

ELECTRONICS POLICY/ MOBILE PHONES

INVASION OF PRIVACY ACT:

It is important that all members of the school community understand that under the *Invasion of Privacy Act 1971*, 'a person is guilty of an offence against this Act if the person uses a listening device to overhear, record, monitor or listen to a private conversation'.

It is also an offence under the Act for a person who has overheard, recorded, monitored or listened to a conversation to which s/he is not a party to publish or communicate the substance or meaning of the conversation to others.

KEY POINTS FOR STUDENTS:

1. Devices may not be brought to school unless they are accompanied by an **explanatory note** from the student's parent/carer.
 2. Devices must be stored and used in the **school office only**.
 3. Devices will be **confiscated after one warning** under the following circumstances:
 - They are discovered in a student's possession without appropriate permission
 4. Confiscated items will be available for **collection by the student's parent/carer** at the school office.
- ❖ Devices are stored and used at the owner's risk. No liability will be accepted by the school in the event of the loss, theft or damage of any device unless it can be established that the loss, theft or damage resulted from the department's negligence

No visual or verbal recording is permitted by students, parents or community members in school grounds or events (apart from functions such as parades, sporting or graduation ceremonies) without specific approval from admin.

Even where consent is obtained for such recording, the school will not tolerate images or sound captured by personal technology devices on the school premises or elsewhere being disseminated to others, if it is done for the purpose of causing embarrassment to individuals or the school, for the purpose of bullying or harassment, including racial and sexual harassment, or where without such intent a reasonable person would conclude that such outcomes may have or are likely to occur.

The dissemination of visual or verbal communication among the student body or outside the school, by any means (including distribution by phone or internet posting) are in breach of this policy and may be subject to discipline, including suspension and exclusion.

** Personal Technology Devices include, but are not limited to, games devices (such as Portable gaming devices, Tamagotchis®, laptop computers, PDAs, Blackberrys®, cameras and/or voice recording devices (whether or not integrated with a mobile phone or MP3 player), mobile telephones, IPods® and devices of a similar nature.*

PERMISSION FOR ELECTRONIC DEVICE

STUDENT NAME: _____ **CLASS:** _____

ELECTRONIC DEVICE: _____

REASON FOR DEVICE AT SCHOOL:

DATE: _____

I understand that:

- ◆ **This device can only be used in accordance with the Hercules Road State School Electronics Policy**
- ◆ **In the event of the device not being handed in at the School Office, after one warning, the device will be confiscated and must be collected by a parent/ carer, not the student**

PARENT NAME: _____ **SIGNATURE:** _____

STUDENT NAME: _____ **SIGNATURE:** _____

ELECTRONICS POLICY

Recording voice and Images

Every member of the school community should feel confident about participating fully and frankly in all aspects of school life without concern that their personal privacy is being invaded by them being recorded without their knowledge or consent.

We uphold the value of trust and the right to privacy at Hercules Road State School. Students or parents using personal technology devices to record inappropriate behaviours or incidents (such as vandalism, fighting, bullying, staged fighting or pranks etc) for the purpose of dissemination among the student body or outside the school, by any means (including distribution by phone or internet posting) builds a culture of distrust and disharmony.

Students must not record images anywhere that recording would not reasonably be considered appropriate (e.g. in change rooms, toilets or any other place where a reasonable person would expect to be afforded privacy).

Recording of events in class is not permitted unless express consent is provided by the class teacher.

A student or parent at school who uses a personal technology device to record private conversations, ordinary school activities (apart from social functions like graduation ceremonies) or violent, illegal or embarrassing matter capable of bringing the school into public disrepute is considered to be in breach of this policy.

Even where consent is obtained for such recording, the school will not tolerate images or sound captured by personal technology devices on the school premises or elsewhere being disseminated to others, if it is done for the purpose of causing embarrassment to individuals or the school, for the purpose of bullying or harassment, including racial and sexual harassment, or where without such intent a reasonable person would conclude that such outcomes may or will occur.

Students involved in:

- recording; and/or
- disseminating material (through text messaging, display, internet uploading etc); and/or,
- knowingly being a subject of a recording

are in breach of this policy and may be subject to discipline (including suspension and exclusion).

Students should note that the recording or dissemination of images that are considered indecent (such as nudity or sexual acts involving children), is against the law and if detected by the school will result in a referral to the Police.

Text communication

The sending of text messages that contain obscene language and/or threats of violence may amount to bullying and/ or harassment or even stalking, and will subject the sender to discipline and possible referral to the Police. Students receiving such text messages at school, should ensure they keep the message as evidence and bring the matter to the attention of the school office.

Assumption of cheating

Personal technology devices may not be taken into or used by students at exams or during class assessment unless expressly permitted by staff. Staff will assume students in possession of such devices during exams or assessments are cheating. Disciplinary action will be taken against any student who is caught using a personal technology device to cheat during exams or assessments.

Recording Private Conversations and the *Invasion of Privacy Act 1971*

It is important that all members of the school community understand that under the *Invasion of Privacy Act 1971*, 'a person is guilty of an offence against this Act if the person uses a listening device to overhear, record, monitor or listen to a private conversation'. It is also an offence under the Act for a person who has overheard, recorded, monitored or listened to a conversation to which s/he is not a party to publish or communicate the substance or meaning of the conversation to others.

Students need to understand that some conversations are private and therefore to overhear, record, monitor or listen to such private conversations may be in breach of this Act, unless consent to the recording is appropriately obtained.

Special Circumstances Arrangement

Students who require the use of a personal technology device in circumstances that would contravene this policy (for example to assist with a medical condition or other disability or for a special project) should negotiate a special circumstances arrangement with the Deputy Principal or Principal.

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