

Compliance with the Children's Internet Protection Act (CIPA)

OVERVIEW

This overview is intended to inform applicants for Library Services and Technology Act (LSTA) grants how to comply with the Children's Internet Protection Act (CIPA). Each grant applicant must consider its project in relation to CIPA. The following will help you identify your circumstances and any action needed.

GUIDANCE FROM IMLS

The Institute of Museum and Library Services (IMLS) has issued revised guidance and instructions to state libraries and local grant recipients for complying with CIPA. As many of you are aware, the Supreme Court decided in June 2003 that **public libraries** are now subject to the provisions of CIPA. (**Public elementary and secondary school libraries** began to be covered starting in 2002/03.) **Consortia or other group applicants** for LSTA funds (such as CLSA systems) must also comply if they have a grant involving constituent libraries to which CIPA conditions apply.

The State Library is responsible for assuring the Federal Government that no LSTA funds will be made available for public libraries and public elementary and secondary school libraries, in the case where they do not receive E-Rate discounts but do receive an LSTA grant to purchase computers to access the Internet or pay for direct costs of accessing the Internet.

Compliance is not needed for other uses of LSTA funds.

APPLICABILITY AND TIME FRAME OF CIPA

The IMLS guidance requires compliance with CIPA by libraries when applying LSTA funds from the State Library. Special instructions apply to school libraries applying for LSTA and to public library applicants that may be involved as partners in a project with schools. Other types of libraries such as academic libraries are not affected by CIPA unless they are the applicants in a project with a partner public or school library subject to CIPA.

WHO SHOULD CERTIFY

If the applicant library is:

If a group of libraries are applying as partners on a project, they are considered a consortium.

- ★ If the applicant library is a **public library or public school library**: To be eligible to receive LSTA funds a public library or public school library affected by CIPA must certify to the Illinois State Library that it has an Internet safety policy and a technology protection measure (filter) in place, or that it is not using LSTA funds to purchase computers used to access the Internet or to pay for direct costs associated with accessing the Internet.
- ★ If the applicant library is an **academic library, special library or private library**, and is not a partner with a library subject to CIPA in an LSTA grant, the applicant library is exempt from CIPA.

**FY09 LIBRARY SERVICES AND TECHNOLOGY ACT
SECRETARY OF STATE * ILLINOIS STATE LIBRARY**

HOW TO CERTIFY

Establish eligibility for LSTA funding by completing the "INTERNET SAFETY CERTIFICATION FOR APPLICANTS APPLYING FOR ... LSTA FUNDS."

Attach the certification form to the application.

- ★ If an applicant **consortium**, or an applicant library acting as a "consortium," conducts a grant project in partnership with a library subject to CIPA, both the consortium and participating member public libraries, public elementary school libraries, and public secondary school libraries must certify.
- ★ A consortium applying for LSTA funds that is affected by CIPA provisions must in turn collect and maintain on file a CIPA certification form for each public library, public elementary school library, or public secondary school library members subject to CIPA. If one or more affected libraries in a consortium is not in compliance with CIPA, any member libraries in the same consortium who are compliant can still get E-Rate discounts and/or LSTA funds.

CONSEQUENCE OF NOT CERTIFYING

Certification regarding CIPA is a condition of acceptance of an LSTA grant, to remove any uncertainty and to ensure that the State Library itself is in compliance. If your library is covered by CIPA but you decline to certify, you are not authorized to submit your grant application. Your library will be declared ineligible for LSTA funding until such time as it does certify compliance.

As part of the state-level certification process, the State Library in turn re-certifies to IMLS on behalf of the state.

ACTION NEEDED? WHEN IS CERTIFICATION DUE?

All applicant libraries to which these instructions apply must return a copy of the certification, filled out and signed, to the State Library along with their LSTA application by the date specified by the State Library.

Libraries applying for more than one grant must submit a separate CIPA certification for each grant when applicable.

FOR MORE INFORMATION ABOUT CIPA AND FILTERING

<http://il.webjunction.org/do/Navigation?category=496>

<http://www.imls.gov/about/cipa.shtm#top>