



February 7, 2005

VIA FACSIMILE

Mr. Don Hagland
Brittan Board of Trustees
2340 Pepper Street
Sutter, California 95982
Fax: (530) 822-5143

Re: Safety and civil liberties implications of including Radio Frequency Identification tags in student identity badges

Dear Mr. Hagland:

We are writing to express our grave concerns about the school district's recent decision to require its students to carry badges containing Radio Frequency Identification tags (RFIDs). Any supposed gain in efficiency that results from the use of the new badges is more than offset by the dangers posed in implementing this intrusive new technology. Rather than making Brittan's schools more secure, it puts its children at risk. We urge the school board to recognize the serious safety and civil liberties implications of this program and terminate this ill-advised experiment immediately.

Although safety and administrative efficiency are apparently the district's prime objectives in mandating the RFID badges, the badges are a solution in search of a problem. Based on our conversations with parents in the district, there appears to be no history of either security or attendance problems in the Brittan schools. To the extent that either of these issues is a concern, they can be readily addressed without resort to the use of tracking devices on children.

More importantly, however, the RFID badges jeopardize the safety and security of students by broadcasting identity and location information to anyone with a chip reader. The RFID badges will make it much easier for anyone – not just school officials – to target and find Brittan schoolchildren, both at school and in the community at large. As RFID readers become cheaper and more widely available, the threat to students increases. The school district and the company have not provided adequate assurance about how they will protect the children's personal information and location information from unauthorized access, use, and disclosure.

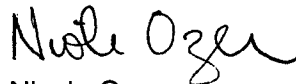
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In addition to raising significant safety concerns, requiring students to wear RFID badges creates a prison-like atmosphere at school. Their use is demeaning to all children, regardless of age, creating an atmosphere of disrespect for and distrust of students. The Universal Declaration of Human Rights, ratified by the United States, protects dignity as an essential component of being a human being and a condition for freedom and equality. The Brittan school district sends a very disturbing message to its impressionable students when it monitors them using the same technology currently employed to track cattle, shipment pallets, or detainees in high-security prisons. Indeed, one parent told us that his child came home from school, threw the badge down on the table, and said "I'm a grocery item, a piece of meat, I'm an orange."

Given the serious concerns raised by the implementation of this new program, the district's decision to go forward with it without consulting parents is particularly alarming. It is our understanding that no parents were consulted about the technology nor given the opportunity to question the supposed value of or justification for the system before their children were forced to carry the RFID badges. Rather than responding to the objections of the parents, it is our understanding that the district has instead threatened disciplinary action against children. This is not right. No child or parent should be threatened with disciplinary action for protecting a student's safety, security, and privacy rights. The rights of students and their parents do not stop at the schoolhouse gates. *See Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503 (1969). We urge that the school board respect the privacy and civil liberties concerns of Brittan students and families and reconsider its decision.

Sincerely,



Nicole Ozer
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American Civil Liberties Union

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Senior Staff Attorney
Electronic Frontier Foundation

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Policy Counsel
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