Guideline overview

The purpose of this guideline is to provide Department for Education (the department) staff with guidance in relation to the selection, development, use and review of educational resources. It establishes the expectation that those involved in selecting and using educational resources are critical and purposeful in the selection processes and compliant with relevant legislation, and the department’s policies, guidelines and procedures.

Scope

This guideline applies to all staff in the department preschools and schools, support centres and units involved in the selection and use of resources for educational purposes.
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1. Guideline detail

1.1 Guiding principles

The goals of the Melbourne Declaration for Educational Goals for Young Australians and the declarations on human rights and the rights of the child provide the basis for the following five principles relating to the selection and use of educational resources for educational purposes.

1.1.1. The right to freedom of expression

The Convention on the Rights of the Child part 1, article 13 asserts that a child has the right to engage with information and ideas from many sources and has the right to express their ideas orally, in writing, and through art and/or multi-media as long as they respect the rights and welfare of others.

1.1.2. Duty of care

All department staff have a duty of care in relation to children and students to protect them from a reasonably foreseeable risk of harm. The health and wellbeing of children and young people, their personal safety and the need to consider the impact of learning resources used in educational programs is paramount. Impacts may be positive or negative, intentional or unintended, and leaders and teachers need to consider the possible effect of any resource on children’s and young people’s welfare and learning.

Consideration should also be given to the requirements of the Work Health and Safety Act 2012 and particularly to the requirements detailed in sections 19 and 28.

1.1.3. Involvement of parents and carers

Parents and carers can make considered judgements regarding the educational resources their children and young people use and to express reasons for any concerns they may have. The consumer complaints management and resolution policy and consumer complaints management and resolution procedure provide further information about processes to manage concerns and complaints.

1.1.4. Inclusivity and social inclusion

In the interests of equity and social inclusion, educators must be conscious of the diversity of all children and young people. This includes Aboriginal children and young people, those with disability or special needs, or from different social, religious, cultural and/or economic backgrounds and those who are same sex attracted or gender diverse. Consideration of a range of positive alternatives that promote social inclusion and challenge stereotypical representations of people and circumstances is important. It is particularly important that those involved in the selection of educational resources are discerning at a time when information is globally accessible from a diverse range of sources.

1.2 Legislative requirements

1.2.1. Film, DVD and electronic games classifications

Films, DVDs, some television programs and computer games have classifications that help determine their suitability for certain age groups. The Australian Government’s Australian classification website provides a number of fact sheets that provide up-to-date information relating to these classifications which must be adhered to. The classification of a film, computer game or publication may be searched on the Welcome to Australian Classification Database. Particular attention should be paid to older films with ‘E’

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1 All Australian Education Ministers endorsed the Melbourne Declaration for Educational Goals for Young Australians in December 2008.

2 Some resources developed prior to 1 July 2007 might have an ‘E’ classification marking. This classification is no longer used. Films and computer games that are exempt under section 6B of the Classification (Publications, Films and Computer Games) Act 1995 (Cth) are those...
classifications, including documentaries that are commonly also exempt from classification. Such resources need to be previewed.

Important information relating to classification categories follows:

- **MA15+ visual texts** are legally restricted and must not be shown to, or played by, children and students under the age of 15 unless accompanied by a parent or adult.
- **Visual resources rated M** are recommended for people aged 15 years or over. It is recommended that parents/carers are informed in writing about the use of M rated resources and are given the opportunity to withdraw their children from the experience.
- **Visual resources rated PG** may be used but it is also recommended that parents/carers be informed and given the opportunity to withdraw their children from the experience.
- **G rated programs** may be shown without parental consent.

These restrictions also apply to the games and visual resources, including copied resources that children and young people bring into a department site. All material should be previewed by a member of the site’s professional staff.

Public showing of films, DVDs or commercially generated visual texts require a licence or approval from the copyright owner. Films shown for non-educational purposes ie shown on the bus for a school excursion, school camps or rainy day/end of term films are not covered under current department copyright licence agreements. As such, a separate licence needs to be obtained from Roadshow Public Performance Licensing.

