

the midnight special law collective presents...

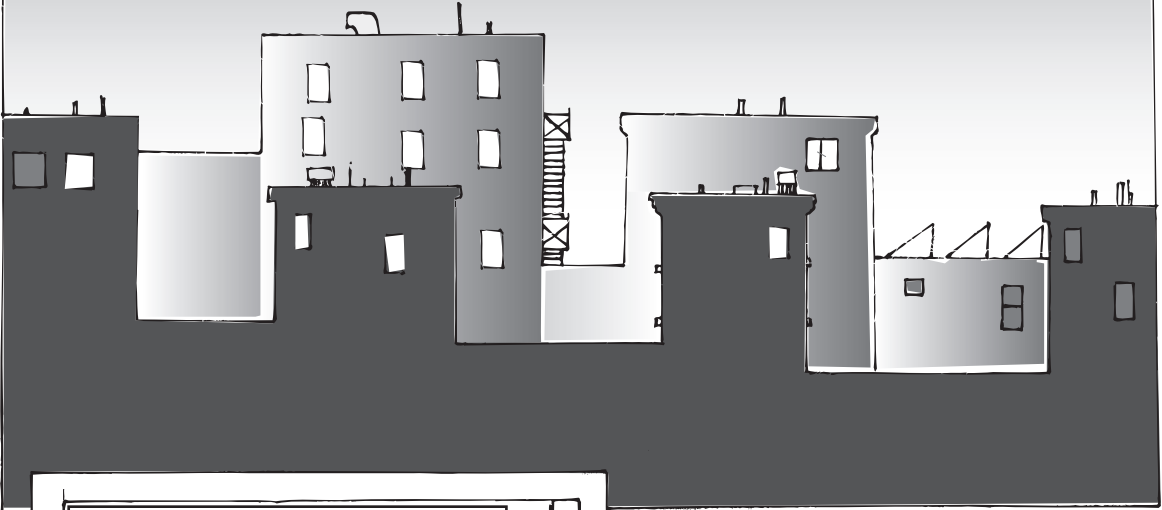
# KNOW YOUR RIGHTS

comix  
#2

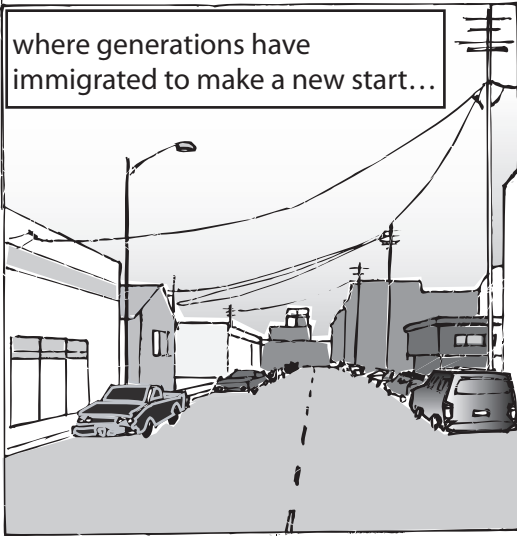


in collaboration with eneri rodriguez & matthew riederer

500,000 people crammed into a 30 block radius...



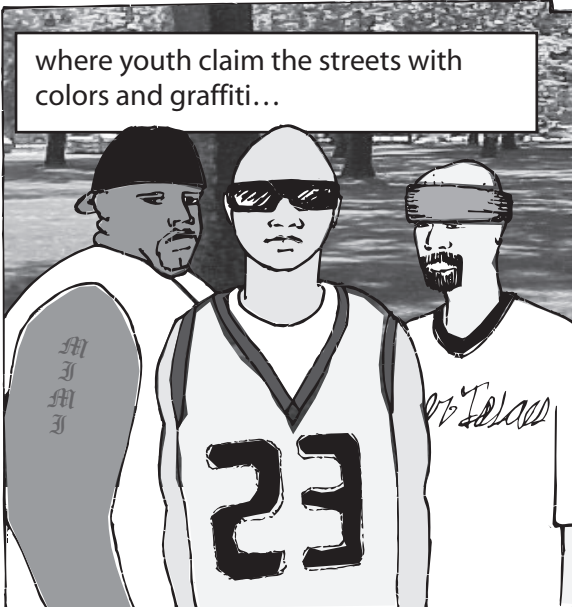
where generations have immigrated to make a new start...



where elotes and paletas are sold on every corner...



where youth claim the streets with colors and graffiti...



and families barbeque in the park...



...in the midst of this inner city, there lived an old abuela raising her grandson. His name is Anthony Rodriguez.



