VIRGINIA ACTS OF ASSEMBLY -- 2006 SESSION

CHAPTER 52

An Act to amend and reenact § 22.1-70.2 of the Code of Virginia, relating to Internet safety instruction in schools.

[H 58]

Approved March 7, 2006

Be it enacted by the General Assembly of Virginia:

1. That § 22.1-70.2 of the Code of Virginia is 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*; and (v) include a component on Internet safety for students that is integrated in a division's instructional program*. 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.

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

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.

E. The Superintendent of Public Instruction shall issue guidelines to school divisions regarding instructional programs related to Internet safety.

2. That, within 45 days of the enactment of this act, the Superintendent of Public Instruction shall issue a superintendent's memorandum advising school divisions of the provisions in this act and encourage cooperation with local law-enforcement agencies in its implementation.