Guidance for Non-Usage of ECF-Funded Equipment and Services

Can You Seek Reimbursement if Hotspots/Internet Not Being Used?
Some schools have asked whether they can seek ECF reimbursements if their ECF-funded hotspots/internet access are not used in a particular month. The following is official and unofficial guidance to assist ECF recipients navigate this issue.

The FCC has provided two FAQs related to this issue as follows (underlines added):

ECF FAQ 9.12
   Q: What must applicants or service providers, who agree to invoice on behalf of applicants, do to be compliant with the non-usage certification?
   A: The Commission declined to adopt specific non-usage rules for the ECF Program. Instead, applicants and service providers are required to certify on the request for reimbursement that they are not willfully or knowingly requesting reimbursement for services and equipment that are not being used. While the ECF program only funds equipment and services that are in use, there may be certain circumstances (e.g., during a school's summer break, sick days) where the services would still be eligible for ECF support. ECF participants should take reasonable actions to monitor and track the usage of equipment and services that are purchased and used through the ECF program. For example, the Report and Order suggested that applicants could ask their service providers to provide monthly reports or other information on data use as one way to comply with the certification. ECF participants can take other reasonable steps, such as ensuring a hotspot device is activated. ECF participants should be prepared to explain what actions were taken, if asked how they complied with the non-usage certification during an audit or other post-commitment review.

ECF FAQ 9.12a
   Q: If a service provider discovers that funded equipment and/or services are not being used, should they automatically allocate those costs from their requests for reimbursement and bill the applicant directly for this non-usage?
   A: If a service provider determines that there is non-usage, we strongly encourage them to notify the school or library and provide a reasonable period of time (e.g., 30 days) to allow the school or library to reach out to the student, school staff member, or library patron to determine if the service is no longer needed. The ECF Program rules do not require the applicant and/or service provider to immediately remove the equipment/services provided to the student, school staff member, or library patron from their ECF requests for reimbursement, but {ECF rules"} do require that they take reasonable actions to monitor and track usage, which includes providing the school or library notice and time to first address the non-usage issue.

Julie Suggestions: If you have equipment or services that are not being used, I suggest taking (and documenting) the following actions in order to explain to USAC or an ECF auditor what steps you took to comply with the non-usage certification:

1) Send a reminder message to all students/faculty that have the hotspots stating that if they are not being used, they must be returned to the school.

2) If different students/faculty need the hotspots than who originally signed the Unmet Needs Certification, it's fine to transfer them but you must update your asset inventory to track where they are and when they were loaned. If no other students/faculty have unmet needs for the returned hotspots, you should terminate the service and do not invoice USAC for the remaining months.

3) The FAQs suggest that you can ask for usage reports to know when the hotspots aren't being used, but this isn't a requirement. If you're not tracking usage, at a minimum, be sure that the hotspot is activated as suggested in the FCC's FAQ.

4) Finally, don't forget that the hotspots can be used for completing homework when students/teachers don't have reliable internet (school buses, home, babysitter's house, etc.), not just when classes are occurring remotely. You may want to remind recipient families of this allowance.