¡Apurate Antonio, se te va hacer tarde! \*

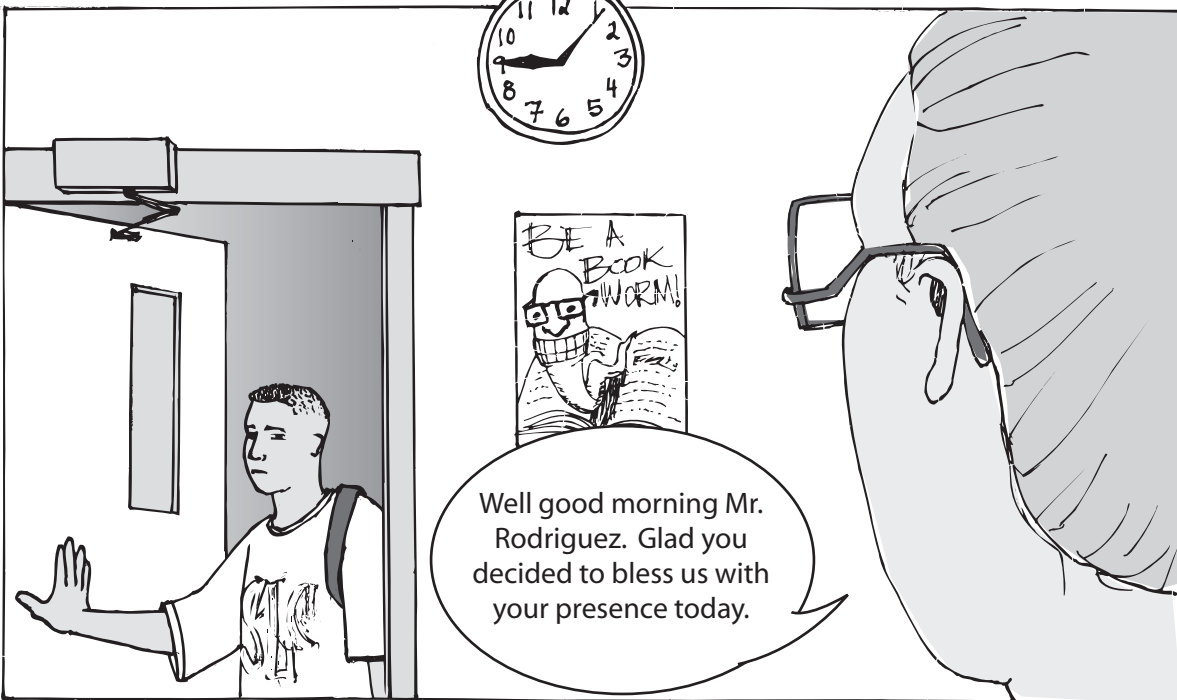
\*Hurry up Antonio, you're going to be late!



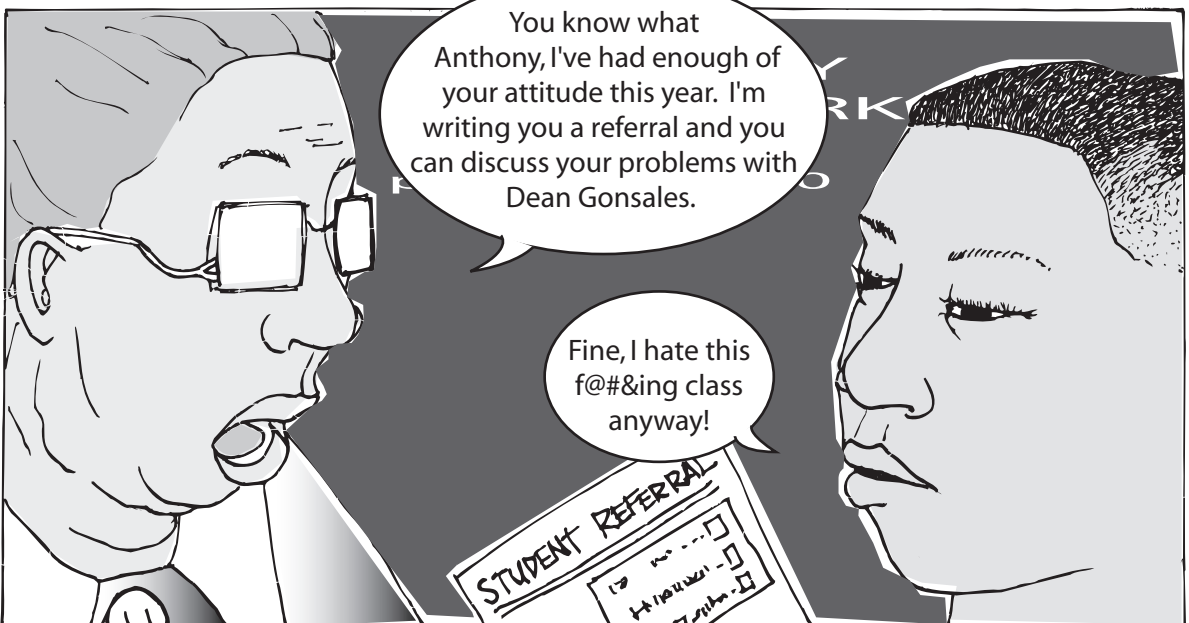
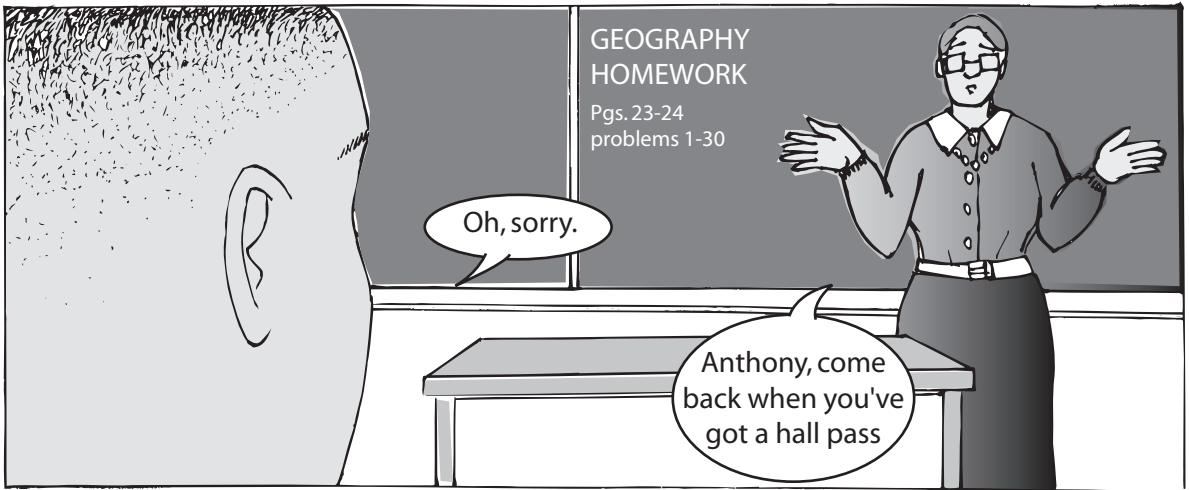
Anthony's had it rough. At the age of twelve, he witnessed his mother shot dead. His older brother is serving time.



