

**Ohio Library Council
Children's Internet Protection Act (CIPA)**

HOW TO CERTIFY COMPLIANCE WITH CIPA

The Universal Service ("E-rate") Discount Program

Libraries That Apply Themselves

Libraries that apply for E-rate discounts for Internet Access must certify compliance annually. Libraries do not have to certify compliance when applying for the discount on plain-old-telephone service or on "Telecommunications" which means circuit costs (including T1 and 56K data circuits, and voice telephone). They have to certify only when applying for the discount on specifically Internet Access. In Ohio, OPLIN provides and pays for most of the actual Internet Costs and libraries generally would not be applying for E-rate for Internet Access. OPLIN also applies for Internal Connections but *only* for those parts of the Wide Area Network on OPLIN's side of the router.

Those that do apply for the Internet Access discount on E-rate certify CIPA compliance on FCC Form 486, *Receipt of Service Confirmation Form*. The form cannot be filed until the library receives a Funding Commitment Decision Letter (FCDL). It must be filed within 120 days after the receipt of the FCDL or 120 days after the start of service, (that is the service for which the discount is requested, generally July 1 of the funding year) whichever is later, in order to receive service retroactively to the serviced start date. The FCDL comes sometime after you have submitted Form 471, which in 2004 is must be filed by February 4. Certifications means that you *will be* compliant by the service start date of July 1, 2004.

OPLIN Requirements

OPLIN applies for E-rate discounts on services it provides to all Ohio libraries. It uses the funds to maintain, repair and upgrade the network as needed, not for paying the monthly service fees. It applies for Telecommunications on behalf of all libraries receiving T1 or DS3 connections, as well as on the router diagnostic lines. It applies for the discount on Internet Access *only* on behalf of the libraries that certify CIPA compliance.

For its part OPLIN must certify on its own Form 486 that all those libraries who receive the Internet Access services for which it requests a discount are CIPA compliant. In order to do so it must keep on file a copy of FCC Form 479 for every library. Because it applies for Telecommunications discounts for all libraries, all libraries must return the forms. Libraries have two choices. They may check:

- 6a to indicate that they are CIPA compliant. OPLIN will apply for both Telecommunications and Internet Access for those libraries
- 6c to indicate that CIPA does not apply because they are receiving the discount for Telecommunications only. OPLIN will only apply for discount on Telecommunications for services to those libraries.

OPLIN must have Form 479 on file for every library before it begins its paperwork process annually. For the service year beginning July 1, 2004 it must have the forms by November 30, 2003.

Forms can be found at <http://www.sl.universalservice.org/form/default.asp#applicants>.

LSTA Grant Program

Libraries that apply for LSTA Grants to purchase computers to access the Internet or to pay for the direct costs associated with accessing the Internet, must certify compliance with CIPA. This is true even if the only services they receive for E-rate are Telecommunications and they do not have to certify compliance on Form 486.

Libraries that do certify compliance via Form 486 or Form 479 do not have to do so again for LSTA.

Those that do not certify compliance via Form 486 or Form 479 and therefore need to so certify for LSTA will receive a certification form that must be signed by the director or board president. Certification will be required for all full, automation or mini-grant request that meet CIPA requirements.

Certification forms will be one of the assurance forms that all grantees receive with their contract following State Library Board approval.