1.2.2. Copyright considerations

All educators have a responsibility to demonstrate compliance with Commonwealth copyright requirements including legislation relating to broadcasting. Children and young people must be encouraged to respect copyrighted materials and this should occur through modelling good practice and demonstrating appropriate ways to acknowledge authorship and sources. Digital texts are subject to copyright in much the same way as books, articles, art works, videos, photographs and other whole works. Most department sites have learning management systems (LMS) or a content management system (CMS) to which copyright controls apply.

The National Education Access Licence for Schools (NEALS) is an agreement between the State departments of education, Catholic education offices, independent schools associations and the Commonwealth Department of Education, Employment and Workplace Relations which allows schools to copy and use publicly available educational materials produced by other educational bodies without incurring the usual copyright fees. If a document is labelled with a NEALS logo, schools are allowed to make unlimited copies of the material, as long as it is for an educational purpose.

Increasingly more content creators are moving towards a Creative Commons licence.

The Open Educational Resources Toolkit (OER) is designed to support curriculum creators in understanding and making use of open education materials in creating curriculum resources. Utilising open educational resources will allow teachers and students to fully engage and use the material without the need to worry about copyright compliance. The toolkit is a practical guide created by the National Copyright Unit.
Wherever content is sourced from, it is important to ensure that the appropriate markings and attributions are placed on all resources.

The following links provide up-to-date information for educators:

- [www.smartcopying.edu.au](http://www.smartcopying.edu.au) – the official guide to copyright issues for Australian schools and TAFE, including the NEALS, Creative Commons and OER
- [www.ausgoal.gov.au](http://www.ausgoal.gov.au) – Australian Government’s Open Access Licensing Framework which details information about copyright and licensing particularly where it impacts on confidentiality or individual privacy.

Checking the copyright status of any resources uploaded or embedded into learning or teaching programs is required. Many online or web-based resources may be used freely when streamed directly via an online link but any copyright advice accompanying the resource must be checked. Increasingly, a range of copyright free resources can be accessed online and these should be considered where they represent an appropriate alternative.

Educators who wish to share digital content or units of work should consider doing so through Scootle which provides curated spaces for shared non-profit digital resources. However, compliance with copyright laws relating to material used in the resources must be adhered to.

Section 113P of the [Copyright Act 1968 (Cth)](http://www.comlaw.gov.au) allows schools and other educational institutions to copy and share text and images in ways that usually require permission. A guide to the copying limits for electronic or hardcopy work can be found at [Education Licence B: Statutory Text and Artistic Licence](http://education.qld.gov.au) (particularly on page 3).

### 1.3 Related policies, guidelines, procedures and frameworks

When selecting resources, educators should ensure a balanced and purposeful assessment of the resources to meet the needs of children and young people and the intended learning outcomes identified in the curriculum are consistent with department policy. It is also expected that decisions about the selection and use of resources are made with reference to the following:

- Early Years Learning Framework
- National quality standard
- My time our place – framework for school age care in Australia
- Australian Curriculum
- Teaching for Effective Learning framework
- South Australian Certificate of Education (SACE) or other formally recognised curriculum frameworks.

The Curriculum, pedagogy, assessment and reporting: early childhood services to year 12 policy establishes expectations about using the Teaching for Effective Learning framework to optimise learning for all students. The selection and use of resources is an important aspect of this expectation.

Domain 2, *create safe conditions for rigorous learning* and domain 4 *personalise and connect learning* of the Teaching for Effective Learning framework are particularly relevant when selecting and using resources and further support learning that improves student achievement, growth, challenge, engagement, and equity.

