



Tolleson Elementary School District No. 17

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CHILDREN'S INTERNET PROTECTION ACT ASSURANCE

CIPA was signed into law on December 21, 2000. To receive support for Internet Access, Internal Connections, and Basic Maintenance services from the universal service fund (USF), school and library authorities must certify that they are enforcing a policy of Internet safety that includes measures to block or filter Internet access for both minors and adults to certain visual depictions. The relevant authority with responsibility for administration of the eligible school or library (hereinafter known as the Administrative Authority) must certify the status of its compliance for the purpose of CIPA in order to receive USF support.

In general, school and library authorities must certify either that they have complied with the requirements of CIPA; that they are undertaking actions, including any necessary procurement procedures, to comply with the requirements of CIPA; or that CIPA does not apply to them because they are receiving discounts for telecommunications services only.

Requirements

CIPA requirements include the following three items:

1. Internet Safety Policy

Schools and libraries receiving universal service discounts are required to adopt and enforce an Internet safety policy that includes a technology protection measure that protects against access by adults and minors to visual depictions that are obscene, child pornography, or — with respect to use of computers with Internet access by minors — harmful to minors.

The Internet safety policy must address all of the following issues:

- Access by minors to inappropriate matter on the Internet and World Wide Web
- The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications
- Unauthorized access including "hacking" and other unlawful activities by minors online
- Unauthorized disclosure, use, and dissemination of personal information regarding minors
- Measures designed to restrict minors' access to materials harmful to minors

For schools, the policy must also include monitoring the online activities of minors. Note: beginning July 1, 2012, when schools certify their compliance with CIPA, they will also be certifying that their Internet safety policies have been updated to provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms, cyberbullying awareness, and response.

2. Technology Protection Measure

A technology protection measure is a specific technology that blocks or filters Internet access. The school or library must enforce the operation of the technology protection measure during the use of its computers with Internet access, although an administrator, supervisor, or other person authorized by the authority with responsibility for administration of the school or library may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

3. Public Notice and Hearing or Meeting

The authority with responsibility for administration of the school or library must provide reasonable public notice and hold at least one public hearing or meeting to address a proposed technology protection measure and Internet safety policy. (For private schools, "public" notice means notice to their appropriate constituent group.) Unless required by local or state rules, an additional public notice and a hearing or meeting is not necessary for amendments to Internet safety policies.

Certification for "Undertaking Actions"

Below is the appropriate certification that the Administrative Authority must make for "undertaking actions" from the Federal Communications Commission, FCC 01-120 Order, released on April 5, 2001:

<http://www.fcc.gov/guides/childrens-internet-protection-act>

"I certify that, as of the date of the start of discounted services, pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service represented in the Funding Request Number(s) on this FCC Form 486 is (are) undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA for the next funding year, but has (have) not completed all requirements of CIPA for this funding year."

Documentation for "Undertaking Actions"

For a school or library to be able to make the certification quoted above, it must be able to demonstrate that action was taken by the start of services. USAC will not request this documentation as part of the FCC Form 486 filing process but the school or library must maintain this documentation in its files for audit purposes.

An "undertaken action" is an action that can be documented and demonstrates that the school or library is taking steps to become compliant with the CIPA requirements. Note that if a school or library has already provided reasonable public notice and at least one public hearing or meeting relating to an Internet safety policy and technology protection measure that meets all the requirements listed above, that school or library has complied with the public notice and hearing or meeting requirements of CIPA. If a school or library has not met those conditions, the statute requires that the school or library provide the required notice and hearing or meeting.

Following are a few examples of documentation that could demonstrate that a school or library is "undertaking actions" to comply with CIPA:

- A published or circulated school or library board agenda with CIPA compliance cited as a topic
- A circulated staff meeting agenda with CIPA compliance cited as a topic
- A service provider quote requested and received by a recipient of service or Billed Entity which contains information on a technology protection measure
- A draft Request for Proposals or other procurement procedure to solicit bids for the purchase or provision of a technology protection measure
- An agenda or minutes from a meeting open to the public at which an Internet safety policy was discussed
- An agenda or minutes from a public or non-public meeting of a school or library board at which procurement issues relating to the acquisition of a technology protection measure were discussed
- A memo to an administrative authority of a school or library from a staff member outlining the CIPA issues not addressed by an Acceptable Use Policy currently in place
- A memo or report to an administrative authority of a school or library from a staff member describing research on available technology protection measures
- A memo or report to an administrative authority of a school or library from a staff member that discusses and analyzes Internet safety policies in effect at other schools and libraries