

Summer 2009 E-Rate Update

FY 2008 Status: Nearly all applications for FY 2008 have been decided. However the FCC has not yet made a final decision on 87% Priority 2 funding. No funding for P2 was available at 86% and below.

FY 2009 Status:

Priority 1 (telecom and internet): Applicants have been funded so far in waves 1 - 13. If you are one of those that hasn't been funded, don't worry, PIA reviews are continuing at a rapid pace.

Priority 2 Status (internal connections and basic maintenance): The USAC board just proposed to start Priority 2 funding for FY 2009 at 90% pending an expected FCC decision to roll-over unused funds from earlier years. I would expect 90% P2 funding to begin in August.

FY 2008 BEAR Reimbursements: FY 2008 ended on June 30, 2008 and so now is the time to submit the Form 472 -- BEAR -- to the SLD for services in which you paid 100% of the bill from July 1, 2008 - June 30, 2009. The deadline is October 28, 2008 but you don't want to wait until then because it may take longer to receive your reimbursement due to the rush of BEARs submitted at that time.

New SLD CIPA Compliance Reviews: Due to a number of audit findings involving CIPA compliance, the SLD has begun an intensive round of CIPA compliance reviews. Specifically, applicants are being required to show evidence related to filtering and their Internet Safety Policies, including documentation of the public hearing that was held before the Internet Safety Policy was adopted (which goes back to 2002). If you haven't done so already, you'll want to dig through your old records and find the meeting minutes proving that the Internet Safety Policy was on the agenda. Apparently, this is the biggest area of non-compliance.

New CIPA Amendment: In October 2008, Congress passed the "Protecting Children in the 21st Century Act," which contained a provision requiring schools' Internet Safety Policies to include "... educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response." This means that schools will be required to teach online safety to students as a prerequisite to receiving E-Rate funding. Although the law is more than nine months old, the FCC has not yet provided guidance on the specific requirements under the new law and has set no deadline for compliance (the law also did not set an effective date). But in the meantime, we do recommend that if you are currently writing or rewriting your Internet Safety Policy, be sure to include this new provision. In addition, you should be thinking about how you will actually implement the new law when it does become effective, if you aren't providing such online behavior education already.

Technology Plans: Don't forget that technology plans covering July 1, 2009 - June 30, 2010 were required to be approved by July 1, 2009. This can and will affect your funding. Double check the status of your tech plan.