But right now he's late for class.



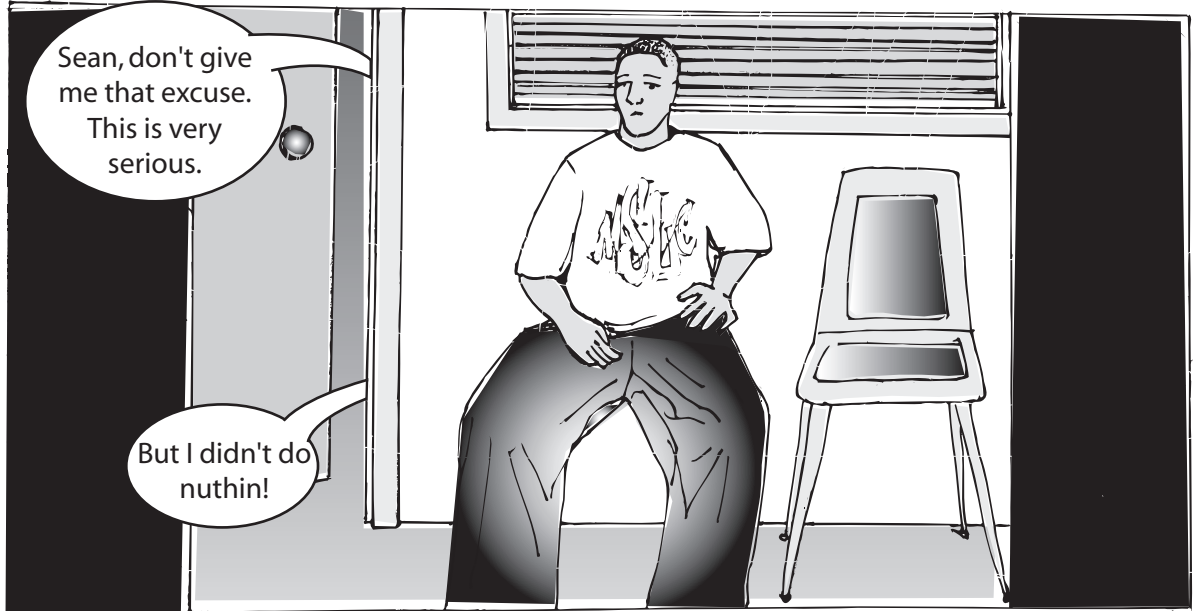
Well good morning Mr. Rodriguez. Glad you decided to bless us with your presence today.





You know we have a zero-tolerance policy on fighting.

But I didn't start it!

