

Texas School District Decides Fate of 'Mark of the Beast' Student Chips

Fifteen-year-old Andrea Hernandez was expelled from her San Antonio magnet school. But it wasn't for defiance, skipping school, using drugs or carrying a weapon on campus.

Rather, it was because she objected to the tracking microchip embedded in her student ID card. She called it the **"mark of the beast,"** sacrilege to her Christian faith—not to mention how it pinpoints her location, even in the school bathroom, the Associated Press reported.

But her stance has made a difference for the entire school district.

Indeed, after a drawn-out battle waged in court and within the community, school officials with the Northside Independent School District (NISD) have decided to stop using a student tracking program that relied on RFID tracking badges containing tiny chips that produce a radio signal.

According to school officials, the decision to cease the "Student Locator Project" was due in part to low participation rates, negative publicity and a lawsuit by the Rutherford Institute. Rutherford Institute attorneys had filed a suit against school officials in November 2012 on behalf of Hernandez, a sophomore at John Jay High School's Science and Engineering Academy. The question of whether Hernandez will be permitted to return to John Jay has yet to be resolved.

"This decision by Texas school officials to end the student locator program is proof that change is possible if Americans care enough to take a stand and make their discontent heard," says constitutional attorney John W. Whitehead, president of

the Rutherford Institute and author of *A Government of Wolves: The Emerging American Police State*. “As Andrea Hernandez and her family showed, the best way to ensure that your government officials hear you is by never giving up, never backing down and never remaining silent—even when things seem hopeless.”

Here’s the backstory. In 2012, the Northside Independent School District in San Antonio launched a program, the “Student Locator Project,” aimed ostensibly at increasing public funding for the district by increasing student attendance rates.

As part of the pilot program, roughly 4,200 students at John Jay High School and Jones Middle School were required to wear “SmartID” card badges embedded with an RFID tracking chip that made it possible for school officials to track students’ whereabouts on campus at all times. School officials hoped to expand the program to the district’s 112 schools.

For Hernandez, a Christian, the badges pose a significant religious freedom concern in addition to the obvious privacy issues. In response to her requests to opt out of the program and use chipless badges, Hernandez was informed that “there will be consequences for refusal to wear an ID card.” For example, students who refused to take part in the ID program were not able to access essential services like the cafeteria and library, nor would they be able to purchase tickets to extracurricular activities. According to Hernandez, teachers were even requiring students to wear the IDs to use the bathroom.

In coming to Hernandez’ defense, Rutherford Institute attorneys alleged that the school’s attempts to penalize, discriminate and retaliate against Andrea violated her rights under the First and Fourteenth Amendments to the U.S. Constitution.

Although a district court judge for Bexar County, Texas,

granted the Rutherford Institute's request for a temporary restraining order to prevent NISD from expelling Hernandez based on her objections to the tracking badge, both the Fifth Circuit Court of Appeals and the Western District of Texas denied her accommodation, with the Western District judge ruling against the sophomore on the grounds that her objections were "not grounded in her religious beliefs" and were a "secular choice rather than a religious concern."

As constitutional attorney Whitehead pointed out, the ruling not only was "a sad statement on our nation's growing intolerance for dissent and for those whose religious beliefs may differ from the mainstream" but it also sent a clear message that it's more important for schools to make money than for individual freedoms to be respected.

Jennifer LeClaire is news editor at Charisma. She is also the author of several books, including *The Spiritual Warrior's Guide to Defeating Jezebel*. You can email Jennifer at @ or visit her website [here](#). You can also join Jennifer on Facebook or follow her on Twitter.