

SUBJECT: Use of radio frequency identification technology in public schools

COMMITTEE: Public Education — favorable, without amendment

VOTE: 8 ayes — Grusendorf, Oliveira, Branch, Delisi, Dutton, Eissler, Hochberg, Mowery
0 nays
1 absent — B. Keffer

WITNESSES: For — None
Against — None
On — Merry Lynn Gerstenschlager, Texas Eagle Forum

DIGEST: HB 2953 would prohibit school districts from requiring a student to use an identification device that used radio frequency identification technology (RFIT) or similar technology to identify the student, transmit information regarding the student, or track the location of the student. A school district that permitted voluntary use of such a device would have to provide an alternative method of identification if the student's parent or guardian submitted timely written objection to its use.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2005, and would apply beginning with the 2005-06 school year.

SUPPORTERS SAY: HB 2953 would ensure that schools did not violate student privacy by inappropriately using RFIT to keep track of and collect information about students. Some public schools in Texas, including at least one in Texas, are seeking to monitor students by requiring them to wear badges or identification cards containing computer chips used to identify a student's whereabouts. Schools that have adopted this practice claim that the badges help schools monitor attendance and improve school security and student safety. This is a solution in search of a problem. Schools have other ways

to monitor student attendance and maintain safety without requiring such invasive procedures.

The bill would not prohibit school districts from using the RFIDs on a voluntary basis but would ensure that parents had the option of selecting an alternative method of identification.

**OPPONENTS
SAY:**

RFIT is a new technology that could develop into a useful and less invasive tool for school districts. Many businesses have adopted the use of the technology as an efficiency tool. School districts should retain the option of requiring this technology so that these future uses could be considered.