

# Use of Texts in Educational Settings

In these Guidelines, the term *texts* refers to any written, spoken or visual means of communication in print, digital or multimodal formats including, but not limited to: print and e-books, feature films, documentaries, videos, internet or intranet sites, social networking apps, YouTube clips, wikis, blogs or vlogs, audio texts, pod or vod casts, radio programs, multimedia, computer games, artworks, posters, picture books, animated images, musical compositions, performances and/or speeches.

Within and across all learning areas, texts provide a means for communication, enhance students' access to learning, and assist them to achieve learning outcomes. Students are explicitly taught to *comprehend* texts as they participate in listening, reading, viewing or analytical activities; and to *compose* texts as they participate in speaking, writing, creating or performance activities, as part of the curriculum.

Teachers use their professional judgement when selecting texts to use in their teaching and learning programs. They base their decisions on the requirements of the Western Australian Curriculum, student data, the needs of their students and proposed learning intentions and success criteria.

When using texts in the classroom, teachers are also required to:

- conform with relevant legal requirements and Department policies;
- address duty of care responsibilities;
- meet copyright requirements; and
- adhere to the requirements of classification categories.

Parent or guardian permission should be sought when showing a publication, film, video or computer game that has a PG or M classification to students under 15 years of age.

Schools may develop proformas for advising parents or guardians and/or seeking permission for their child to view or use a particular text, or texts with a specific classification category.

## **DUTY OF CARE**

Text choices are generally made at the school, learning area or classroom level and take into consideration the sensitivities and values of the school community.

Teaching staff need to preview the whole text to determine its suitability before using it in a classroom context, taking into account:

- *whether, where* and *how* it aligns with the Western Australian Curriculum;
- its likely impact on students;
- its educational benefits and/or literary or artistic merit;
- the intent of the author and general tone of the text;
- how parents might react to their child being exposed to its content;
- whether it reflects standards of decency, morality and propriety generally accepted by adults; and
- its impact on students from different ethnic, religious, social and cultural backgrounds.

Receiving permission to use a text does not absolve teaching staff from their responsibility to make a judgment about the appropriateness of texts that are shown or used with students. Teachers should be aware of community sensibilities whilst providing the best possible learning opportunities.

Teaching staff should seek approval from their Head of Learning Area, line manager or a member of the school administration team if they have any doubts about the suitability of a particular text.

### **Controversial topics or content**

Teachers have a duty of care to not expose students to texts that contain offensive or obscene materials or themes, irrespective of any possible educational value.

Parent or guardian permission should be obtained if:

- students are under the recommended age; or
- the text has the potential to be controversial.

Controversial topics may, however, be appropriate and important subjects of study in schools and, at times, they may be unavoidable in the context of teaching and learning aspects of the Western Australian Curriculum.

If objections are anticipated (i.e. if a text could be considered to be controversial or inappropriate) students, parents or guardians need to be informed, and their consent sought, obtained and recorded.

Topics or content which may generate objections include: themes related to magic or fantasy, racial and religious themes, sexual activity and/or nudity; drug misuse or addiction; crime, violence and cruelty themes; suicide and excessively bleak

scenarios; the depiction of revolting or abhorrent phenomena; or satirical perspectives on race, religion or gender (© State of Victoria Department of Education and Training, 2017).

### **Student and parent/guardian rights**

Students, parents or guardians (as per their arrangements with the school) should be informed that they have a right to object to the use of a particular text in a classroom program. Schools should respond reasonably and respectfully to objections, and consider alternative texts for the respective student.

As per the *School Education Act 1999* (section 72), parents and guardians may request in writing, an exemption for their child from a particular class on the grounds of conscientious objection. This needs to be done in accordance with the Department's *Exemption from Particular Classes* Guidelines.

It is recommended that the following information be included when seeking parent or guardian permission to use one or more texts in the classroom:

- a short statement about the proposed text/s;
- the educational benefits of using the text/s;
- the place of the text/s in the teaching and learning program; and
- the relevance of the text/s to expected student learning outcomes and standards described in the Western Australian Curriculum.

