

Big Brother

By Reg P. Wydeven
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Last fall, my alma mater, Westside Elementary School in Kimberly, celebrated its 40th birthday. My wife, who teaches there, and my kids, who now attend, and I attended the party and had cake and punch. When I went there, however, Kimberly was a much smaller place. Several teachers and the school librarian lived in our neighborhood. So even when school was out, faculty members could still easily keep tabs on us.

The much larger Lower Merion School District, a Philadelphia suburb, apparently had to get more creative to monitor its students. Michael and Holly Robbins sued the District in federal court after their son got in trouble at school for engaging in improper behavior at home. According to their suit, the Robbinses were informed of their son's behavior by Lindy Matsko, an assistant principal at Harriton High School, and she even provided them with photographic evidence of the behavior. The problem was, the photograph was taken by a webcam built into a laptop computer the District furnished to Harriton's students, and the webcam could be activated remotely by the school.

The Robbinses' lawsuit, which they are trying to gain class action status for, alleges that school officials can activate the webcams without students' knowledge or their permission. Additionally, they claim that the cameras captured students and family members as they undressed and in other embarrassing situations. The affluent district gave laptops to each of the approximately 2,300 students at its two high schools. The Robbinses assert that by activating the webcams, the District's actions invaded their privacy and amount to illegal electronic wire-tapping.

Students are obviously outraged and feel violated. If Westside would have spied on me like that, I would have been upset, too. I probably would have passed notes in class to my friends complaining about it. Today, Harriton students are probably complaining about it on their Facebook pages. Well, if they complain too much, they shouldn't have to worry about repercussions.

Honor student Katherine Evans was suspended in 2007 from Pembroke Pines Charter High School in Florida after she used her home computer after school hours to create a Facebook page entitled "Ms. Sarah Phelps is the worst teacher I've ever met." Evans included a picture of her teacher on the page and wrote: "To those select students who have had the displeasure of having Ms. Sarah Phelps, or simply knowing her and her insane antics: Here is the place to express your feelings of hatred."

Evans received three comments from people who criticized her and supported the teacher, so she took down the page. However, her principal, Peter Bayer, suspended Evans for three days for disruptive behavior and cyber-bullying a staff member. Bayer also removed her from Advanced Placement classes and assigned her to regular classes.

Supported by the American Civil Liberties Union, Evans sued the District. U.S. Magistrate Barry Garber denied Bayer's motion to dismiss the case, allowing the lawsuit to move forward. In his ruling, Garber held that Evans' statements were free speech, protected by the 1st Amendment. He wrote, "it was an opinion of a student about a teacher, that was published off-campus ... was not lewd, vulgar, threatening, or advocating illegal or dangerous behavior."

Evans is seeking minimal monetary damages, but she is requesting her suspension be expunged from her permanent record.

School seemed so much simpler when we only had two Apple IIe's in the whole building and no Internet.