Teacher-librarians, resource centre managers, team leaders and IT managers have key roles in the selection, management and distribution of a range of resources. They are well-placed to provide advice about selecting resources including conventional books, newspapers, magazines and journals, CDs, talking books and DVDs, conventional charts, QR codes and digital images, e-collections and a variety of digital resources. Existing resources should be reviewed regularly both to monitor their continuing relevance and as a form of quality control.
1.4 Use of apps or free commercially developed resources

Educators at all levels who use and model critical appraisal of application software (apps) or resources developed by commercial organisations, as well as specialist educational publishers, need to ensure that they explicitly support children and young people to develop their abilities to critically assess the values embedded in them. Consideration must be given to the possible biases or commercial interests embedded in many free resources. Consider also that while the acquisition of apps may be free initially, subsequent updates may require payments.

Many apps, both free and available for purchase, may contain mosaics that advertise or promote features or activities, may not have been subjected to adequate quality control and may not be endorsed by the department, compliant with department policies or guidelines or recommended for children or young people even if having an apparent educational value. Teachers and leaders are required to check free apps and commercially available resources carefully to ensure that inappropriate or harmful material is not made available to children or young people.

1.5 Using experts or external service providers

There are human resources such as local experts, external consultants and service providers who can contribute positively to the educational experiences of children and young people. These include performances by an individual or group, guest speakers, mentors, coaches, tutors, hourly paid instructors, counsellors and peers. Principals can approve speakers to visit the school and address assemblies of students on suitable topics.

Care should be taken in the selection of the speaker, and should always be driven by the educational program. A balanced view must always be presented to students. Speakers should not use the opportunity to solely promote commercial services, products or for personal gain. Schools must not supply personal information about individual students to any private organisation.

For political speakers refer to the political matters and Department for Education schools and preschools policy.

1.6 Developing responsible digital citizenship

Keeping pace with rapidly changing information technology is a challenge for educators and everyone generally. Digital resources are increasingly available to children and young people and the nature of these resources is constantly changing. Educators have a responsibility to model critical judgement about the appropriateness and usefulness of both conventional and emerging electronic or digital resources.

1.6.1. Developing critical frameworks

As a shared responsibility, all involved with the selection and use of resources need to exercise balance and sensitivity in assisting children and young people to develop critical frameworks to guide appropriate and independent selections of resources for informational and recreational use in later life. The development of responsible digital citizenship aligns with an emphasis in the broader curriculum on the development of the Australian Curriculum general capabilities, in particular, critical and creative thinking and information and communication technology capability.

1.6.2. Management of social media spaces and web-based or online communities

The use of social media or social networking can be a valuable educational tool for providing access to a range of online resources and as a medium for the authentic sharing and publication of a child or young person’s work. However, sharing or publishing resources including work from a child or young person, or engaging children and young people in digital environments needs to be managed with consideration for responsible digital citizenship and child protection. Social networks, blogs, wikis, video, audio and photo sharing, message boards and forums for discussion are common resources.
The department’s social media guidelines provides guidance about open and closed networking, codes of conduct, respect for and adherence to copyright legislation and safeguards in the use of social networks for educational purposes. The social media guidelines also provide additional references identifying resources for teachers on using social media for teaching and learning activities.

In the event of an expression of concern or a complaint in relation to distributing school-developed resources via social media spaces, site leaders should be able to show that they had complied with the department’s social media guideline and social media for schools and preschools policy statements.

1.7 Responding to complaints and concerns

Despite care being taken in the selection and use of resources in an educational site, concerns may sometimes be raised. Most commonly, concerns come from parents or carers and occasionally a member of the public. However, teachers, leaders, young people or children may also voice concerns.

Complaints and concerns should be dealt with in accordance with the department consumer complaints and management resolution policy and consumer complaints management and resolution procedure.

A template for recording a concern about or request for the reconsideration of an educational resource is provided at Attachment A.

1.8 Further considerations

1.8.1. Considerations when using resources relating to Aboriginal cultures

There are many cultural differences and expectations relating to how non-Aboriginal people may handle cultural traits and artefacts. If there are Aboriginal children or young people in a site, it is best to check with the relevant community about what is acceptable. In general, care needs to be taken in relation to ceremonial and other sacred activities relating to Aboriginal cultures. Of particular concern is the depiction of the dead. In this case, a warning should be included to the effect that the resource contains images of deceased people and that this may offend some groups. Opportunity for young people affected this way should be provided for them to withdraw.