### **Alternative texts or study arrangements**

If students, parents or guardians hold a genuine and reasonable objection to the use of a particular text, an alternative text should be identified.

Where students are given an alternative text, teachers should endeavour to integrate it into the classroom program, provide support for the students and not isolate them from other classmates or learning opportunities.

## **COPYRIGHT CONSIDERATIONS**

Copyright protects creative works such as texts, but also provides the parameters for using them in a lawful manner.

### *Using texts in the classroom*

Copyright issues can be avoided by clearly establishing the curriculum purpose and educational benefits of a particular text, as well as understanding the licence conditions or permissions available for that text.

For instance, under section 28 of the Commonwealth Copyright Act 1968 (the Act), teachers are permitted to play or perform some texts in their classrooms, provided they are being used for educational purposes (eg. films, videos, recorded music, a play, musical piece, recital of a poem or other print text, or the demonstration of a

computer program. Permission under section 28 is restricted to the playing or performing of content for the educational purposes of the students and/or teacher(s) of that class only; not for entertainment. No copying or recording of the text or work is allowed under section 28, unless for assessment purposes (such as recording a student performing a musical piece).

Access to texts, however, can also be controlled by licence terms (such as printed works, web content, broadcast TV or radio programs, etc.) and texts may be copied in part, or whole, or used in varying ways for educational purposes, depending on a licence's specific permissions. These permissions vary considerably. Teachers will find helpful information regarding these issues on the Department's [\*Copyright and Intellectual Property\*](#) website. Teachers are also encouraged to consult the Department's interactive help tool [\*Copyright Advisor\*](#) to quickly access specific information about the appropriate use of a wide variety of texts for educational purposes.

#### *Playing films for non-educational purposes*

The Department pays for a co-curricular licence that allows all public schools in Western Australia to show films for entertaining students in an informal manner (e.g. on a bus excursion, at a school camp or at lunchtime). Refer to the [Smartcopying link: \*playing films for non-educational purposes\*](#) for further information.

#### *Public performances of poems, plays and music outside the classroom*

If students or teachers perform a work (e.g. recite a poem, play a musical piece, etc.) outside of the classroom, the activity is considered a public performance, as the use is outside the educational purposes of a class.

Schools are already licenced to perform musical works outside of the classroom for school activities (see the [Smartcopying link: \*performing and communicating music in schools\*](#)), however the public performance of some texts such as poems or plays, may require an additional licence if they are still protected by copyright.

Enquire at [Copyright@education.wa.edu.au](mailto:Copyright@education.wa.edu.au) regarding the public performance of poems or plays to confirm whether a separate licence is required for your particular circumstances.

## **CLASSIFICATION CATEGORIES**

#### *Television, radio and internet*

Television, radio and internet communications are subject to content regulations by the Australian Communications and Media Authority (ACMA) which can also refer online content for classification by the Australian Classification Board.

### *Films, videos, computer games and publications*

Classification categories are prescribed by the Australian Classification Board under the Australian Government's *Classification (Publications, Films and Computer Games) Act 1995*, and all requirements must be followed.

Classifications apply to a text in its entirety, even if a teacher is only using or playing scenes or segments of that text.

Classifications are based on the presence of classifiable elements such as violence, sex, language, themes, drug use and/or nudity. Warnings about disturbing images, sexual references, etc. must be heeded.

Severe fines and penalties for infringement of these conditions are outlined in the *Classification (Publications, Films and Computer Games) Enforcement Act 1996*.

Classifications are divided into two categories: Advisory and Legally Restricted, as follows:

<b>Advisory</b>	<b>Legally Restricted</b>
G	MA 15+
PG	R 18+ (films only)
M	X 18+ (films only)
	RC

Teaching staff should always obtain parent or guardian permission to use a PG or M-rated text (e.g. a publication, film, video or computer game) if the students are under 15 years of age.