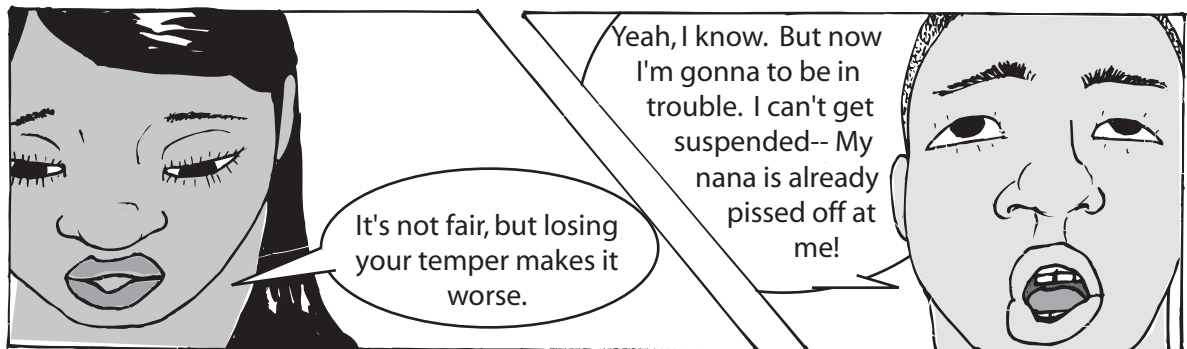
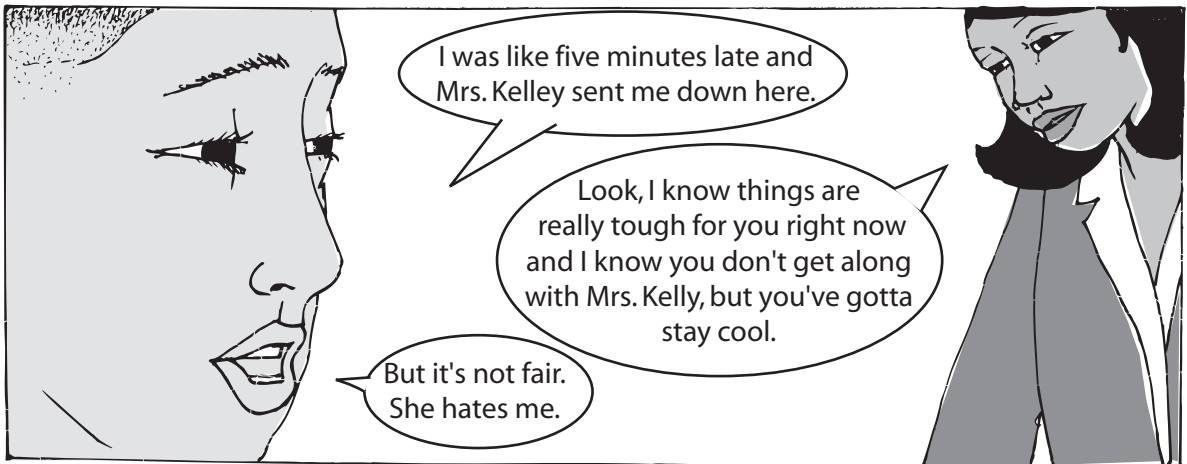
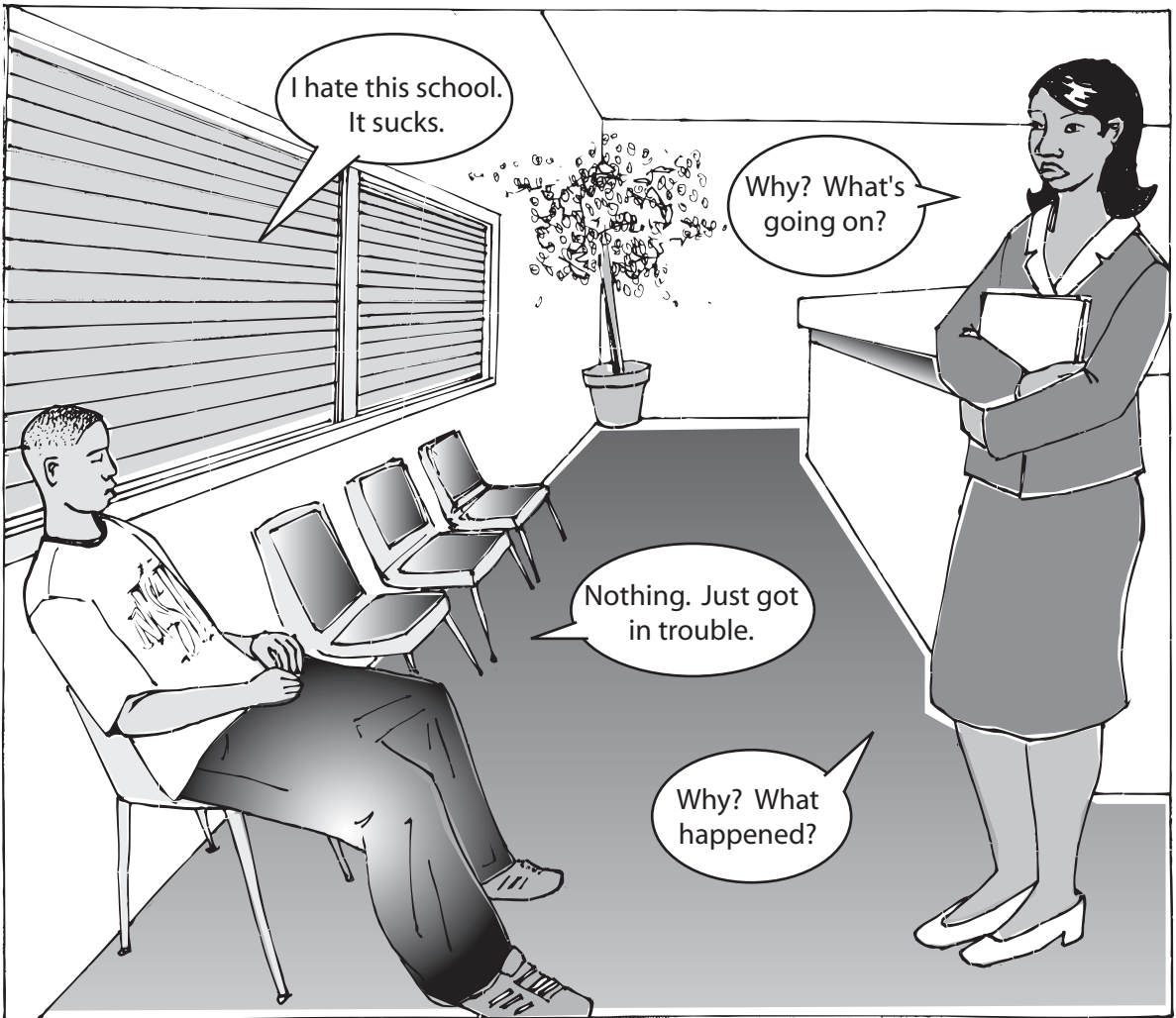


