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COMMENTS IN SUPPORT OF 14-H 7828 – HEALTH AND SAFETY OF PUPILS March 19, 2014

The exploding use of Internet filters in Rhode Island’s schools has left students unable to complete their classwork, teachers scrambling to alter their lesson plans at the last moment, and everyone uncertain as to what, exactly, is unable to be viewed on a school computer. The ACLU of Rhode Island strongly supports this legislation’s efforts to bring clarity to the use of Internet filters in Rhode Island’s schools and reduce the negative impact Internet filters have on students’ ability to learn.

Under the federal Children’s Internet Protection Act (CIPA), schools and libraries receiving federal funding are required to use a “technology protection measure” that blocks visual depictions of narrowly-defined “obscene material,” child pornography, and material considered “harmful to minors.” Across Rhode Island, however, schools and school districts have used the filters – which raise serious concerns about their overreach even when blocking these limited categories – to restrict access to considerably more information than the federal law requires or intends. Rhode Island’s schools can filter up to 125 categories of information and block any website they desire, for any reason.

Last year the ACLU issued a report, “Access Denied: How Internet Filtering in Schools Harms Public Education,” that detailed the difficulties students and teachers have experienced since Internet filters were introduced. Tremendous discrepancies in the categories of information that are blocked, along with flaws in the technology itself, and a failure to make clear the information that is prohibited for student use have resulted in students unable to complete their work, teachers forced to change lesson plans mid-day, and serious concerns about potentially discriminatory application of these filters.

Among the varied sites teachers have found blocked, sometimes when the website was not blocked the day before, are the Smithsonian website, a video clip of the Nutcracker ballet, a website on global warming, a YouTube video on Social Security, and the websites of PBS Kids and National Stop Bullying Day. Often, students are prohibited from accessing websites teachers have set up specifically for their classes, because the sites are hosted on free domains. Further, “safe search” features have prevented from students from even investigating topics relevant to their studies, such as “polyvinyl alcohol” which was blocked because it contained the word “alcohol.”

Currently, most school districts do not inform students, teachers, or parents as to what categories of information are blocked, and provide no meaningful appeal process for teachers to gain access to information they have deemed relevant to their classes. This legislation’s efforts to change that will make a tremendous difference in the educational access for all Rhode Island students, and we encourage its swift passage.