



## **TOPIC SHEET – CHILDREN’S INTERNET PROTECTION ACT (CIPA)**

E-rate rules require applicants who receive funds for Internet access, Internal Connections and Basic Maintenance of Internal Connections to comply with the Children’s Internet Protection Act (CIPA) and the Protecting Children in the 21<sup>st</sup> Century Act. Applicants who only apply for Telecommunication Services are not required to comply with either law.

CIPA covers two main topic points: your content filter (technology protection measure) and your Internet Safety Policy (aka Acceptable Use Policy). If you are audited for CIPA compliance, you must demonstrate the following for your filter and your AUP:

- Technology Protection Measure (Content Filter):
  1. Must block or filter access by adults and minors to visual depictions that are obscene, child pornography, or harmful to minors.
  2. Must be discussed at a public hearing (school board meeting).
  3. Can be turned off for adults engaged in bona fide research.
  
- Internet Safety Policy should apply to both minors and adults and must address the following issues:
  1. Access by minors to inappropriate material on the Internet.
  2. The safety and security of minors when using email, chatrooms and other forms of direct electronic communications.
  3. Unauthorized and unlawful activities by minors, including hacking.
  4. Unauthorized disclosure, use and dissemination of personal information regarding minors.
  5. Measures designed to restrict minors’ access to material harmful to minors.
  6. Education of minors about appropriate on-line behavior, including interacting with other individuals on social networking sites /chatrooms and cyberbullying and response.
  7. Must be approved at a public hearing (school board meeting).

The “education of minors” requirement came about after Congress passed the Protecting Children in the 21<sup>st</sup> Century Act. In November of 2012, the FCC clarified a few issues. **Comments from CRW about what we think these clarifications mean are in red and are not official FCC guidance.**

## **FCC CIPA GUIDANCE**

[http://transition.fcc.gov/Daily\\_Releases/Daily\\_Business/2012/db1114/DA-12-1836A1.pdf](http://transition.fcc.gov/Daily_Releases/Daily_Business/2012/db1114/DA-12-1836A1.pdf)

Q1: What should schools include in their Internet safety policies, and what documents should schools retain to demonstrate compliance with the requirement to educate minors about appropriate online behavior?

A: It is sufficient for a school's Internet safety policy to specify that the school educates its students about appropriate online behavior. A school is not required to provide details about the curriculum, trainings or other educational programs it has chosen in the Internet safety policy itself. Although the FCC does not require schools to specify curriculum in their Internet safety policies, they should keep records of the implementation of their chosen method(s) for educating minors about appropriate online behavior. For example, a school could maintain an annual list of the curriculum, trainings, or other programs provided to its students.

Translation from CRW: Your Acceptable Use Policy does not have to specify what curriculum you are using to educate your students about appropriate on-line behavior, but instead should state that you are educating them about appropriate on-line behavior, specifically about cyberbullying and social networking sites.

Q2: Are schools receiving E-rate discounts for Internet access and/or internal connections required to provide education about appropriate online behavior to their students every year?

A: The Protecting Children in the 21st Century Act requires a school to certify, as part of its Internet safety policy, that it "is educating minors about appropriate online behavior." Neither the statute nor the FCC's rules, however, specify how often a school must provide education regarding appropriate online behavior. While we do not read the statute to require annual trainings, curriculum or online behavior education programs, the phrase "is educating" in the statute suggests some form of regular training. Therefore, schools should determine how frequently they will provide educational programs or curriculum by evaluating local or community needs, and should retain documents demonstrating the frequency with which they provide their students with such programs or access to such curriculum. For example, a school might decide to provide training about appropriate online behavior to its students when they first start using the Internet and then every other year that follows.

Translation from CRW: You are not required to provide CIPA training every year (every other year is specifically allowable). However, you should retain evidence of such education/training. As part of your contract price, CRW will archive this information for you if it is sent to us.

Q3: Do schools need to ensure the education of every student in order to be able to certify they are educating minors about appropriate online behavior?

A: Schools should provide education about appropriate online behavior to their students who are actually accessing the Internet using E-rate covered services. Schools are not required to provide education about appropriate online behavior to very young students who are not yet using the Internet in school. Once schools identify the students that should receive education about appropriate online behavior, we expect schools to take reasonable steps to educate these minors. To the extent that a school has a way to record the students that have received training, it may want to retain such records. For example, if a school trains its students using an online education course, it can keep records of which students have taken the online training. Or, if a school educates its students about appropriate online behavior at a school assembly, the school could retain a record of the students in attendance that day. We recognize there may be situations, however, where it would be difficult to demonstrate that all of the students identified as needing the training have been trained, due to student absences or other variables. To the extent a school is aware that some students have missed the scheduled training, the school should take reasonable steps to provide make-up training or otherwise provide the relevant material to those students

Translation from CRW: Students who do not have internet access at school are not required to undergo CIPA training. Applicants should make a reasonable effort to ensure that the students that do have internet access are educated about appropriate on-line behavior.

Free CIPA resource, including CIPA-compliant lesson plans:

<http://www.common sense media.org/educators/erate>