

[Back](#) header header

June 22, 2012

**TIP OF THE WEEK: SCHOOLS: If you have not yet updated your Internet safety policy to be in compliance with the Protecting Children in the 21st Century Act (see below), be sure to do so before July 1, 2012.** Remember that an additional public notice and public hearing or meeting is not necessary for amendments to Internet safety policies unless required by state or local rules.

## Commitments for Funding Year 2011

**Funding Year 2011.** USAC will release FY2011 Wave 50 Funding Commitment Decision Letters (FCDLs) June 26. This wave includes commitments for approved Priority 2 (Internal Connections and Basic Maintenance) requests at 89% and above and denials at 80% and below. As of June 22, FY2011 commitments total over \$2.24 billion.

On the day the FCDLs are mailed, you can check to see if you have a commitment by using USAC's [Automated Search of Commitments](#) tool.

## Fall 2012 Applicant Training Sessions

The eight applicant training sessions scheduled for fall 2012 are filling up. We have started waiting lists for Washington DC, Los Angeles, and Dallas; the other sessions still have space available. To register with USAC for the training or to make a room reservation at a conference hotel, refer to the [Trainings and Outreach page](#) on the USAC website.

Registrations are on a first-come, first-served basis. Please register only for the session that you want to attend. You can [email USAC Training](#) with questions or to cancel your registration if your plans change.

## CIPA Reminders

In general, the Children's Internet Protection Act (CIPA) requires schools and libraries receiving discounts on Internet Access, Internal Connections, and/or Basic Maintenance of Internal Connections services to 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. We are providing the high-level summary of the requirements of CIPA below to assist applicants with both compliance and documentation.

### CIPA certifications (FCC Form 486 and FCC Form 479)

To receive discounted services, your school or library authority must certify that:

- You are in compliance with CIPA, or
- You are undertaking actions to comply with CIPA, or
- CIPA does not apply because you are receiving discounts for Telecommunications Services only.

The Administrative Authority for a school or library is the entity that must make the relevant certification for the purpose of CIPA. For a school, the Administrative Authority may be the school, school district, school board, local educational agency, or other authority with responsibility for administration of the school. For a library, the Administrative Authority may be the library, library board, or other authority with responsibility for administration of the library.

- If the Administrative Authority is also the Billed Entity, the Administrative Authority certifies on the [FCC Form 486](#), Receipt of Service Confirmation Form.
- If the Administrative Authority is not the Billed Entity, the Administrative Authority must complete [FCC Form 479](#), Certification of Administrative Authority to Billed Entity of Compliance with the Children's Internet Protection Act, **and submit the FCC Form 479 to the Billed Entity.** The

Billed Entity then certifies on the FCC Form 486 that it has collected duly completed and signed FCC Form(s) 479. The Billed Entity does not need to collect FCC Forms 479 when the Billed Entity applies only for telecommunications services.

**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.**

#### **- Internet safety policy**

Schools and libraries must have an Internet safety policy. For schools, the policy must include monitoring the online activities of minors. The policy must address 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 communication
- 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 material harmful to minors.

#### **- Technology protection measure (filter)**

Schools and libraries must have a technology protection measure. This is a specific technology, such as a filter, that blocks or filters certain Internet material. It must protect against access to child pornography, visual depictions that are obscene, or — when Internet access is used by minors — material that may be harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes.

#### **- Reasonable public notice and hearing or meeting**

The proposed Internet safety policy, including the technology protection measure, must be addressed at one public hearing or meeting for which you provide reasonable public notice. For private or parochial schools, the notice can be provided to the constituent community rather than the public at large.

#### **Timetable for compliance with CIPA**

Funding Year 2001 was the first year that CIPA became effective. For the purpose of CIPA, your First Funding Year is the first year on or after FY2001 in which ALL of the following events occur:

- You apply for funding for discounted services in the categories of Internet Access, Internal Connections, and/or Basic Maintenance of Internal Connections.
- USAC funds one or more of those funding requests – i.e., USAC makes a positive commitment on one or more of the FRNs associated with your funding requests.
- You successfully file an FCC Form 486 for one or more of the funded FRNs.

In your First Funding Year, you can be undertaking actions to comply with CIPA. If you are unfamiliar with CIPA or you want more information on this topic, refer to the "Documentation for 'Undertaking Actions'" section of the [CIPA guidance](#) on the USAC website.

Your Second Funding Year for the purpose of CIPA is always the funding year following your First Funding Year, even if you apply for Telecommunications Services only or if you don't apply at all. In general, you must be in compliance with CIPA at the beginning of your Second Funding Year. The only exception is if you are prevented from certifying compliance because state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification. In this case you can request a waiver for your Second Funding Year on FCC Form 486, Item 6b or 6c, or FCC Form 479, Item 6d or 6e. You cannot request a waiver simply because you aren't yet in compliance or for other reasons.

You must be in compliance with CIPA at the beginning of your Third Funding Year.

#### **Documentation**

You should keep documentation of your compliance with CIPA. Your documentation should demonstrate the following:

- **Evidence of a public notice and public hearing or meeting.** Examples of appropriate documentation include – but are not limited to – a newspaper announcement, an agenda referencing the hearing or meeting, or school or library board meeting minutes.

- **Existence of an Internet safety policy.** Your Internet safety policy shall be made available to the FCC, upon request from the FCC, by the Administrative Authority for purposes of the review of the Internet safety policy by the FCC. Note that your policy must address the five issues listed above and – for schools – include monitoring the online activities of minors and educating minors about appropriate online behavior (see above).
- **Evidence that a technology protection measure (filter) was in place and working.** Examples of appropriate documentation include – but are not limited to – an invoice from a service provider showing charges for Internet filtering services, a work order showing when the filter was installed and tested, or a regular system report or log showing websites or actions that were blocked.

For specific information and guidance on CIPA, refer to the [FCC Form 486 Instructions](#), the [FCC Form 479 Instructions](#), and the [CIPA guidance](#) on the USAC website.

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[Back](#)