

CIPA

(Children's Internet Protection Act)

Helping You Succeed

Schools and Libraries Division

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- CIPA requirements
 - Internet Safety Policy
 - Technology protection measure
 - Public notice and public hearing or meeting
- First, second, and third funding years
- Administrative authority
- Form 486 and Form 479
- Certification deadlines

What is CIPA?

- Children's Internet Protection Act was signed into law on December 21, 2000
 - Beginning with FY2001, CIPA sets certain requirements for E-rate recipients of service receiving funds for Internet Access, Internal Connections, and Basic Maintenance of Internal Connections
 - CIPA DOES NOT APPLY to Telecommunications Services

Internet Safety Policy

- Internet Safety Policy (ISP) must:
 - Address certain policy issues (next slide)
 - Be addressed at a public hearing or meeting for which reasonable notice is provided
 - Include a technology protection measure
 - (Schools only) Include monitoring of online activities of minors
- Be sure to retain a copy of your ISP

Internet Safety Policy

- **Policy issues that must be addressed:**
 - Access by minors to inappropriate material
 - Safety/security of minors when using e-mail, chat rooms, other 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

- Technology protection measure (filter)
 - Specific technology that blocks or filters Internet access
 - Must protect against access by adults and minors to visual depictions that are obscene, child pornography, or harmful to minors
 - Can be disabled for adults engaged in bona fide research or other lawful purposes
- Filter can be provided by a school or library, a district, a consortium, or a service provider
- Retain proof that the filter was in place and working

Public hearing or meeting

- Internet Safety Policy must be addressed at a public meeting or hearing
 - For private schools, “public” notice means notice to appropriate constituent group
- Retain documentation of public notice (newspaper ad, flyer, announcement in other publication)
- Retain documentation of hearing or meeting (board agenda, meeting minutes)

Public hearing or meeting

- Once you have satisfied this requirement, you do not have to hold a new public meeting or hearing **UNLESS**:
 - You cannot adequately document your original public notice and public meeting or hearing
 - Your Internet Safety Policy includes a provision for periodic approvals in a public meeting
 - You have made major changes in your Internet Safety Policy that require approval in a public meeting

Compliance timeline

- In your first funding year:
 - You must be working toward compliance with CIPA
- In your second funding year:
 - You must be in compliance with CIPA unless state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s)
- In your third funding year:
 - You must be in compliance with CIPA

First funding year

- Your first funding year for purposes of CIPA is the first funding year starting with FY2001 that:
 - You applied for and received funding for Internet Access, Internal Connections, or Basic Maintenance of Internal Connections AND
 - You successfully filed a Form 486
 - For members of a consortium, you filed a Form 479 with your consortium leader and your consortium leader reported your status by successfully filing a Form 486

Second/third funding years

- Your second funding year for purposes of CIPA is the year after your first funding year
 - If you do not apply for discounts – or only for discounts on Telecommunications Services in the year following your first funding year – that year is still your second funding year
- Your third funding year for purposes of CIPA is the year after your second funding year
 - You must be in compliance with CIPA

Administrative authority

- The administrative authority must make the certification of compliance with CIPA
- For a school, the administrative authority may be the relevant school, school board, local educational agency, or other authority with responsibility for administration of the school
- For a library, the administrative authority may be the relevant library, library board, or other authority with responsibility for administration of the library

- If the Billed Entity and the administrative authority are the same, the Billed Entity makes the CIPA certification on the Form 486, Item 11a, 11b, or 11c
 - (Item 11a) The recipient(s) of service have complied with the requirements of CIPA
 - (Item 11b) The recipient(s) of service are undertaking actions to comply with CIPA
 - (Item 11c) CIPA does not apply because the recipients of service are receiving discounts only for telecommunications services

Form 486

- If the Billed Entity and the administrative authority are not the same, the administrative authority makes the CIPA certification on the Form 479 and sends the Form 479 to the Billed Entity
- The Billed Entity then certifies on the Form 486 that:
 - (Item 11d) It has collected Forms 479 from all eligible consortium members or
 - (Item 11e) Only telecommunications services have been approved for discounts on behalf of eligible consortium members
- The Billed Entity also notes if any consortium members have requested a CIPA waiver (Items 11f and 11g)

Deadlines

- **Form 486 deadline:**
 - 120 days after the date of the Funding Commitment Decision Letter or 120 days after the service start date reported on the Form 486, whichever is later
 - Applicants that fail to certify a Form 486 by the deadline will receive a Form 486 Urgent Reminder Letter giving them an additional 20 days to submit and certify Form 486
- Recipients of service must be compliant with CIPA before they can receive discounts on services other than telecommunications services

Deadlines

- **Form 479 deadline:**
 - Consortium members must submit Form 479 to their consortium leader in time for the consortium leader to timely file the Form 486
 - Ask your consortium leader when you should submit Form 479

- **Note:** although the Form 479 specifies consortium members, there are other situations when a recipient of service files a Form 479
 - Example: a library's budget is part of its town's budget, and the city is the Billed Entity for the Form 471 and Form 486

Reminders

- Applicants must maintain documentation for five years after the last day to receive service
- Because CIPA applies for every funding year from FY2001 going forward, you must maintain proof of CIPA compliance on an ongoing basis
 - Proof of public notice of public meeting or hearing
 - Proof of public meeting or hearing
 - Copy of Internet Safety Policy
 - Documentation that the technology protection measure was in place during the funding year (maintenance logs, filtering logs, proof of purchase or description of filter from service provider)
 - For schools: documentation of monitoring the online activities of minors

Updates to CIPA

- Protecting Children in the 21st Century Act
 - FCC is working on a Notice of Proposed Rulemaking (NPRM) concerning the requirements in this act
 - After the NPRM is issued, there will be a specific period when interested parties can submit comments and also reply to comments already submitted
 - After the comments and reply comments have been reviewed, the FCC will issue an order
 - The order will contain information about any new requirements (rule changes) for program participants
 - Until then, CIPA requirements under the E-rate program remain unchanged



Questions?