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A BILL to amend and reenact §§ 22.1-70.2 and 42.1-36.1 of the Code of Virginia, relating to reporting of violations of certain acceptable Internet use policies.

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Patron—Brink

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Referred to Committee on Education

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Be it enacted by the General Assembly of Virginia:
1. That §§ 22.1-70.2 and 42.1-36.1 of the Code of Virginia are amended and reenacted as follows:
§ 22.1-70.2. Acceptable Internet use policies for public and private schools.
A. Every two years, each division superintendent shall file with the Superintendent of Public Instruction an acceptable use policy, approved by the local school board, for the international network of computer systems commonly known as the Internet. At a minimum, the policy shall contain provisions that (i) are designed to prohibit use by division employees and students of the division's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet; (ii) seek to prevent access by students to material that the school division deems to be harmful to juveniles as defined in § 18.2-390; (iii) select a technology for the division's computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1 and obscenity as defined in § 18.2-372; and (iv) establish appropriate measures to be taken against persons who violate the policy. The policy may include such other terms, conditions, and requirements as deemed appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses among elementary, middle, and high school students.
In biennially filing such policy, the superintendent shall include a report, in a form prescribed by the Superintendent of Public Instruction, detailing all incidents in violation of such policies occurring in the biennium.
B. The superintendent shall take such steps as he deems appropriate to implement and enforce the division's policy.
C. On or before December 1, 2000, and biennially thereafter, the Superintendent of Public Instruction shall submit a report to the Chairmen of the House Committee on Education, the House Committee on Science and Technology, and the Senate Committee on Education and Health ~~which~~*that (i)* summarizes the acceptable use policies filed with the Superintendent pursuant to this section and the status thereof *and (ii) compiles and describes all incidents in violation of such policies reported by local division superintendents pursuant to subsection A.*
D. In addition to the foregoing requirements regarding public school Internet use policies, the principal or other chief administrator of any private school that satisfies the compulsory school attendance law pursuant to § 22.1-254 and accepts federal funds for Internet access shall select a technology for its computers having Internet access to filter or block Internet access through such computers to child pornography as set out in § 18.2-374.1:1 and obscenity as defined in § 18.2-372.
§ 42.1-36.1. Power and duty of library boards and certain governing bodies regarding acceptable Internet use policies.
A. On or before December 1, 1999, and biennially thereafter, (i) every library board established pursuant to § 42.1-35 or (ii) the governing body of any county, city, or town which, pursuant to § 42.1-36, has not established a library board pursuant to § 42.1-35, shall file with the Librarian of Virginia an acceptable use policy for the international network of computer systems commonly known as the Internet. At a minimum, the policy shall contain provisions which (i) are designed to prohibit use by library employees and patrons of the library's computer equipment and communications services for sending, receiving, viewing, or downloading illegal material via the Internet, (ii) seek to prevent access by library patrons under the age of eighteen to material which is harmful to juveniles, and (iii) establish appropriate measures to be taken against persons who violate the policy. The library board or the governing body may include such other terms, conditions, and requirements in the library's policy as it deems appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses between elementary, middle, and high school students.
In biennially filing such policy, each such library board and governing body shall include a report, in a form prescribed by the Librarian of Virginia, detailing all incidents in violation of such policies occurring in the reported biennium.
B. The library board or the governing body shall take such steps as it deems appropriate to

59 implement and enforce the library's policy which may include, but are not limited to, (i) the use of
60 software programs designed to block access by (a) library employees and patrons to illegal material or
61 (b) library patrons under the age of eighteen to material which is harmful to juveniles or (c) both; (ii)
62 charging library employees to casually monitor patrons' Internet use; or (iii) installing privacy screens on
63 computers which access the Internet.
64   C. On or before December 1, 2000, and biennially thereafter, the Librarian of Virginia shall submit a
65 report to the Chairmen of the House Committee on Education, the House Committee on Science and
66 Technology, and the Senate Committee on Education and Health ~~which~~*that (i)* summarizes the
67 acceptable use policies filed with the Librarian pursuant to this section and the status thereof *and (ii)*
68 *compiles and describes all incidents in violation of such policies reported by library boards and*
69 *governing bodies pursuant to subsection A.*