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Google Glass and Education: The Wave of the Future?

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Google Glass introduces an array of legal issues of which education leaders should be aware.

In the evolving, fast-paced world of technology, a fairly recent development that has the potential to affect instruction, privacy, and cost for school boards is Google Glass, introduced to the public in April 2012 and named by *Time* magazine as one of 2012's best inventions of the year. Google Glass devices are wearable headset computers with optical head-mounted transparent display screens (640 x 360 pixels) that essentially bring Android and iPhone capacities to eyeglasses. They can be activated by voice or touch and can record video and audio or live-stream events observed by wearers (Miller 2013). They include, among other features, 16 gigabytes of storage, a GPS, Wi-Fi, a Bluetooth radio, microphone, an audio and video recorder, a 5-megapixel camera, and a touch pad that allows users to control the device.

As with many issues involving the interplay between technology and education, the use of Google Glass introduces an array of legal issues of which education leaders should be aware.

Possible Applications of Google Glass in Schools

Students can use Google Glass to make audiovisual recordings of classes, lectures, and related events, such as sporting activities and plays from the wearers' points of view. Similarly, educators can make audiovisual records of interactions with school personnel ranging from students to colleagues and parents. The list is seemingly endless.

Among the more interesting possible uses of Google Glass in education is its ability to augment reality. Augmented reality includes "the fusion of any digital information with real world settings, i.e., being able to augment one's immediate surroundings with electronic data or information, in a variety of media formats that include not only visual/graphic media but also text, audio, video, and haptic overlays" (FitzGerald et al. 2012, p. 1).

Among the more interesting possible uses of Google Glass in education is its ability to augment reality.

With augmented reality, users could teach and learn mathematics, geometry, robotics, and engineering with 3-D objects and games. In arts education, users can create new forms of visual and audiovisual art (van Krevelen and Poelman 2010). Educators can transform classes about geography and history into virtual walk-throughs of environments and historic landmarks (Lee 2014).

What's more, Google Glass can enrich distance learning and can make learning materials accessible to students who have visual, auditory, and physical disabilities.

Potential Legal Issues

Google Glass may offer some benefits to instruction, but its presence in schools raises an array of potential legal issues that have yet to be subject to judicial review. Consequently, after highlighting key issues that may be associated with Google Glass in school settings, this column offers policy suggestions for education leaders. As a preliminary note, it is worth keeping in mind that restricting the use of Google Glass at school-sponsored activities could be controversial, especially if wearers are adults who are not parents or members of school communities.

The first of five possible sets of legal questions associated with Google Glass concerns privacy (Wagner 2013). Controversies are likely to surface about the use of Google

Glass devices in school settings where users may inappropriately view or copy the academic or personnel records of others. Users can activate Google Glass and record images without anyone knowing, so students could record their classmates in the locker room or in the bathroom. They could record a schoolmate acting "goofy" and post it online, creating a cyberbullying situation.

On a related second point, if Google Glass users videotape or audiotape school events, litigation can arise over plagiarism or copyright infringements if users make unauthorized recordings of activities in the classroom, around the school, or at arts programs like plays and recitals and post their recordings online.

The third concern involves institutional liability. It is still an open question whether schools or service providers might face liability if wearers of Google Glass use their devices to surf inappropriate websites while in class using school networks. Insofar as such Web surfing occurs on laptops and smartphones in classes, education leaders would be wise to address this issue.

Leaders must develop policies that remain at least one step ahead of students.

A fourth, overlapping, concern involves academic integrity. In light of a highly publicized incident in New York where 66 students were involved in a cheating scandal after some students photographed the Regents Examinations with their smartphones and disseminated them to peers (Kolker 2012), education leaders should be mindful of the potential for cheating if Google Glass is present. Accordingly, leaders must develop policies that remain at least one step ahead of students.

