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I. INTRODUCTION AND SUMMARY

Since the COVID-19 pandemic forced school buildings across the nation to close in March 2020 and the vast majority of public school students to begin learning online full-time, the National School Boards Association (NSBA) began aggressively calling on Congress and the Federal Communications Commission (Commission) to take action to help educators and the millions of students who lack the connectivity, devices, or both to adequately work remotely during the pandemic. This digital divide in education, commonly called the Homework Gap, is a major equity issue preventing many students from receiving the excellent education they deserve. It is a situation that has existed long before the school building shutdowns occurred, but the pandemic has shone a bright light on the expanse and depth of this problem.

for measures to help close the Homework Gap during the pandemic, NSBA recommended that any approved emergency funding run through the Schools and Libraries Program (E-Rate) and utilize the existing rules and procedures of E-Rate whenever feasible. While calling on Congress and the administration to take immediate action, NSBA also called on the Commission to use its authority to designate that since classrooms had moved from brick-and-mortar school buildings to fully online that any E-Rate unallocated funds could and should be used to be distributed to help alleviate the Homework Gap for the short-term emergency.

In December of 2020, NSBA released its transition recommendations for the incoming Biden/Harris Administration and called for immediate focus on closing the Homework Gap, both short-term during the pandemic, and in a sustained effort to close it long-term.¹ On January 26, 2021, NSBA joined a petition with the Schools, Health, & Libraries Broadband (SHLB) Coalition and seven other education groups (Petitioners) calling for the Commission to issue an expediated declaratory ruling and waivers allowing the use of E-Rate funds for remote learning during the emergency caused by the COVID-19 pandemic.² NSBA was pleased when the Commission called for public comments in reaction to the petition and others making similar requests. That was an important step to begin helping students impacted by the Homework Gap during the pandemic.

When the American Rescue Plan (ARP) become law on March 11, 2021, it was an important step forward for millions of public school students who are desperate to receive assistance to connect to the Internet like their peers to help them with their learning. The \$7.171 billion made