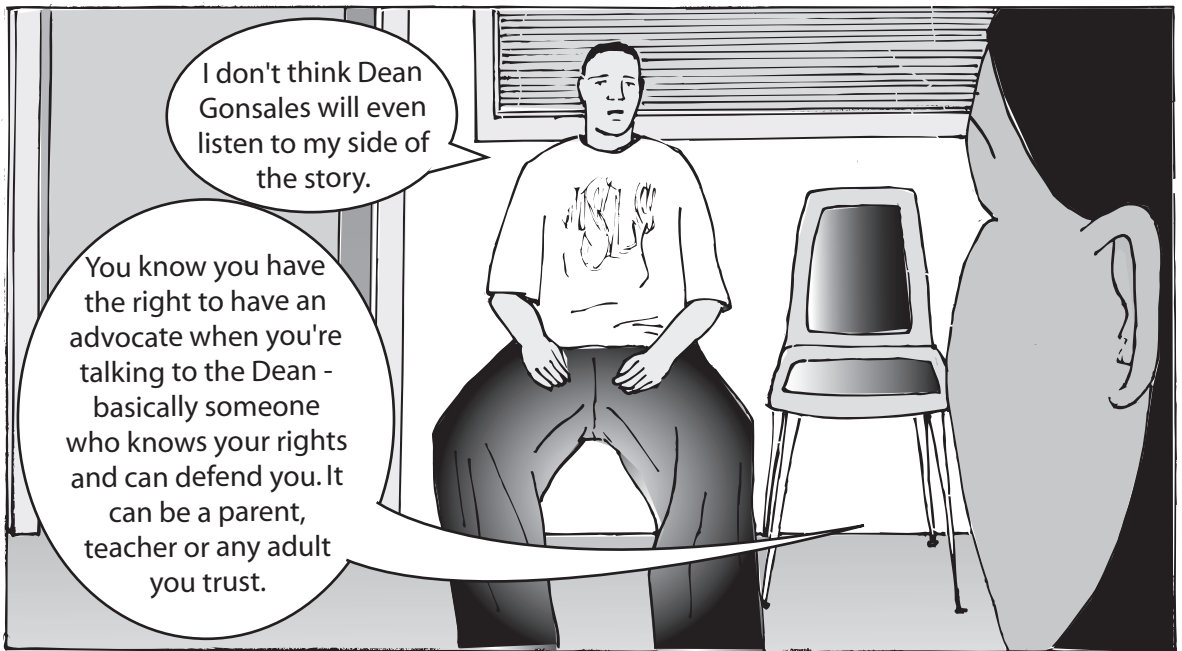
Sean, don't give me that excuse. This is very serious.

But I didn't do nuthin!



Hey, Anthony, what are you doing here?





I don't think Dean Gonsales will even listen to my side of the story.

You know you have the right to have an advocate when you're talking to the Dean - basically someone who knows your rights and can defend you. It can be a parent, teacher or any adult you trust.



For reals?

Yes, for reals. Do you want me to be your advocate?

Yeah, sure.

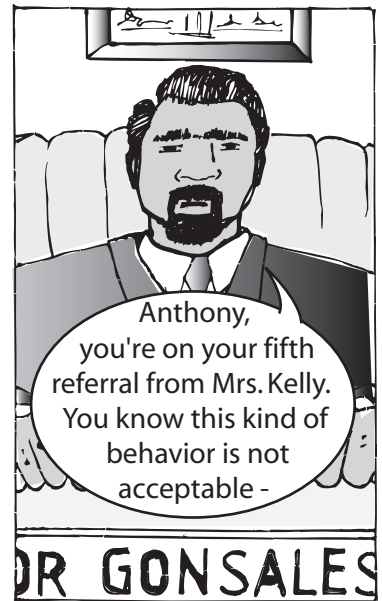
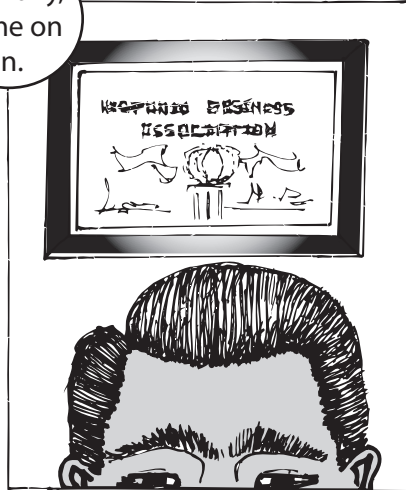
OK, I just have to go drop these papers off. I'll be right back.





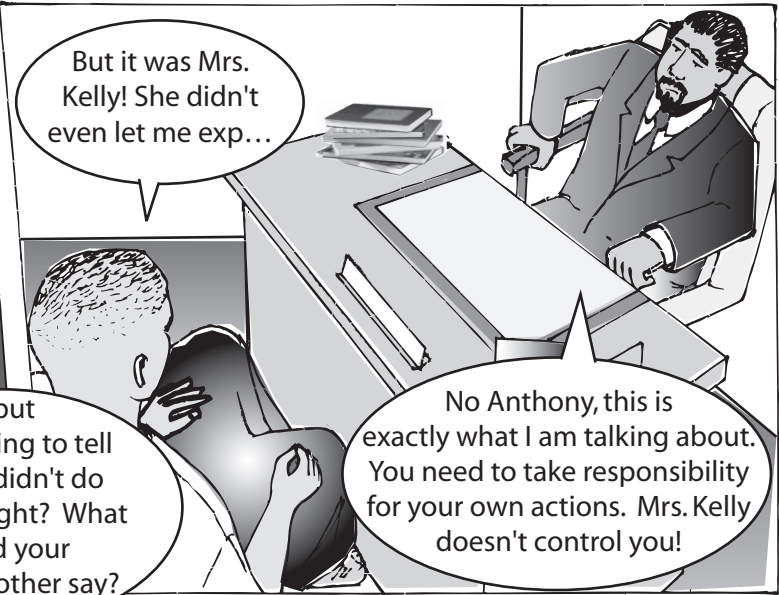
Anthony,  
come on  
in.

seconds later...



