



NEW YORK STATE SENATOR

Shelley B. Mayer

Senate Education Committee Advances E-LEARN Act to Secure Free High-Quality Broadband for All Students & Schools During the COVID-19 Pandemic

SHELLEY B. MAYER March 2, 2021

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E-LEARN ACT

LET'S EXPAND ACCESS TO REMOTE LEARNING NOW

The E-LEARN Act Provides Free, High-Quality Broadband to Every Student and School in New York State During the COVID-19 Emergency

Sponsored by Senator Shelley B. Mayer

On Tuesday, March 2nd, the Senate Education Committee advanced Senator Shelley Mayer's bill, [S.3184](#), by a vote of 11 to 4. The E-LEARN Act, or E-Let's Expand Access to Remote Learning Now Act, secures free high-quality broadband internet for all students and schools during the COVID-19 pandemic.

Senator Mayer, Chair of the Senate Education Committee, **first introduced** the E-LEARN Act in November 2020 with the support of a number of education advocates including NYSUT, UFT, Big 5 School Districts, several chapters of the NAACP, the New York State PTAs and New York State Association of Small City School Districts (NYSASCSD), among others.

The E-LEARN Act is based on the premise that the digital divide which impedes remote learning threatens the state's ability to meet its Constitutional obligation to provide a "free common school" education. An assessment on the intrastate revenue of Telecommunications Service Providers (TSPs) provides the needed revenue to fund the program. The bill avoids federal preemption issues by assessing TSPs intrastate revenue (gross revenue within New York State) and does not include an interstate component. The bill prohibits passing on the cost of the program to consumers.

S.3184 allows schools/districts without broadband service to arrange for service at school buildings and for students at their place of residence, including homeless shelters and foster care institutions. Students aged 5-21 in public, private, charter, independent, approved private special education schools and those who are homeschooled are eligible for the E-LEARN program. Families with students that already have broadband at their residence will receive a reduction on their broadband costs equal to the per student assessment.

Senator Shelley B. Mayer said, "There is no excuse for our statewide failure to provide every child learning at home during COVID with access to quality broadband. The state has a constitutional duty to ensure every child has access to a free public education, which during COVID requires them to be connected to the virtual classroom during distance learning.

Beyond the pandemic, we know broadband access is necessary for students to do research, to do their homework, and participate in web-based platforms. High-quality home broadband access is no less necessary than pens and paper used to be. Thank you to my colleagues on the Senate Education Committee for advancing the E-LEARN Act.”

In September 2020, Senator Mayer authored [an OpEd](#) in the Albany Times Union urging action to help families affected by the digital divide and the lack of child care resources to make schooling work during the coronavirus pandemic.

Other legislation recently advanced by the Senate Education Committee:

- **S.392, Kaminsky:** An act to amend the education law, in relation to requiring nonpublic and private elementary and secondary schools to apply to the commissioner of education for criminal history record checks on prospective employees;
- **S.572, Mayer:** An act to amend the education law, in relation to special act school districts and special education;
- **S.1709, Gallivan:** An act to amend chapter 396 of the laws of 2012, amending the education law relating to services to out-of-state school districts by boards of cooperative educational services, in relation to making the provisions thereof permanent;
- **S.2687, Brooks:** An act to amend the education law, in relation to authorizing leases outside the boundaries of the school district;
- **S.4315, Hinchey:** An act to amend chapter 537 of the laws of 1976, relating to paid, free and reduced price breakfast for eligible pupils in certain school districts, in relation to purchases of food products from New York state farmers, growers, producers or processors;

- **S.4561, Hinchey:** An act to amend chapter 537 of the laws of 1976, relating to paid, free and reduced price breakfast for eligible pupils in certain school districts, in relation to reimbursement for certain lunch meals served during the declared COVID-19 state of emergency.

[Click here](#) to watch the March 2nd meeting of the Senate Education Committee.