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## HOUSE BILL NO. 1043

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Science and Technology  
on December 12, 1998)

(Patron Prior to Substitute—Delegate Jackson)

A *BILL to amend the Code of Virginia by adding in Chapter 6 of Title 22.1 a section numbered 22.1-70.2 and by adding a section numbered 42.1-36.1, relating to acceptable Internet use policies in Virginia's public schools and libraries.*

**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Chapter 6 of Title 22.1 a section numbered 22.1-70.2 and by adding a section numbered 42.1-36.1 as follows:**

§ 22.1-70.2. *Power and duty of superintendent regarding acceptable Internet use policies.*

A. *On or before December 1, 1999, and biennially thereafter, every division superintendent shall file with the Superintendent of Public Instruction 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 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 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 superintendent may include such other terms, conditions, and requirements in the division's policy as he deems appropriate, such as requiring written parental authorization for Internet use by juveniles or differentiating acceptable uses between elementary, middle, and high school students.*

B. *The superintendent shall take such steps as he deems appropriate to implement and enforce the division's policy, which may include, but are not limited to, the use of software programs designed to block access by (i) division employees and students to illegal material or (ii) students under the age of eighteen to material which is harmful to juveniles or (iii) both.*

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 summarizes the acceptable use policies filed with the Superintendent pursuant to this section and the status thereof.*

§ 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.*

B. *The library board or the governing body shall take such steps as it deems appropriate to implement and enforce the library's policy which may include, but are not limited to, (i) the use of software programs designed to block access by (a) library employees and patrons to illegal material or (b) library patrons under the age of eighteen to material which is harmful to juveniles or (c) both; (ii) charging library employees to casually monitor patrons' Internet use; or (iii) installing privacy screens on computers which access the Internet.*

C. *On or before December 1, 2000, and biennially thereafter, the Librarian of Virginia 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 summarizes the acceptable use policies filed with the Librarian pursuant to this section and the status thereof.*