



JANET T. MILLS  
GOVERNOR

MAINE STATE LIBRARY  
LMA BUILDING  
64 STATE HOUSE STATION  
AUGUSTA, MAINE 04333-0064

LORI FISHER  
STATE LIBRARIAN

April 10, 2023

Senator Joseph Rafferty, Chair  
Representative Michael Brennan, Chair  
Joint Standing Committee on Education and Cultural Affairs  
100 State House Station  
Augusta, Maine 04333-0100

Senator Rafferty, Representative Brennan, and members of the Joint Standing Committee on Education and Cultural Affairs;

As you consider the testimony and policy implications of **LD 1333, *An Act to Protect Children by Modernizing Internet and Digital Media Filtering Requirements for Education***, I thought it might be helpful to provide additional information about the current state of Internet filtering in schools served by the Maine School and Library Network Program (MSLN).

All but three (Hermon School Department; the Maine School of Science and Mathematics; and the Maine Virtual Academy, an online charter school) K-12 entities in Maine connect to the Internet through the MSLN. To be part of the service and receive the discounted rate through the federal e-rate program, each participating entity is subject to regulatory provisions of the federal Children's Internet Protection Act (CIPA).

Attached to this letter is guidance on CIPA compliance that NetworkMaine, a unit of the University of Maine system and operators of the MSLN Program, has provided to schools. Libraries follow a similar protocol but are not covered by the education components of the Internet Safety Policy that apply to schools.

NetworkMaine purchases licenses to provide Cisco Umbrella to all participating schools and libraries. Umbrella is an Internet content filtering technology that allows schools and libraries to locally manage their content filtering and cybersecurity rules as part of staying CIPA compliant and meeting all MSLN participation requirements. Umbrella has features that are already in alignment with LD1333. Each year, NetworkMaine collects a certification of compliance with



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the Children's Internet Protection Act (CIPA) from each participant by having them fill out and sign and FCC Form 479 (sample attached to this letter).

If any Committee member has further questions about what is already in place for the nearly all Maine schools related to Internet filtering, please reach out to me or to Jeff Letourneau, Executive Director of Maine School and Library Network ([jeffl@maine.edu](mailto:jeffl@maine.edu), 207-581-3507).

Sincerely,

A handwritten signature in blue ink that reads 'Lori Fisher'.

Lori Fisher, Maine State Librarian  
Maine State Library  
[lori.fisher@maine.gov](mailto:lori.fisher@maine.gov)  
207-287-5604

## CIPA Requirements for Schools

Schools that receive E-Rate funding or utilize services funded with E-Rate must comply with the Children's Internet Protection Act (CIPA) by filtering Internet services with a technology protection measure and implementing an Internet Safety Policy that was adopted at a public meeting. CIPA applies to the use of any device owned by a school regardless of whether the device is used on campus or off campus, and regardless of whether the device utilizes Internet access services provided by the school.

The following four elements are required to be considered CIPA compliant:

<b>Internet Filtering Technology Protection Measure</b>	
Requirement	A technology protection measure such as Internet filtering software
Description	A protection measure must be in place to block or filter Internet access by adults and minors to visual depictions that are obscene, child pornography, or harmful to minors (with respect to the use of computers with Internet access by minors). The filter must be applied to all computers, not just computers used by students. It can be temporarily disabled for adults engaged in bona fide research or other lawful purposes.
Acceptable Proof	<ul style="list-style-type: none"> <li>• An invoice and proof of payment for the purchase of filtering equipment or software</li> <li>• Filter logs and screenshots of filter settings</li> </ul>