#### **ADVISORY CATEGORIES**

##### **(G) General**

The content of texts with this classification is very low in impact. The core understanding of this classification is that parents or guardians should have complete confidence that their children can view publications or films and/or play computer games that have this classification.

Teaching staff should therefore view, read or listen to a full text to ascertain its suitability for their students. If there is any doubt, the text should not be used unless, or until, such doubt is removed.

##### **(PG) Parental Guidance or (PGR) Parental Guidance Recommended**

Texts (publications, films, videos or computer games) with this classification are low in impact, but for some students, may contain upsetting, frightening or confusing content.

If students are under 15 years of age, parent or guardian permission should always be sought prior to using a PG-rated text.

If there are any doubts about a text that has a PG classification, teaching staff should inform parents or guardians of their intention to use it, regardless of the age of the students.

- **(M) Mature**

Texts (publications, films, videos or computer games) with an M classification are recommended for students 15 years of age and over, although the content is moderate in impact.

It is not against the law to show texts with this classification to younger students, however, the stronger themes and scenes within these texts require a more mature perspective. Warnings concerning disturbing images must be observed. If there is any doubt, it should not be used unless, or until, such doubt is removed.

If all educational considerations have been made and it is deemed necessary to use an M-rated text with students under 15 years of age, parent or guardian permission should be obtained.

#### **LEGALLY RESTRICTED CATEGORIES**

Legal restrictions for using a text (publication, film or computer game) with a **MA15+** or an **R18+** classification apply to persons under 15 years of age.

#### **(MA 15+) Mature Accompanied**

The content in MA15+ materials is high in impact.

The WA *Classification (Publications, Films and Computer Games) Enforcement Act 1996* (section 72) states that: 'A person must not exhibit in a public place a film classified MA 15+ if a minor under the age of 15 years of age is present during any part of the exhibition, and if that minor is not accompanied by a parent or guardian.'

- *Schools are considered to be 'public places' under the WA Classification (Publications Films and Computer Games) Enforcement Act 1996.*
- *Senior campuses and colleges are considered to be schools under the School Education Act, 1999.*

Once all educational considerations have been made and it is deemed necessary to use an MA 15+ text (publication, film, video or computer game) with students over 15 years of age, parent or guardian permission should be gained (and allowances made for withdrawal) before showing or using that text.

If any student in a class group is under 15 years of age, an MA15+ text is not to be used.

### **(R 18+) Restricted to adults 18 years and over**

Texts (usually films) with this classification are legally restricted to people aged 18 years or older. The content is very high in impact.

Under no circumstances are films with an 18+ classification to be shown, in part or full, in any Western Australian public school.

Students who are under 18 years of age may not legally buy, rent, exhibit or view R18+ classified content. The *Classification (Publications Films and Computer Games) Enforcement Act 1996* (section 71) states that 'A person must not exhibit in a public place a film classified R 18+ if a minor is present during any part of the exhibition.'

### **(X18+) Restricted to adults 18 years and over.**

Texts (usually films) with this classification are legally restricted to persons aged 18 years or older.

Under no circumstances are films with an 18+ classification to be shown, in part or full, in any Western Australian public school.

The *WA Classification (Publications Films and Computer Games) Enforcement Act 1995* (section 69) states that 'A person must not exhibit in a public place a film classified X 18+.'

Severe fines and penalties are outlined in the *WA Classification Enforcement Act* for infringement of these conditions.

### **(RC) Refused Classification**

Texts (usually films) with a Refused Classification (RC) contain elements beyond those in the above classifications. The material is prohibited and cannot be shown, sold, hired or distributed, as the content is extreme in impact.

Under no circumstances are films with an RC classification to be shown, in part or full, in any Western Australian public school.

The *WA Classification (Publications, Films and Computer Games) Enforcement Act 1996* (section 68) states that 'A person must not exhibit in any place a film classified RC.'

