

EORC Meeting Minutes September 19, 2016

Committee Members in Attendance: Chris Campbell, Will Goodman, Scott Woolstenhulme, Ryan Zimmerle, Ann Joslin, Dale Layne, Andy Mehl, Jim Doramus

The meeting was convened at 9 am and Deputy Superintendent Pete Koehler welcomed the committee.

Secretary Jo Ann Bujarski went over some Housekeeping items related to committee information.

There was Unanimous Consent to amend the agenda to review the statute creating the committee before the election of Chairman and Vice Chairman.

Chris Campbell discussed Title 33, Chapter 56-Education Opportunity Resource Act which created the committee and set forth the requirements of membership and the powers and duties of the committee.

IC § 33-5603(2) states “the committee shall elect a chairperson and a vice chairperson who shall each hold such position for two (2) year terms and may be reelected.

Will Goodman moved, seconded by Scott Woolstenhulme to elect Chris Campbell Chairperson. Motion carried.

Ann Joslin moved, seconded by Ryan Zimmerle to elect Will Goodman Vice Chairperson. Motion carried.

Todd Lawrence, E-rate Coordinator for the State Department of Education (SDE) gave a brief overview of the E-rate process, the different categories, forms and deadlines. FCC Forms Chart Information Attached.

Ann Joslin of the Idaho Libraries Commission spoke on her E-rate team. Ms. Joslin said there are 103 public libraries in the state, approximately ½ of which are independent taxing entities.

In FY 2017 the Idaho Libraries Commission received \$180,000 for bandwidth cost reimbursement to the libraries, no funds for operations. The first quarter reimbursements have been made already. Some city libraries are getting bandwidth through their cities so they are not applying for E-rate reimbursement.

Chairperson Campbell reviewed the 2017 budget overview for public schools. There is \$2.9 million in the budget, \$2.7 million for reimbursement to the schools and \$230,000 for operating expenses. In the past, this money was only for high schools that had a 12th grade, now it is available to all K-12 schools.

The Chairperson also announced that Todd Lawrence of the SDE is the State Educational Technology Directors Association (SETDA) incoming Board Chair. The FCC has adopted SETDA guidelines.

Brady Kraft, IT Manager of the Broadband Program, SDE, spoke on statistics related to broadband purchased which the SDE has compiled from 2015-2017. The presentation is attached.

There was a discussion on the definition of “in good faith” as used in the statute. There may be a case-by-case review of questionable applications to determine “good faith”.

Mr. Zimmerle asked if a school did not have a school lunch program, how would the E-rate discount be determined? Mr. Lawrence said an income survey to the households should be done. Even if few surveys are returned, a 1% free or reduced lunch rate still gives a school a 20% discount on E-rate.

If a school does not apply for E-rate because their monthly charges are very small, and it actually costs them more to hire someone to facilitate the application, are they still eligible for reimbursement through the state? The answer is no, because the statute specifically says they must apply for E-rate.

Scott Woolstenhulme moved that any district that asks for state reimbursement who did not apply for E-rate will be automatically denied and they may appeal to the EORC. Andy Mehl seconded, motion carried.

It was stated that Chapter 33, Section 5605 (1) (B) contains the process if a district is looking to expand their bandwidth.

There was a lunch break from 11:45-12:45.

Vice Chairperson Goodman led a discussion of recommendations for approval or review, including minimum and maximum bandwidth. The committee discussed the risks of over or under provisioning bandwidth. With a definition of the minimum bandwidth, the committee does not want the districts to under purchase services because they do not know what they could do with more bandwidth. The statute is based on procurement, not utilization.

Ms. Joslin made a motion to set the maximum bandwidth to the 2017 SETDA recommendations for the on-site schools. Dale Layne seconded, motion carried. The minimum would be different for virtual schools since their students are not on-site.

The libraries will be reimbursed for what they’ve already procured. The discussion on min/max rates for libraries was tabled until the next meeting.

There was a discussion on quality of services measurements, which can’t be changed this year.

Mr. Kraft said that historically the 95th percentile was used for usage data and a benchmarks of 75% of provisioned bandwidth to indicate that an increase in bandwidth may be required. Additionally, sustained peak usage of 80% is looked at as a second indicator.

Idaho Code § 5604(3) states:

Compile and analyze broadband utilization statistics from E-rate eligible entities to determine the levels of internet services necessary for such entities and report the statistics to the state department of education, and E-rate eligible entities shall cooperate with the committee in carrying out its duty to compile and analyze such information;

SDE will need to work with all vendors and districts to determine method of utilization. As of now, the broadband program will use the current utilization of bandwidth during school hours. If a school is on a four-day week, only those four days will be measured.

Vice Chairperson Goodman moved to accept the minimum of .025 Mbps/student, maximum of 1 Mbps/student and utilization benchmarks as presented. Mr. Zimmerle seconded, motion carried.

There was a discussion of resources currently available:

Mike Bartz of the SDE works on the reimbursement process with the schools.

Mike Costa of the SDE works on technical support.

Todd Lawrence provides regional training on E-Rate.

Ms. Joslin said the Commission can give guidance on E-rate, but not on the reimbursement process and has no resources available for technical support. Approximately 50% of the libraries filed for E-rate.

It was determined by the EORC that the initial appeals process for now would be to send a denial letter, then the denied entities can appeal first in writing, then in person to the EORC. The process will be the same for both denied entities and those entities who would like a mid-year upgrade in their bandwidth.

Future Topics Discussed:

- Utilization Information
- Security
- Procurement Laws
- Contract Guidance
- Assistance with Budget Recommendations
- Data Reporting Requirements
- Technical Guidance

The next meeting of the EORC was set for Friday, October 28, beginning at 9 am at the State Department of Education.

Vice Chairperson Goodman made the motion to adjourn.

The meeting was adjourned at 3:35 pm.