<b>Internet Safety Policy</b>	
Requirement	A formal, written Internet Safety Policy (which also may be known as an Acceptable Use Policy)
Description	<p>The Internet Safety Policy must address the following issues:</p> <ul style="list-style-type: none"> <li>• Access by minors to inappropriate matter on the Internet and World Wide Web</li> <li>• The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications</li> <li>• Unauthorized access including "hacking" and other unlawful activities by minors online</li> <li>• Unauthorized disclosure, use, and dissemination of personal information regarding minors</li> <li>• Measures designed to restrict minors' access to materials harmful to minors</li> <li>• Measures to monitor the online activities of minors</li> <li>• Education for minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response</li> </ul>
Acceptable Proof	<ul style="list-style-type: none"> <li>• A copy of the approved Internet Safety Policy (with the adoption date listed on it)</li> <li>• Copies of each approved revision of the Internet Safety Policy (with the revision date listed)</li> </ul>

<b>Public Notice of a Meeting to Adopt the Policy</b>	
Requirement	Reasonable public notice that a meeting will be held to discuss and adopt the Internet Safety Policy
Description	The school or school district must provide reasonable public notice of a public meeting to adopt the Internet Safety Policy. For private schools, public notice means notice to their appropriate constituent group.
Acceptable Proof	<ul style="list-style-type: none"> <li>• A copy of a newspaper article, Facebook posting, or other notice that was posted to announce the meeting</li> <li>• A printout or screenshot of the school website or calendar announcing the meeting</li> </ul>

<b>Public Meeting to Adopt the Policy</b>	
Requirement	A public meeting to discuss and adopt the Internet Safety Policy
Description	The school board or the authority with responsibility for administration of the school must hold at least one public meeting to discuss and vote to adopt the Internet Safety Policy. For public schools, a meeting where public comment is permitted satisfies the requirement. If the policy is revised, a public meeting to approve the revision must be held.
Acceptable Proof	<ul style="list-style-type: none"> <li>• A copy of the agenda <u>and</u> approved minutes from the meeting where the Internet Safety Policy was adopted</li> <li>• A copy of the agenda <u>and</u> approved minutes from each meeting where the policy was revised</li> </ul>

***The proof of compliance documentation listed above must be retained for at least 10 years after the last day of the funding year in which the policy was relied upon to obtain E-Rate funding. In the event of an audit, failure to provide the documentation may result in the loss of continued E-Rate funding and/or obligate your school to reimburse the full costs for Internet services for any funding year in which your school was found to be non-compliant.***

**DO NOT SEND THIS FORM TO THE UNIVERSAL SERVICE ADMINISTRATIVE COMPANY  
 OR TO THE FEDERAL COMMUNICATIONS COMMISSION**

**Schools and Libraries Universal Service  
 Certification by Administrative Authority to Billed Entity of  
 Compliance with the Children's Internet Protection Act**

Please read instructions before completing.  
 (To be completed by the Administrative Authority and provided to your Billed Entity)

Administrative Authority's Form Identifier: \_\_\_\_\_  
 Create your own code to identify THIS FCC Form 479.

**Block 1: Administrative Authority Information**

1. Name of Administrative Authority	2. Funding Year
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3. Mailing Address and Contact Information for Administrative Authority  
 Street Address, P. O. Box or Route Number

City	State	Zip Code
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Name of Contact Person

Telephone Number	Fax Number	Email Address
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**Persons willfully making false statements on this form can be punished by fine or forfeiture, under the Communications Act, 47 U.S.C. Secs. 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. Sec. 1001.**

**Block 2: Certifications and Signature**

- I am the Administrative Authority for one or more schools or libraries for which Universal Service Support Mechanism discounts have been requested or approved for eligible services. The Administrative Authority must make the required certification(s) for the purposes of the Children's Internet Protection Act (CIPA) in order to receive discounted services.
- I recognize that I may be audited pursuant to this form and will retain for at least ten years (or whatever retention period is required by the rules in effect at the time of this certification) after the later of the last day of the applicable funding year or the service delivery deadline for the funding request any and all records that I rely upon to complete this form.