Anthony,  
you're on your fifth  
referral from Mrs. Kelly.  
You know this kind of  
behavior is not  
acceptable -

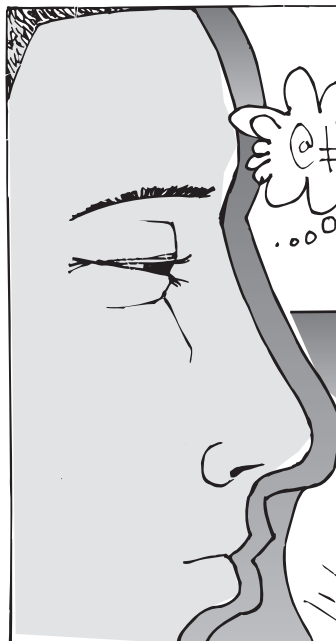
DR GONSALES



But it was Mrs.  
Kelly! She didn't  
even let me exp...

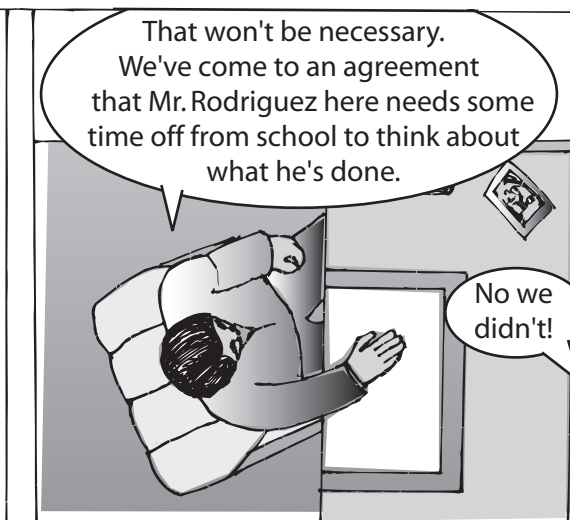
Oh but  
you're going to tell  
me you didn't do  
anything, right? What  
would your  
grandmother say?

No Anthony, this is  
exactly what I am talking about.  
You need to take responsibility  
for your own actions. Mrs. Kelly  
doesn't control you!



I'm giving you a two day  
suspension. You know,  
Anthony, I'm worried about  
you. I don't want you to  
end up like your brother.

!@#&!!





Well, this is the 5th time this semester that he's disrupted Mrs. Kelly's class.

It seems like this is a personal problem between Anthony and Mrs. Kelly. I think it'd be better if a counselor sat down with the two of them so they can talk out their problems.



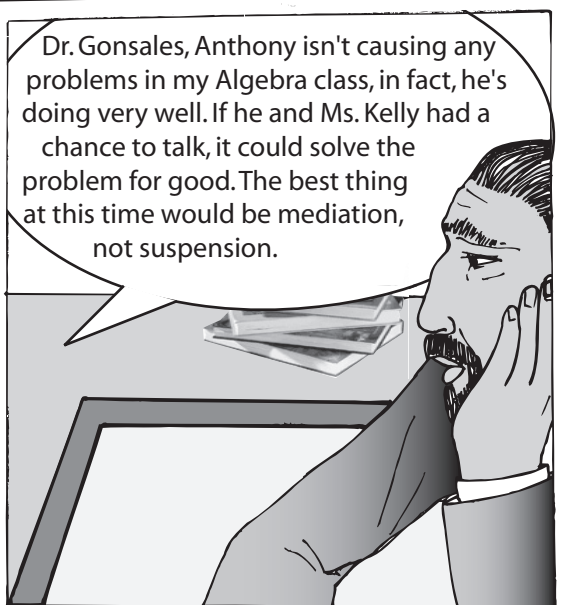
That's called mediation. What do you think about that, Anthony?

Better than getting suspended for no reason!

