

Year 11 2011 and Year 12 2012 DIGITAL EDUCATION REVOLUTION NSW

FACT SHEET - Damage or loss of equipment

Q. All laptops and batteries are covered by a manufacturer's warranty.

A. Yes. The warranty covers manufacturer's defects and normal use of the laptop for 2 years. It does not cover negligence, abuse or malicious damage.

Q. Are the laptops covered by insurance?

A. Yes. The NSW Treasury Managed Fund Contract of Coverage states, "The Fund covers all losses, provided the loss is fortuitous, real and quantitative". Damage or loss occurred from carelessness, inattention or an apparent disregard is deemed to be due to negligence. Damage or loss caused or partly caused by negligence is not covered by Treasury Managed Fund. Parents who currently hold a personal home contents insurance policy may choose to notify their insurer about the issue of the DER laptop.

Q. Who pays if the incident is not covered by insurance due to some form of negligence?

A. Should any equipment on loan be lost or damaged due to negligence or abuse or malicious act or failure to ensure safe custody of the laptop, the student will be requested to pay replacement or repair costs.

Q. Where is this in the 2009 Laptop User Charter?

A. The laptops are loaned to students under the same conditions that other school equipment is loaned. In the case of other school equipment such as library books, textbooks, cameras, tools etc the borrower is required to pay repair or replacement costs if the item is lost or broken. Parents have pointed out that while this is common practice, it needs to be clearly stated in the Laptop User Charter. As a result of this feedback later Charters have a more explicit statement.

Q. Can you give me an example of what is means by negligence?

A. If a student trips over the laptop electrical cord and the laptop is pulled onto the ground and smashes the screen, the claim will not be paid as though it seems on the surface to be an accident, there was not due care taken to guard against such an incident happening. In such a case the school would request reimbursement from the student.

Q. What if a family refuses to pay?

A. For families in financial hardship the principal has discretion to make arrangements for the cost to be paid off over a period of time or other flexible solutions. However if a family refuse to pay the principal will arrange for a loan laptop for the student for day use only i.e. the student cannot take it home. Instead the student will collect it from and return it to the TSO at start and end of the school day. The TSO will ensure it is charged overnight. Thus the student will not be disadvantaged in the classroom. Students who have a laptop related debt and are later allocated a laptop, should be told that they may not be entitled to keep the laptop at the end of Year 12.

Q. What do I do if my laptop is stolen, lost or damaged?

A. In case of theft the student or teacher in charge of the laptop should notify the police and the school as soon as possible after the event. In case of theft the [Digital Education Revolution - NSW policy](#) requires a police report number. In case of loss or damage, the student or teacher in charge of the laptop should notify the school as soon as possible after the event. In case of damage or loss Digital Education Revolution - NSW policy requires a signed Statutory Declaration. In both cases the [Laptop Incident Report](#) must be completed. Any problems, vandalism, damage, loss or theft of the laptop must be reported immediately to the school. Students will be required to replace lost or damaged chargers.

Q. What if it happens in school holidays?

A. There is a link on the DET website under Digital Education Revolution - Your Questions - [Lost and Stolen Laptops](#). Fill in this online form and notify your school on the first day back.

Q. How safe is student data on the laptops?

A. Students are responsible for backing up data securely. They should save to the DET online storage provided for this purpose. However since this is not activated until the next time they connect to the school wireless, they should also back up on other personal devices such as an USB memory stick or email their work to themselves. Students must be aware that the contents of their laptop will be deleted and the storage media reformatted in the course of repairs.

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This fact sheet has been developed in response to inquiries from parents. It applies to year 9 2010 and beyond.

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Q. Who pays if the incident is not covered by insurance due to some form of negligence?

A. Should any equipment on loan be lost or damaged due to negligence or abuse or malicious act or failure to ensure safe custody of the laptop, the student will be requested to pay replacement or repair costs.

Q. Where is this in the 2010 Laptop User Charter?

A. The Laptop User Charter states: *Laptops that are damaged or lost by neglect, abuse or malicious act, may require reimbursement. The Principal will determine whether replacement is appropriate and/or whether or not the student is responsible for repair or replacement costs and whether or not the student retains access to a laptop for home use. (2.2.5)* The laptops are loaned to students under the same conditions that other school equipment is loaned. In the case of other school equipment such as library books, textbooks, cameras, tools etc the borrower is required to pay repair or replacement costs if the item is lost or broken.

Q. Can you give me an example of what is means by negligence?

A. If a student trips over the laptop electrical cord and the laptop is pulled onto the ground and smashes the screen, the claim will not be paid as though it seems on the surface to be an accident, there was not due care taken to guard against such an incident happening. In such a case the school would request reimbursement from the student.

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Q. Can I get a new laptop?

A. When a laptop is replaced, it is replaced with one of similar age.

Q. What if it happens in school holidays?

A. There is a link on the DET website under Digital Education Revolution - Your Questions - [Lost and Stolen Laptops](#). Fill in this online form and notify your school on the first day back.

Q. How safe is student data on the laptops?

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