's E-rate application being denied. The district also did not appeal USAC's denial during the 60-day appeal window. The SDE also reached out to them and offered to help with their appeal to USAC but there was no response. Motion carried. The SDE will request the money back that had already been sent to them in the first quarter.

A decision on West Bonner School District was tabled at this time. West Bonner's cost for internet access and WAN are bundled together on the invoices and the SDE has asked for a cost breakout, but the internet provider and district has said these are not bundled services. The district has requested a reimbursement on the entire \$5,400 monthly cost.

Chairman Campbell discussed an update of legislation that would be of interest to members of this committee:

**S1034a** – this amends the statute for the Broadband Infrastructure Improvement Grant (BIIG). The FCC had an issue with one sentence in the original statute, which held up the approval of the state's matching program for broadband infrastructure special construction for schools and libraries. There is an emergency clause, which allows the legislation to go into effect as soon as it is signed into law.

**H186** – this amends the Education Opportunity Resource Act and allows the SDE to reimburse for WANs beginning in FY2018. It also gives the EORC the power to advise the SDE on wireless LANs for schools. There is \$2.7 million in the FY2017 budget for broadband reimbursements. The current estimate for the FY2017 broadband reimbursements is \$800,000. The estimated reimbursement for WANs would be approximately \$1.7 million, so the budget could stay the same for now. H186 gives the EORC the power to set a funding equalization formula between internet access and WANs if necessary. The state has had a high school wireless program since 2013. The current contract ends in July 2018. This committee is requested to comment on what they would like the next iteration of the wireless program to be.

Mr. Goodman made a motion to pay the non E-rate portion of \$4,000 for the West Bonner School District. Mr. Mehl seconded. The comment was made that E-rate will not allow bundling of services/costs. Motion carried.

Mr. Goodman made a motion to set the minimum amount of bandwidth for libraries at 4 Mbps for FY2018. Ms. Joslin seconded, motion carried.

Mr. Goodman made a motion that for FY2018, the minimum bandwidth for online schools will be 0.025 Mbps per average on-site user and the maximum will be 1 Mbps per average on-site user. Ms. Joslin seconded, motion carried.

There was a discussion of bandwidth utilization data and there is a concern with how much information the committee will be able to get from the vendors, schools, and libraries.

Ms. Joslin made a motion to adjourn the meeting at 2:00 pm.