

Cell Phones Have the Potential to Violate Privacy in School

 *Are Privacy Rights Being Violated?*, 2010

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Many observers fear that cell phones with cameras will invade other peoples' right of privacy. For instance, a student may take a camera phone into a locker room or use a camera phone to take pictures of a test. A number of schools have adopted policies that restrict the use of cell phones and camera phones in school. Nonetheless, there are millions of cell phones, and it is virtually impossible to oversee every phone. A number of public and private clubs have banned camera phones from the premises to protect both customers' and employees' privacy. Despite these concerns, it has been reported that camera phone abuse is seldom a problem in the United States. In many countries, however, camera phones have created a greater social disruption, leading to legal penalties.

Picture this scenario: A student is changing in his school's locker room when a teammate or classmate takes out a cell phone, ostensibly to call home for a ride. That night, a compromising photo of the student appears online—taken with his classmate's cell phone when the student least expected it.

Thanks to the latest advances in cell phone technology, this scenario is now entirely possible—and that has some policy makers and school leaders concerned.

After the Columbine High School shootings in 1999 and the Sept. 11 terrorist attacks two years later, a number of school systems and state legislatures across the nation relaxed their rules on cell phone use by students on campus. Now, however, the emergence of camera cell phones has created a whole new set of privacy and data-protection issues for school officials to address.

"The potential for using those devices for negative uses is certainly there," said David Dahl, principal of Armstrong High School in Plymouth, Minn.

Cell Phone Misuse

Besides invading a student's privacy in a locker room, bathroom, or other private place, educators worry the inconspicuous look of camera-equipped cell phones could make it easier for students to cheat on something like a test. If a student takes a test and manages to photograph it with his cell phone, for example, it would take just seconds for the image to be distributed throughout the school.

Most schools already have rules in place that address the presence of traditional cell phones—but the increasing popularity of camera cell phones in the United States has led some forward-looking administrators to adopt policies governing the use of these devices as well.

"We've had a policy for 'nuisance' objects—no pagers, no CD players—so we've just incorporated cell phones and camera cell phones [into those rules]," Dahl said.

"I think we're ahead of any potential problems," said Steve Degenaar, principal of Apple Valley High School, also in Minnesota. Students at Apple Valley are still allowed to have camera-equipped phones at school—but like regular cell phones, they must not be seen or heard on school property.

But enforcing these policies could be a problem.

"Kids have always had cameras, but it's not something they always carry with them in school," Degenaar said. "Cell phones are personal property, and there are literally hundreds of them. It's much more difficult to control."

"Spy-Cams"

Technology market research firm International Data Corp. estimates there are about six million camera-equipped cell phones in the United States.

A number of health clubs, gyms, swimming pools, public bathrooms, and even strip clubs have banned the use of camera phones to safeguard customers and employees.

A recent television advertisement by Sprint Corp. hypes the "spy-cam" potential of these devices when a woman secretly snaps a picture of a sloppy eater in a cafeteria and sends it to her friend with the note, "Here's your new boyfriend."

Though many photos are deleted before they are printed, archived, or downloaded to a computer, others are uploaded to the internet.

Mobile web logs, also known as "moblogs," are gaining in popularity. One user on Buzznet.com, for example, showcased his experience at the recent MacWorld conference, complete with photos of Apple Computer's booth, the company's new iPod, and what seem like pictures of random people at the conference. On Fotolog.net, one user logs photos of homeless people.

Cell Phone Bans

No widespread instances of camera phone abuse have been reported yet in the United States, but a number of health clubs, gyms, swimming pools, public bathrooms, and even strip clubs have banned the use of camera phones to safeguard customers and employees.

The YMCA of Greater Louisville, Ky., banned the use of camera phones for staff and parents involved in its children's programs. "Our first concern was for some of our children's programs," Steve Tarver, president of the YMCA of Greater Louisville, told the city's *Courier-Journal*. "We've had no incidents or problems at this point, but we have a staff group studying camera-phone use in our total facility."

Des Peres, Mo., a suburb of St. Louis, created a penalty for using camera phones in places where people expect privacy. In Warwick, R.I., Councilwoman Sue Stenhouse proposed outlawing camera phones at city buildings

with locker rooms. In December, the Chicago City Council banned the use of camera phones in public bathrooms, locker rooms, and showers.

Last November, Elk Grove, Ill., a Chicago suburb, banned all cell phones in public locker rooms, whether they could take photos or not. "There is no reason to have a cell phone while you're changing and showering," Elk Grove Commissioner Ron Nunes told the *New York Times*. "I'd rather protect the children and the public more than someone who wants to call home and see what's for dinner."

U.S. Rep. Michael G. Oxley, R-Ohio, and Sen. Mike DeWine, R-Ohio, also reportedly broadened the language of the federal Video Voyeurism Prevention Act of 2003 to prohibit the use of camera phones in restrooms in federal buildings.

"Our bill would only apply to federal property, but it would spur the states to pass similar legislation," Oxley told the *New York Times*.

An International Phenomenon

The Cellular Telecommunications and Internet Association asserts that camera phone abuse in the United States is rare.

In Japan, however, people have gone to jail for photographing up women's skirts. Also, some Japanese residents reportedly have started "digital shoplifting" in bookstores by photographing and eMailing pictures of copyrighted material.

In Scotland, police reportedly use camera phones to help track down graffiti vandals. Police snap pictures of scribbles and doodles on school books and then compare them to photos of the "tags," or signatures, that vandals use to mark their graffiti.

Police say this method has improved the success of their vandalism detective work by 18 percent, the *Scottish Daily Record* reported.

Another Scottish paper, Glasgow's *Evening Times*, reported that the Scottish Secondary Teachers' Association has called for a ban on camera phones to prevent cheating and to keep pictures of students from getting into the hands of pedophiles.

Further Readings

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