Severe fines and penalties are outlined in the *Classification Enforcement Act* for infringement of these conditions. **Reference:** *Australian Government website: [Classification categories explained](#)*

## **DEFINITIONS**

### **AUDIO TEXT**

A text in digital format that is read aloud and can be listened to on portable audio devices such as iPods, etc.).

### **BLOG OR VLOG**

A regularly updated website or web page that is typically run by an individual or small group and written in an informal or conversational style. A blog that contains video material is called a Vlog.

### **CONSCIENTIOUS OBJECTION**

An objection by a parent or guardian to having their child participate in a particular class based on a personal philosophical, religious or educational conviction that participation in that class would be prejudicial to their child.

### **MULTIMEDIA**

An electronically delivered combination of media that includes video, still images, audio and text in such a way that it can be accessed interactively (much of the content on the web today falls within this definition).

### **MULTIMODAL TEXTS**

A combination of language with other system for communication, such as print text, visual images, soundtrack and spoken word, as in film or computer presentations (Western Australian Curriculum).

### **POD/VOD CASTS**

A series of digital, audio or video files that can be downloaded and listened to. Video on Demand (VOD) casting is the video version of podcasting and lets a viewer download and watch an episode of a TB program or a video segment, after the scheduled broadcast.

### **PUBLICATIONS**

Refers to books and magazines, but may also include other printed matter such as calendars, cards, catalogues, etc.

### **STREAMING**

The transmission of audio and video over the internet to computers, mobile devices and TV streaming boxes.

### **TEXT**

A means of communication. Their forms and conventions have developed to help us communicate effectively with a variety of audiences for a range of purposes. Texts can be written, spoken or multimodal and in print or digital/online forms.

### **VISUAL TEXTS**

These range from a photograph or illustration in a print magazine to the visual components of multimodal texts (NSW Department of Education and Training 2013).

### **WIKI**

A website or database developed collaboratively by a community of users that allows any user to add and edit content.



## RELATED LEGISLATION

### School Education

[School Education Act 1999](#)

[School Education Regulations 2000](#)

### Copyright

[Commonwealth Copyright Act 1968](#) (23 June 2017)

[Commonwealth Copyright Regulations 1969](#) (5 March 2016)

[Commonwealth \(Draft\) Copyright Regulations 2017](#) (applicable from April 2018, see above).

### Classifications

[Classification \(Publications, Films and Computer Games\) Act 1995](#) (August 2017).

[Western Australian Classification \(Publications Films and Computer Games\)](#)

[Enforcement Act 1996](#) (November 2016).

## RELATED POLICIES

[Duty of Care for Students](#)

[Students Online](#)

[Telecommunications Use](#)

## RELATED GUIDELINES

### Copyright

Department of Education's [Copyright Advisor](#)

Smartcopying website: [Copyright Issues for Australian Schools and TAFE](#)

Smartcopying website: [Copyright in a Digital World \(PowerPoint\)](#)

Department of Education's [Copyright for Schools Guidelines](#) (labelling materials, notices for display around copying equipment such as photocopiers, scanners, libraries, digital recording equipment, broadcasts communicated by reticulation or intranet, copyright sampling survey, copyright agencies, etc.).

Department of Education's [Copyright Awareness for Teachers](#) online professional development. To access: Step 1: Log into the portal ([portal.det.wa.edu.au](http://portal.det.wa.edu.au)) and sign in. Step 2: Select the Professional Learning tab at the top left of your screen. Step 3: Select and enrol in the Copyright Awareness for Teachers course (from the OPL course catalogue on the right hand side of your screen).

### Classifications

[Australian Government Fact Sheets, 2016 \(information about showing films and playing computer games in schools, for parents and children, teachers, students, schools and libraries\)](#)

[Australian Government Classification Guidelines, 2014 \(Publications, films and computer games\)](#)

## CONTACT INFORMATION

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