An additional concern for some Aboriginal groups is the use of the colour red. Apart from checking with community leaders about what is appropriate, educators might also check the Aboriginal and Torres Strait Islander library and information resources network protocols site. Wherever possible, educators should check the authenticity of artefacts or texts, such as the dreaming stories, and acknowledge their origins where possible.

1.8.2. Potentially offensive or controversial content

It is preferable to avoid using a resource that might be regarded as offensive. Alternative resources should be considered. However, issues that may be considered controversial may have educational merit or significance and be appropriate for discussion as part of a curriculum focus. Discussion with colleagues, curriculum managers or leadership personnel, where appropriate, and open communication with young people and parents or carers, in relation to the topic or issues, is recommended. Talking with individuals who may be affected is also recommended.

1.8.3. Use of student images in teaching and learning resources or the publication of student generated work

Refer to the consent to use media and creative work procedure. Images may not be posted on any publicly available webpage unless permission has been granted and child protection obligations have been met.
## 2. Roles and responsibilities

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<tr>
<th>Role</th>
<th>Authority/responsibility for</th>
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<tbody>
<tr>
<td><strong>Learning improvement division</strong></td>
<td>To support quality teaching and learning in department schools and successful post-school pathways for every young person. To monitor, evaluate and review this guideline to ensure that department sites are provided with relevant and current information in relation to the selection and use of resources for educational purposes.</td>
</tr>
<tr>
<td><strong>Preschool director, school principal or site leader</strong></td>
<td>To work collaboratively with other site leaders, teachers, the governing council and parents or carers to ensure that the selection and use of resources is compliant with relevant legislation, whole of Government and department policies, guidelines, procedures and frameworks. To ensure that site resources are reviewed on a regular basis.</td>
</tr>
<tr>
<td><strong>Teacher-librarian or resource centre staff</strong></td>
<td>To provide leadership in collaborating with teachers and leaders to select resources to support the teaching and learning program. To provide advice to other teachers and leaders about the availability and management of a range of resources and particularly emerging e-resources to supplement more conventional resources. To ensure a balance of resources that challenge children and young people to access knowledge and engage critically and sensitively with a range of ideas and views. To comply with all relevant department policies and procedures.</td>
</tr>
<tr>
<td><strong>IT resource manager or digital curator</strong></td>
<td>To manage access to resources via the appropriate site networks. To work with teacher-librarians, resource managers, teachers, leaders and others to ensure that the electronic or digital resources that are uploaded or made available via site intranets or held in digital libraries, are compliant with department policies, guidelines, procedures and frameworks, copyright obligations and classification rankings.</td>
</tr>
<tr>
<td><strong>Leadership teams</strong></td>
<td>To ensure that all resources selected for educational use are appropriate and relevant to achieving positive learning outcomes for all children and young people. To work with teachers and support staff, young people and parents or carers to inform them of the relevance of resources within the educational program that may be considered controversial.</td>
</tr>
<tr>
<td><strong>Teachers and support staff</strong></td>
<td>To select and use educational resources creatively to support engaging pedagogies and relevant curriculum that challenges children and young people to become successful learners, confident and creative individuals and active and informed citizens (Melbourne Declaration – goal 2). To work with leadership teams and resource managers within a site to ensure that the range of resources used are relevant, challenging and engaging, address issues of cultural, physical, social, emotional and economic diversity and promote equity of access and social inclusion. To comply with all relevant department policies and procedures.</td>
</tr>
<tr>
<td><strong>Parents and/or carers</strong></td>
<td>To be involved in the access and selection process eg through governing councils, committees or as individuals.</td>
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To be informed about their options to recommend or express concern about particular resources.