The final concerns may arise under the Fourth Amendment's right to be free from unreasonable searches and seizures. Constitutional questions are likely to come to the fore paralleling issues that have arisen when educators or police have reason to search cell phones. In this case, litigation is likely to ensue when educators or the police are called to search Google Glass devices that may have been used to make inappropriate video or audio recordings in such locations as locker rooms or other places where individuals have reasonable expectations of privacy. Moreover, those who are recorded without their consent may well raise legitimate overlapping privacy objections if wearers videotaped them while they were violating school rules or the law and were later subjected to punishment.

Policy Considerations

In developing or revising policies, education leaders might wish to take the following points into consideration.

1. Boards should assemble broad-based teams of stakeholders to address the presence of Google Glass in schools. Even if boards outsource policy development, they should have teams review policies before they are implemented in order to help ensure that the rights of all school personnel are protected.

In forming teams of stakeholders, boards should include but not necessarily limit membership to a board member; central-office personnel, such as the school business official; building-level administrators; teachers; support personnel, such as members of their information technology departments; students (especially in high school because students are usually tech-savvy); parents; community members; and a representative of the local police. Assembling such a wide array of members on policy development teams should not only help ensure that all reasonable perspectives are taken into consideration but also help with compliance, as long as the various constituencies agree with the policies that they helped to develop.

2. Policies should provide notice to wearers at school activities that they may be required to remove their devices or turn their privacy settings on before entering venues. Language to that effect should warn wearers not to make unauthorized recordings or surf inappropriate websites on district systems.

Notice can be placed in student handbooks, in newsletters, and on school board websites. Similar language should be included in faculty and staff handbooks and acknowledgment forms that are signed and returned to appropriate district personnel. As to guests, signs should be posted in conspicuous locations providing the same information.

As with cell phones, students can be required to place Google Glass in their lockers while at school, and employees can be asked to store them in offices.

Policies should unequivocally specify that Google Glass wearers are forbidden from recording school events without express prior written permission of appropriately identified administrators or their designees. A case from Washington State involving a student, albeit not involving Google Glass, is instructive. A federal trial court upheld the suspension of a student who violated a school policy forbidding individuals from secretly videotaping teachers after he did so and placed a copy of it on YouTube (*Requa v. Kent School District No. 415* 2007). The court deferred to the authority of school officials because the board had enacted a policy expressly prohibiting students from making such videos.

3. As to sanctions, it is easier to deal with teachers, students, and staff than to deal with visitors to schools. Consistent with substantive and procedural due process requirements in the appropriate faculty and staff handbooks and contracts, as well as

student handbooks, sanctions should range from verbal warnings to suspensions and expulsions or dismissals following hearings and possibly having information forwarded to the police for the most serious offenses.

Penalties for visitors, such as parents, who violate board policies in using Google Glass should range from verbal warnings to being prohibited from attending events.

4. Education leaders should provide orientation sessions to staff and parents to explain board policies relating to Google Glass. Officials should offer professional development sessions for all staff because keeping everyone up-to-date can help avoid controversies. Similarly, boards should conduct school-wide assemblies or have speakers talk about the use of Google Glass with students in their classes.

5. As with all policies, school business officials should work with their boards and other education leaders to review them annually. Annual reviews are particularly important to ensure that policies are as up-to-date as possible in light of rapid developments in technology as reflected by the emergence of Google Glass. Having updated policies in place can be helpful because in the event of litigation, they can be used as evidence to convince courts that boards are doing their best to stay as current as possible in this quickly evolving field. Reviews should take place between school years, not right after controversies have occurred, so that cooler heads can prevail, and educators can take a longer view of things.

Conclusion

Whether Google Glass represents the wave of the future in schools remains to be seen. This caution is particularly timely because as a legal commentator warned, because of privacy and safety concerns, "Google Glass and similar wearable computer devices will be banned in nearly every courthouse" (Dixon 2013, p. 37).

Clearly, although schools are not courts, similar concerns are present in educational settings. It is thus crucial for school business officials, their boards, and other education leaders to think carefully about the feasibility of allowing Google Glass, its potential for benefit notwithstanding, to be used in schools unless and until they can devise well-grounded policies to protect the rights of all.

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