

1 SENATE RESOLUTION

2 WHEREAS, The Illinois General Assembly has the duty and
3 responsibility to protect the public health and welfare of
4 its citizens, most particularly children in schools; and

5 WHEREAS, The Internet offers educational benefits and is
6 a useful technological tool for access to a vast selection of
7 information; and

8 WHEREAS, The Internet unfortunately contains material
9 that is not constitutionally protected and is illegal to
10 disseminate such as child pornography and obscenity; and

11 WHEREAS, Pornography is the most accessed topic on the
12 Internet according to a two-year Alexa Research study; and

13 WHEREAS, The FBI has identified the Internet as the
14 leading factor in doubling the child sex exploitation case
15 load in one year and is the primary solicitation tool used by
16 pedophiles to desensitize and entice children into improper
17 relationships; and

18 WHEREAS, Increasing incidents of inappropriate use of the
19 Internet by school employees and students are being reported;
20 and

21 WHEREAS, The health and safety of Illinois children could
22 be endangered by Internet access to obscene and/or
23 pornographic material; and

24 WHEREAS, The Illinois Senate recognized the dangers
25 associated with unfiltered Internet access for children when
26 it voted to protect children in school by passing HB 1812 on
27 May 13, 1999; and

28 WHEREAS, The U.S. Supreme Court ruled in *Urofsky v.*
29 *Gilmore* that restricting sexually explicit material on
30 taxpayer-funded computers is constitutional and consistent

1 with the First Amendment (216 F.3d 401, 4th Cir. 2000); and

2 WHEREAS, Today's second generation filtering technology
3 allows restricting pornography sites while providing full
4 access to legitimate sites; and

5 WHEREAS, The installation of Internet filters would
6 constitute a proper use of taxpayers' funds in order to
7 protect the health and safety of Illinois public school
8 children; and

9 WHEREAS, The federal Child Internet Protection Act
10 (CIPA), signed into law in December of 2000, requires
11 recipients of universal service assistance (E-rate program)
12 to use technology to filter or block material deemed to be
13 harmful of minors; and

14 WHEREAS, Almost 200 Illinois school districts do not
15 qualify for the e-rate program and therefore will not be
16 affected by the Children's Internet Protection Act; and

17 WHEREAS, Congress has granted schools and libraries
18 immunity from criminal prosecution for filtering out
19 objectionable and illegal sites in good faith, enacted as
20 part of the Telecommunications Decency Act of 1996; and

21 WHEREAS, A new study, based on a sample of 1,218 schools
22 by the National Center for Education Studies, finds 74% of
23 public schools are now using filtering software to block
24 objectionable material; and

25 WHEREAS, There are funds available be means of the
26 Technology Literacy Challenge Program and the Technology
27 Success Grant Program for filter software; and

28 WHEREAS, On May 16, 2001, the Chicago City Council's
29 Education Committee passed a resolution requiring all Chicago
30 Public Schools to filter Internet access; and

1 WHEREAS, The Chicago Public School spokesperson stated
2 that acceptable use policies alone have been found to be
3 inadequate in protecting children from unwanted and/or
4 accidental exposure to obscene or pornographic material;
5 therefore, be it

6 RESOLVED, BY THE SENATE OF THE NINETY-SECOND GENERAL
7 ASSEMBLY OF THE STATE OF ILLINOIS, That filtering technology
8 or a filtered Internet service provider be used on all
9 interactive computer services by all Illinois public schools
10 to prevent children's access to material that is obscene
11 and/or pornographic; and be it further

12 RESOLVED, That all Illinois public schools to establish
13 and maintain a written policy aimed at preventing students
14 from gaining access to or being exposed to sexually explicit
15 materials; and be it further

16 RESOLVED, That a copy of this resolution be submitted to
17 the State Superintendent of Education.