**Children and young people**

To use resources with respect especially in relation to ensuring equitable access and adherence to department ICT user agreements, copyright and related controls.

To use social media resources responsibly within an educational context.

**External service providers**

To be informed by this guideline.

**Governing council**

To provide advice that informs the enactment of this guideline.

### 3. Definitions

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<th>Term</th>
<th>Meaning</th>
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<tr>
<td>Access</td>
<td>Access means providing opportunities for all children and young people to seek out and use information and learning resources.</td>
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<tr>
<td>Children and young people</td>
<td>All children and young people enrolled at or attending a site as defined in this glossary.</td>
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<tr>
<td>Risk</td>
<td>The description of the likelihood and consequence of a hazard causing harm, injury or loss.</td>
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<tr>
<td>Selection</td>
<td>Selection means choosing the most suitable and the most appropriate resources from an available range to support engaging curriculum delivery and positive learning outcomes.</td>
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<tr>
<td>Sites</td>
<td>All pre-schools, schools, alternative education centres or offsite learning programs, out of school hours care and vacation care services, the homes of family day care educators, children’s centres and child care centres.</td>
</tr>
<tr>
<td>Site leader</td>
<td>The individual who has responsibility for the welfare and education of children and young people on a site, including the principal, director, manager or family day care educator or a person to whom the site leader has delegated authority.</td>
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## Attachments

**Attachment A:** [Template for recording a concern about or request for the reconsideration of an educational resource](#)

### SUPPORTING INFORMATION

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<th>Published</th>
<th>April 2019</th>
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**Related legislation**

- Australian Human Rights Commission Act 1986
- Broadcasting and Television Amendment Act (1985)
- Children’s Services Act 1985
- Copyright Act 1968
- Education and Early Childhood Services (Registration and Standards) Act 2011
- National classification code
- Work Health and Safety Act 2012

**Related policy and related documents**

- A manual for developing policies and procedures in Australian school library resource centres
- Aboriginal and Torres Strait Islander library and information resources network protocols
- Australian classification
- Australian council on children and the media – ‘know before you load’
- Australian Curriculum, Assessment and Reporting Authority (ACARA)
- Australian Government’s Open Access Licencing framework
- Australian library and information association (ALIA) - policies standards and guidelines
- Australian school library Association (ALIA)
- Australian curriculum
- Australian curriculum: English
- Children and student with disability policy
- Communities and developing LGBTQ inclusive services
- Consumer complaints management and resolution policy
- Consumer complaints management and resolution procedure
- Convention on the rights of the child
- Countering racism policy and guidelines (Department policy)
- Cyber Safety: Keeping Children Safe in a Connected World
- Creative commons Australia: fact sheet - how to attribute creative commons licensed materials
- Curriculum, pedagogy, assessment and reporting: early childhood services to year 12 policy
- Electronic mail access and use policy
- Early Years Learning Framework
- Education Licence B: Statutory Text and Artistic Licence
- Curriculum, pedagogy, assessment and reporting: early childhood services to year
1.0

Approved by: Senior Executive Group

Approved date: 24/10/2017

Review date: 17/03/2019

Amendments: Administrative edit to update broken hyperlinks

1.2

Approved by: Director, Strategic Design

Approved date: 09/04/2019

Review date: 17/03/2020

Amendments: Minor edit to update to new template, machinery of government changes and updates to hyperlinks.
Attachment A  Template for recording a concern about or request for the reconsideration of an educational resource

Resource to be reconsidered

__________________________________________________________

Type of resource (e.g. book, video, computer software)

__________________________________________________________

Reason (please be specific eg page number, relevant scene or part if appropriate)

__________________________________________________________

What was the child’s response to this resource?

__________________________________________________________

What would you like done about this resource?

☐ Do not assign it to my child
☐ Restrict access to this resource
☐ Withdraw it from the school
☐ Other

__________________________________________________________

Any other comments

__________________________________________________________

Thank you for completing this form.

Signature:  Date:

Action taken and recommendation made for this resource: (to be filled in by site)