Name of Administrative Authority \_\_\_\_\_  
 Administrative Authority's Form Identifier \_\_\_\_\_  
 Contact Person \_\_\_\_\_  
 Telephone Number \_\_\_\_\_

**Block 2: Certifications and Signature (Continued)**

6. I certify that as of the date of the start of discounted services:
- a  the recipient(s) of service under my administrative authority and represented in the Funding Request Number(s) for which you have requested or received Funding Commitments has (have) complied with the requirements of the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l).
  - b  pursuant to the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), the recipient(s) of service under my administrative authority and represented in the Funding Request Number(s) for which you have requested or received Funding Commitments:  
 (FOR SCHOOLS and FOR LIBRARIES IN THE FIRST FUNDING YEAR FOR PURPOSES OF CIPA) 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.  
  
 (FOR FUNDING YEAR 2003 ONLY: FOR LIBRARIES IN THE SECOND OR THIRD FUNDING YEAR FOR PURPOSES OF CIPA) is (are) in compliance with the requirements of CIPA under 47 U.S.C. § 254(l) and undertaking such actions, including any necessary procurement procedures, to comply with the requirements of CIPA under 47 U.S.C. § 254(h) for the next funding year.
  - c  the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), does not apply because the recipient(s) of service under my administrative authority and represented in the Funding Request Number(s) for which you have requested or received Funding Commitments is (are) receiving discount services only for telecommunications services.

CIPA Waiver. Check the box below if you are requesting a waiver of CIPA requirements for the Second Funding Year after the recipients of service under your administrative authority have applied for discounts:

- d  I am providing notification that, as of the date of the start of discounted services, I am unable to make the certifications required by the Children's Internet Protection Act, as codified at 47 U.S.C. § 254(h) and (l), because my state or local procurement rules or regulations or competitive bidding requirements prevent the making of the certification(s) otherwise required. I certify that the recipient(s) of service under my administrative authority and represented in the Funding Request Number(s) for which you have requested or received Funding Commitments will be brought into compliance with the CIPA requirements before the start of the Third Funding Year in which they apply for discounts.

(CIPA WAIVER FOR LIBRARIES FOR FUNDING YEAR 2004. Check the box above if you are requesting this waiver of CIPA requirements for Funding Year 2004 for the library(ies) under your administrative authority that has (have) applied for discounts for Funding Year 2004. By checking this box, you are certifying that the library(ies) represented in the Funding Request Number(s) on this FCC Form 479 will be brought into compliance with the CIPA requirements before the start of the Funding Year 2005.)

**The certification language above is not intended to fully set forth or explain all the requirements of the statute.**

7. Signature of authorized person	8. Date
9. Printed name of authorized person	
10. Title or position of authorized person	
11. Telephone number of authorized person	

**FCC NOTICE FOR INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT**

Part 54 of the Commission's Rules authorizes the FCC to collect the information on this form. Failure to provide all requested information will delay the processing of the application or result in the application being returned without action. Information requested by this form will be available for public inspection. Your response is required to obtain the requested authorization.

The public reporting for this collection of information is estimated to be 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the required data, and completing and reviewing the collection of information. If you have any comments on this burden estimate, or how we can improve the collection and reduce the burden it causes you, please write to the Federal Communications Commission, AMD-PER, Paperwork Reduction Act Project (3060-0853), Washington, DC 20554. We will also accept your comments regarding the Paperwork Reduction Act aspects of this collection via the Internet if you send them to PRA@fcc.gov. PLEASE DO NOT SEND YOUR RESPONSE TO THIS FORM TO THIS ADDRESS.

Remember - You are not required to respond to a collection of information sponsored by the Federal government, and the government may not conduct or sponsor this collection, unless it displays a currently valid OMB control number or if we fail to provide you with this notice. This collection has been assigned an OMB control number of 3060-0853.

**THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, PUBLIC LAW 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3) AND THE PAPERWORK REDUCTION ACT OF 1995, PUBLIC LAW 104-13, OCTOBER 1, 1995, 44 U.S.C. SECTION 3507.**

**A paper copy of this form, with a signature in Block 2, Item 7, must be mailed or delivered to your Billed Entity.**