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Students are being denied privacy

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There is a constant national debate on how well our schools are preparing kids for lives they'll feel worth living. But the importance of that issue somewhat omits another major concern: How regularly these students are being tracked in and out of class.

I'd previously reported how Andrea Hernandez, a high school sophomore in the Northside Independent School District in San Antonio, Texas, had been expelled for refusing to wear a Radio Frequency Identification Card (RFID) that records every step students take.

You see, she'd read our Constitution.

In a lawsuit filed on her behalf by lawyers from the Rutherford Institute, Andrea claimed that, according to the Book of Revelation, she couldn't be forced by a ruling secular authority to reject her personal religious beliefs. This was at the core of her right to religious freedom.

And, I reported a few weeks ago, as a result of her acting in awareness of her identity as a free American, she was later expelled from school (my column, "Public School Students Being Tracked Continually," Sept. 11).

Her attorneys (provided at no charge by Rutherford Institute leader John Whitehead) firmly reminded the Texas courts that her school had denied her of her rights under the Texas Religious Freedom Act and the Fourteenth Amendment, which guarantees all Americans equal protection under the laws.

These knowledgeable American citizens had finally so re-educated the Northside Independent School District that, lo and behold, on Aug. 26, Andrea resumed classes at the John Jay Science and Engineering Academy, which regards itself as a magnet school.

Andrea Hernandez and John Whitehead have indeed made it a magnet, drawing the attention of other school administrators who still treat their tracked students as possible future suspects in alleged violations of their schools' code of conduct.

Not only is Andrea back in class, but under this barrage of judicial criticism, the Northside Independent School District has decided to stop using the RFID program, whose badges had tiny tracking chips that followed students everywhere on school property.

Also, school officials didn't dig the unfavorable publicity from Andrea's Rutherford lawsuit. See, argued John Whitehead, "change is possible if Americans care enough to take a stand and make their discontent heard.

"As Andrea Hernandez and her family showed," he continued, "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."

And as I keep saying to all Americans I can reach: "You have the most powerful weapon against a bruising, overreaching unconstitutional government — the First Amendment!

"Use it — to remain a meaningful American!"

In North Carolina recently, there was another example of how too many American students have been learning that, once they go inside their school doors, the Constitution is barred from entering with them. And, as in Andrea Hernandez's case, this time the Constitution did break through that school-erected barrier. Our battering ram for individual liberty, John Whitehead, explained his involvement:

"A federal court has agreed to hold (Clinton, N.C.) school officials accountable for stripping a 10-year-old boy down to his underwear in an aggressive strip-search that included rimming the edge of his underwear, allegedly in an attempt to find another student's missing \$20 bill" ("Victory: Federal Court Agrees That North Carolina School Officials Should Be Held Accountable for Strip-Searching 10-Year-Old Boy for Lost \$20 Bill," rutherford.org, Sept. 10).

In a lawsuit, Rutherford's lawyers insisted "there is no justification for the school's decision to so egregiously violate the fifth-grader's Fourth Amendment rights or for the alleged failure to train school employees in how to appropriately deal with such matters."

U.S. Magistrate Judge William Webb agreed in *Cox v. Sampson County Board of Education*. John Whitehead said this about how 10-year-old student J.C. Cox was treated:

"Such outrageous conduct (after Cox demonstrated clearly he didn't have the money) by school officials not only dehumanizes students, but it also deprives them of the fundamental right of privacy under our Constitution. These types of searches clearly illustrate the danger inherent in giving school administrators carte blanche authority to violate the civil liberties and privacy rights of students.

"Do we really want young people to be taught that they have no true rights and that government authorities have total power and can violate their rights as they see fit?"

It turned out J.C. Cox was telling the truth. A teacher later said the missing \$20 had been found on the cafeteria floor. But school officials — without doing any investigation of their own — had manhandled the boy.

This was due process?

As John Whitehead has reported (and as I have separately), there are school officials around the country who relentlessly show students they have no personal constitutional protections once they enter their school building.

During the 2016 presidential and congressional elections, I doubt very much that candidates of either party — except maybe insistent libertarians — will raise the issue of how so many of our kids are taught that they are continually under criminal suspicion and surveillance in their schools — in this land of the free and home of the brave.

How many of our students are even taught the Constitution in their schools? How many of their parents bother to find out?