

Date of Hearing: Friday, January 25, 2008

Committee: House Committee on Education

WRITTEN TESTIMONY ONLY

Board: Education

Person Testifying: Donna Ikeda, Chairperson, Board of Education

Title of Bill: H.B. No. 2035, Relating to Minors

Purpose of Bill: Requires the Board of Education (Board) to establish an Internet safety policy for minors that includes monitoring the online activities of minors and implementing a technology protection measure with respect to all computers in public schools and public libraries that have Internet access.

Board's Position: Chairperson Takumi, Vice Chairperson Berg, and members of the House Committee on Education, thank you for this opportunity to provide written comments on H.B. No. 2035.

The Board recognizes the importance of upholding safe Internet use and access by minors in public schools and public libraries. While the Board has taken no official position on this measure at this time, we would like to affirm our commitment to establishing statewide policies that encourage the safe and responsible use of computers in public schools and public libraries.

In May 2007, the Board approved Board Policy 9200, "Hawaii State Public Library System Internet Acceptable Use Policy," which balances library security and available resources with customer privacy and access.

Board Policy 2170, "Internet Access Policy," requires the Superintendent and State Librarian to develop regulations and/or guidelines governing Internet access in order to foster and encourage safe, responsible, and appropriate use of the Internet in public schools and public libraries.

Pursuant to Board Policy 2170, the Department established Regulation 2170.1, "Internet Access Regulations," which requires every school to have an Internet Acceptable Use Policy. The regulations also specify that DOE schools must block access to inappropriate sites.

HSPLS's Internet Use Guidelines were adopted in March 2007. Among other provisions, the guidelines state that filtering software is installed on all HSPLS Internet computers, and specify that no HSPLS public access computer may be used to view or display obscenity, child pornography, or other illegal content.

Under the federal Children’s Internet Protection Act, schools and libraries that receive discounted telecommunications services under the E-Rate (*services paid with funds under Title III of the federal Elementary and Secondary Education Act*) are required to block or filter Internet access to visual depictions that are obscene, are children pornography, or are harmful to minors. Both DOE and HSPLS have web content filtering to support the safe and appropriate use of the Internet and firewalls to prevent network intrusion.

The Board recognizes that oversight of online activities of minors can support the enforcement and promotion of safe and responsible computer use in public schools and public libraries. However, “monitoring” has broad policy implications and greater implementation considerations, such as the extent of monitoring and data collection; financial and human resource considerations; workload; and privacy rights, to name a few. Issues related to Internet safety in public schools and public libraries merit greater discussion. The Board will take up these issues and review existing policies in committee.

Finally, the Board believes that while sound educational policies and laws are necessary to the safe and responsible use of the Internet, emphasis must be on educational strategies and dissemination of information that educate, prepare, and encourage minors to make safe and responsible choices while using the computer and the Internet.

Thank you for the opportunity to comment on this measure.