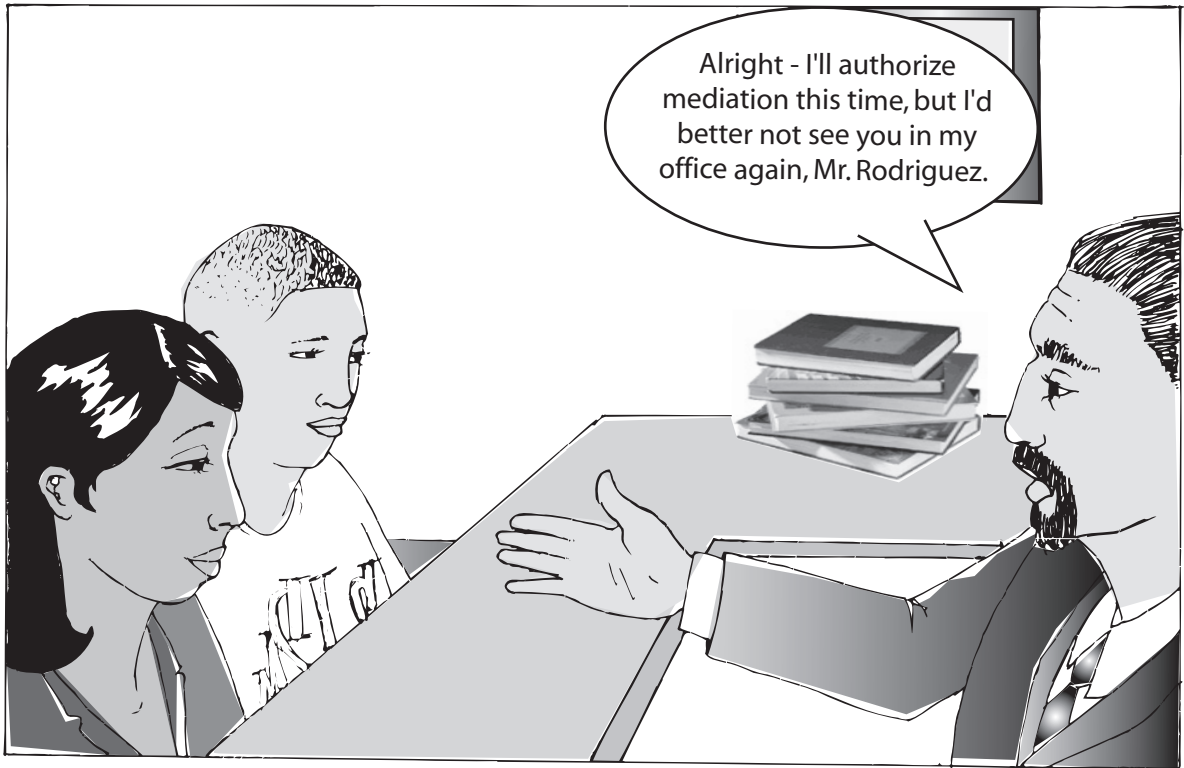


This can't be solved with mediation Ms. Chambers.

Problem behavior starts in the home. He's following in his brother's footsteps and we have a no tolerance policy for this kind of thing.



Dr. Gonsales, Anthony isn't causing any problems in my Algebra class, in fact, he's doing very well. If he and Ms. Kelly had a chance to talk, it could solve the problem for good. The best thing at this time would be mediation, not suspension.



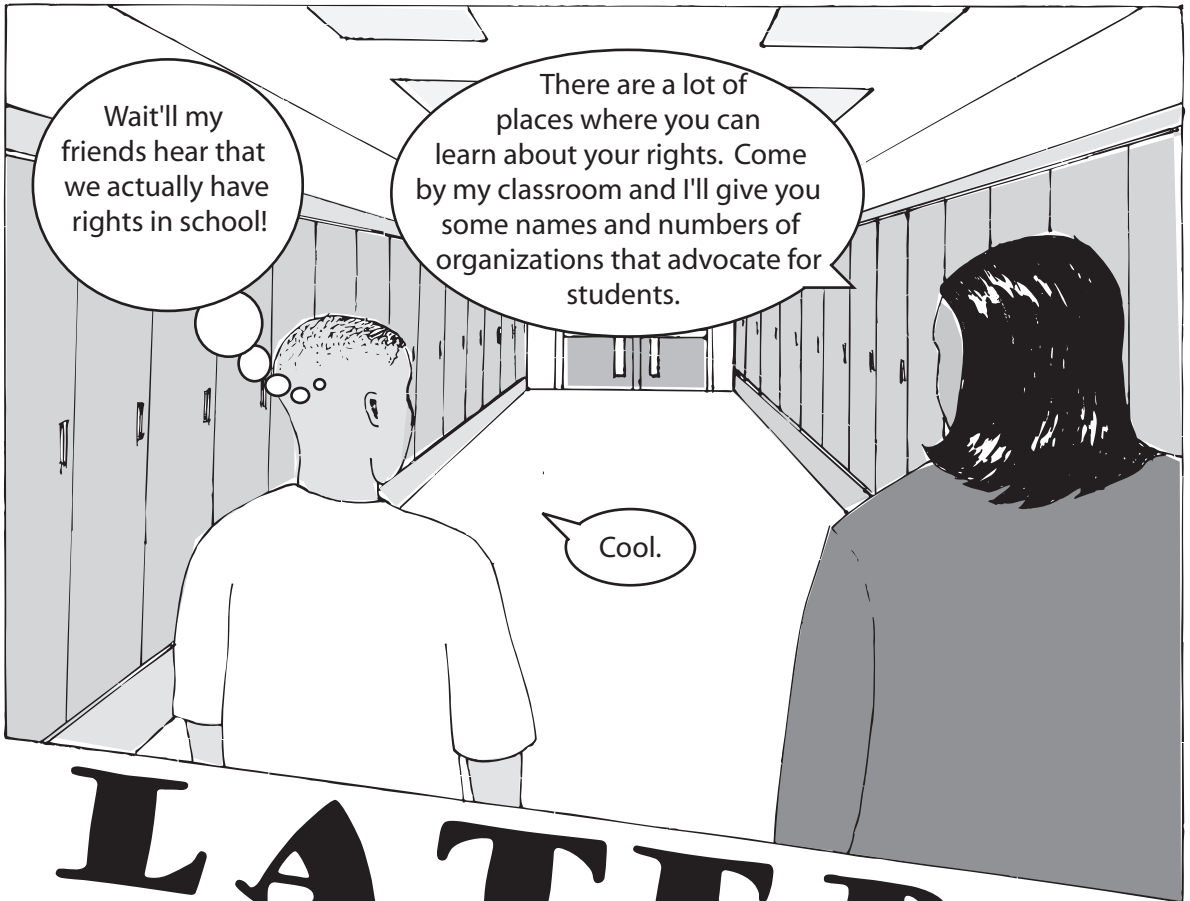
Alright - I'll authorize mediation this time, but I'd better not see you in my office again, Mr. Rodriguez.



