



New York State School Boards Association

Better School Boards Lead to Better Student Performance

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December 13, 2017

Ajit Pai
Chairman, Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Ajit Pai,

On behalf of the New York State School Boards Association (NYSSBA), I am writing at this time to voice our opposition to proposed changes to current broadband service classification and urge the Federal Communications Commission to maintain vital protections to all citizens' and schools' equal access to online information by preserving net neutrality protections.

The 2015 reclassification of broadband service as subject to regulations under Title II of the Communications Act and Section 706 of the Telecommunications Act came after nearly a decade of addressing disputes involving telecommunications providers such as Comcast and Verizon blocking the delivery of lawful online content or discriminating against certain kinds of content providers. In November you said in a statement, "My view is that the internet should be run by engineers and entrepreneurs, not lawyers and bureaucrats." The net neutrality protections put in place were not done so government could "run" the internet; rather they were agreed to and voted on to protect people's equal access to information regardless of where they live.

In New York State, access to the internet is not evenly distributed. We have 1.1 million people in our state with access to only one wired provider, leaving them no options to switch if they find that provider's offerings to be less than desirable or too costly. As representatives of New York's public school districts, this is greatly troubling. With many of our school districts not having restored programs that were cut during the Recession, a multi-billion dollar deficit looming over New York, and proposed cuts to key education funding by the Federal government, we need your protection more than ever.

Access to online educational resources helps school districts save money while exposing them to the most innovative and effective practices. Without being promised protections from the Federal government, districts around our state will be vulnerable to the one or two internet service providers (ISPs) that control the online content they can access. These ISPs can choose to charge educational companies providing online resources to schools significantly more to deliver content, and those companies could in turn pass those costs off to schools. For the many regions in our state with no ISP competition, we fear these providers will prioritize online companies who can afford to pay more. For schools unable to afford the higher fees passed to them by smaller educational technology companies, innovation will stall. As a result, certain schools will have far superior access to information than others and widen the achievement gap even further than it is now. That is unacceptable.

We believe the government has a duty to protect its students. By abandoning current regulatory practices that ensure all people, students, and school districts have equal access to online content regardless of where they are living or learning, the United States is unequally providing its citizens opportunities to succeed in an increasingly competitive society.

For these reasons, NYSSBA strongly opposes changes to current broadband service classification. If you require any additional information, please do not hesitate to contact me at 518-783-0200.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy G. Kremer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy G. Kremer
Executive Director

cc: New York State Congressional Delegation
FCC Commissioner Mignon Clyburn
FCC Commissioner Michael O'Rielly
FCC Commissioner Brendan Carr
FCC Commissioner Jessica Rosenworcel