



February 18, 2010

In regard to:

Notice of Proposed Rulemaking (NPRM); FCC 09-96; November 4, 2009

Schools and Libraries Universal Service Support Mechanism
CC Docket No. 02-6

Tech Ed Services, Inc., is an educational technology corporation who provides E-rate consulting, professional development and technology planning services in multiple states for county library systems, school districts and county offices of education. Many of our clients have been seeking guidance on how to comply with the Internet safety education requirements of the Protecting Children in the 21st Century Act.

The NPRM proposes revising the FCC's rules regarding the E-rate program to comply with this legislation. Proposed rule 54.520(c)(1)(i) regarding certifications states that a school district's adopted "Internet safety policy must also include monitoring the online activities of minors and must educate minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response."

Phrased in this way, this rule would require that the Internet safety policy, a document, must itself educate minors about appropriate online behavior.

A quick Internet search of recently-revised school district Internet safety policies around the country shows that many districts have interpreted the original legislation to mean that they should revise their Internet safety policies to include a statement along the lines of, "XYZ School District will provide age-appropriate instruction to minors about appropriate online behavior ..." etc., and that they should begin to provide that instruction.

However, the proposed rule, as written, states that the "Internet safety policy ... must educate minors." This implies that the Internet safety policy document itself must include some sort of educational content in regard to appropriate online behavior, including specifics such as cyberbullying awareness and response. Examples might be a list of Digital Citizenship Do's and Don'ts, Codes of Conduct relevant to several age levels, and definitions of cyberbullying with instructions on steps to take when one encounters it.

In addition, since instruction beyond what is in the Internet safety policy is not mentioned, it could be inferred that no additional educating of minors in regard to appropriate online behavior would be required, beyond distribution of the Internet safety policy to students and parents. Is this the intent of the FCC?

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If it is **not** the intent, then might the proposed rule be revised to state more clearly the true intent. For example: “This Internet safety policy must also include monitoring the online activities of minors and must provide for educating minors about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.”

If it **is** the intent of the FCC that the Internet safety policy must itself contain educational material, and/or that this would suffice to comply with the Protecting Children in the 21st Century Act, we suggest that some clarifying statement be issued, as it is clear that many school districts have not been interpreting the intent of the original legislation in this way, even after the issuance of the NPRM.

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