Orale Ms. Chambers, Thanks.

Sometimes administrators think that suspending or expelling a student is the only way, but really it's just easiest for them.

I didn't even know about all that stuff. It sucks they don't teach us about our rights in school - if we don't know them, how can we stick up for ourselves?



Wait'll my friends hear that we actually have rights in school!

There are a lot of places where you can learn about your rights. Come by my classroom and I'll give you some names and numbers of organizations that advocate for students.

Cool.

# LATER...



What happened to you man? Word is you got suspended.

Well check it, I was about to get suspended, but then...



So that's what happened. Ms. Chambers stood up for me. I would have been suspended if she wasn't there.

Word? That's tight.

AL OZQ  
TKK ZK  
ECKER CHUMS

LIMONES NARANJAS POLLO  
316X\$1

E + M

ECK'S

***If you would like more information about your rights in school, or if you need an advocate, contact the following organizations:***

Lawyer's Committee for Civil Rights	(415) 543-9444
Protection and Advocacy, Inc.	(800) 776-5746
Legal Services for Children	(415) 863-3762
Public Counsel	(213) 385-2977
California Indian Legal Services	(800) 743-8941

## **About the people who made this comic**

The second issue of Know Your Rights Comix is a collaboration of the Midnight Special Law Collective, artists Matthew Riederer and Eneri Rodriguez, and La Raza Centro Legal's Youth Law Project Coordinator, Bobbi Lopez.

The Midnight Special Law Collective is a group of seven people who share anti-capitalist anti-authoritarian politics and are committed to providing relevant and accessible legal information to those targeted by government oppression. Find out more at [www.midnightspecial.net](http://www.midnightspecial.net).



Eneri Rodriguez and Matthew Riederer are partners in crime and life. Their love affair is a revolution. They live together in an art and activism collective in San Diego called the Deygo Chums. Look them up when you're in town.

matthew: p\_penguin@hotmail.com

eneri: revolutioneri@yahoo.com



La Raza Centro Legal provides direct legal services, education, leadership development, and opportunities to organize around issues of the Latino, indigenous, immigrant and low income communities of San Francisco and the greater Bay Area. In 2004, the Youth Law Project promoted the educational opportunities for 1200 youth and their parents by providing direct legal representation designed to keep youth in schools, in programs that benefit them, and out of the criminal justice system. Bobbi Lopez worked with the Youth Law Project for two and a half years and in that time acted as an advocate for dozens of students. Find out more at [www.lrci.org](http://www.lrci.org).

## **Shout outs!**

Big thanks to the Further Foundation and to all of our donors for making the publishing of this issue possible.

Thanks to Karolo Aparicio, an activist working with Save the Bay and Haiti Action Committee, and Hilary Klein for their help with the Spanish translation.

**This comic is also available in Spanish. To get copies, email [comix@midnightspecial.net](mailto:comix@midnightspecial.net)**

# **Know Your Rights in School!**

## ***If you're accused of breaking the rules, you have the right to tell your side of the story***

You have the right to say what really happened. You have the right to hear what people said about you and question it. You also have the right to remain silent. What you say to the administrators could get you in trouble with school or the law. If you think you'll get into more trouble by talking, you should just say nothing.

## ***You have the right to bring an advocate with you***

Have an adult you trust come with you if you are being questioned in school. This can be a family member or a favorite teacher.

## ***You have the right to a phone call***

The school has to try to call or contact your parents if you are being sent home.

## ***You have the right to alternatives to suspension***

Suspension is always a last resort. The school should try to work with you before suspending you. One example of this is having mediation between you and a teacher you're having a problem with. The school can also give you other punishments besides suspension - like having you work in the library for community service. You can't be suspended for being late to school. You can't be suspended for more than 5 days in a row.

The rules around assault, drugs and weapons (even toy weapons) are very strict. You still have rights, but you can be suspended or even expelled.

## ***You have the right to feel safe and free of harassment***

The school can't pick on you or suspend you for how you look. That is called harassment and it's illegal. There are other kinds of harassment, too. If you think you are being harassed, call Lawyers Committee for Civil Rights at (415) 543-9444.

## ***You have the right to an expulsion hearing***

If the school is trying to expel you, you have the right to a hearing. This is where you fight the charge(s) against you. Students who have an advocate win almost all of the time.

## ***If you have learning differences or disabilities, you have more rights***

The school cannot discriminate against you because of your disability. If you have a disability and break the rules, the school needs to figure out your punishment through an "IEP" (Individualized Education Plan), a program designed for youth with special needs. For example, if you have ADD and get in trouble for fighting, the school can't just suspend you - they need to go through a special process.

## ***School staff can only question or search you if they think you're breaking the rules***

Any time you are being searched, say "I do not consent to this search!" This might keep you from getting searched, or if they find something you aren't supposed to have, there's a chance you won't get in trouble for it later. Don't physically resist the search, or you could get in more trouble.

***This comic is written for students in California.  
Students in other states may have different rights.***