

Suit: Pa. school used webcams to spy on students (Update)

February 18 2010, By MARYCLAIRE DALE , Associated Press Writer



Harriton High School is shown in Bryn Mawr, Pa., Thursday, Feb. 18, 2010. A family alleges in a federal lawsuit that the suburban Philadelphia school district used school-issued laptop webcams to spy on students at home, potentially catching them and their families in compromising situations. (AP Photo/Matt Rourke)

(AP) -- A suburban Philadelphia school district used the webcams in school-issued laptops to spy on students at home, potentially catching them and their families in compromising situations, a family claims in a federal lawsuit.

Lower Merion School District officials would not comment on the accusation, but angry students have already responded by putting tape on their laptop cameras and microphones.

Sophomore Tom Halperin described students as "pretty disgusted," and noted that his class recently read "1984," the George Orwell classic that coined the term "Big Brother."

"This is just bogus," said Halperin, 15, of Wynnewood, as he left Harriton High School on Thursday with his taped-up computer. "I just think it's really despicable that they have the ability to just watch me all the time."

The school district can activate the webcams without students' knowledge or permission, the suit said. Plaintiffs Michael and Holly Robbins suspect the cameras captured students and family members as they undressed and in other embarrassing situations, according to the suit.

Such actions would amount to potentially illegal electronic wiretapping, said Witold J. Walczak, legal director of the American Civil Liberties Union of Pennsylvania, which is not involved in the case.

"School officials cannot, any more than police, enter into the home either electronically or physically without an invitation or a warrant," Walczak said.

The school district could not immediately confirm whether it has the ability to activate the webcams remotely, a spokesman said.

"We can categorically state that we are and have always been committed to protecting the privacy of our students," said the spokesman, Doug Young.

The affluent district prides itself on its technology initiatives, which include giving Apple laptops to each of the approximately 2,300 students at its two high schools.

"It is no accident that we arrived ahead of the curve; in Lower Merion, our responsibility is to lead," Superintendent Christopher W. McGinley wrote on the district Web site. McGinley did not immediately return messages left Thursday by The Associated Press.

The Robbinses said they learned of the alleged webcam images when Lindy Matsko, an assistant principal at Harriton High School, told their son Blake that school officials thought he had engaged in improper behavior at home. The behavior was not specified in the suit.

"(Matsko) cited as evidence a photograph from the webcam embedded in minor plaintiff's personal laptop issued by the school district," the suit states. The behavior was not specified in the suit, which did not make clear whether the family had seen any photographs captured by school officials.

Matsko later confirmed to Michael Robbins that the school had the ability to activate the webcams remotely, according to the suit, which was filed Tuesday and which seeks class-action status.

The Robbinses declined to speak with an Associated Press reporter at their home Thursday. Their lawyer, Mark S. Haltzman, did not return messages.

The U.S. Supreme Court reaffirmed the privacy of the home when it ruled in 2001 that police could not, without a warrant, use thermal imaging equipment outside a home to see if heat lamps were being used inside to grow marijuana. Technology or no, Supreme Court precedents draw "a firm line at the entrance to the house," Justice Antonin Scalia wrote, quoting an earlier case.

"This isn't just them spying on the kids, this is them intruding on the parents' home. Who knows what they are seeing?" Walczak said. "The

courts for 80 years have said there's no greater sanctuary than a person's own home."

The lawsuit's allegations raise new concerns about school-issued laptops, said an Electronic Freedom Foundation lawyer.

"I've never heard of anything this egregious," said Kevin Bankston, a senior staff attorney at the San Francisco-based group. "Nobody would have imagined that schools would peer into students private homes and even bedrooms without any kind of justification.

Students like Halperin say they mostly keep their computers in their bedrooms - and rarely turn them off.

"School ends at the end of the school property, so they shouldn't really be in our business at home," Halperin said.

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Citation: Suit: Pa. school used webcams to spy on students (Update) (2010, February 18) retrieved 25 April 2024 from

<https://phys.org/news/2010-02-pa-school-webcams-spy-students.html>

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