

Know Your Rights: Teens & Students



About the ACLU

- Stands for the American Civil Liberties Union
- Founded in 1920
- We are a non-profit, non-partisan member organization
- We get our funding from our members and the general public

Our goal: to defend and preserve the individual rights and liberties guaranteed to all people in this country by the United States Constitution.



About the ACLU

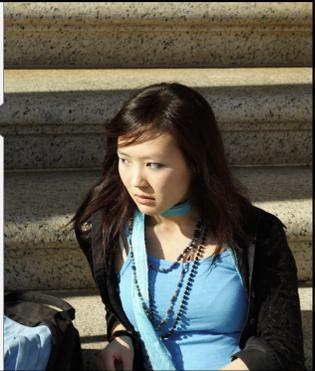
- We stand up for everyone, even when their opinion may be unpopular, and when no one else will.

We work on a lot of issues:

- Mass incarceration
- Reproductive rights
- LGBTQ rights
- Voting rights
- Racial justice
- Immigrant rights
- Free speech
- Privacy
- Disability rights
- Religious freedom
- Police accountability
- Open government
- Youth and student rights

Your civil liberties don't go away when you enter a school. But...

- Schools are allowed to operate *in loco parentis*—in the place of a parent
- Sometimes teen privacy can be abridged when parents are perceived to have "a right to know"
- In some arenas teens have limited rights because they are not yet adults (curfews and other status offenses)
- **But teens and students still have rights**



Interactions with Law Enforcement

Golden Rules when Stopped by the Police

- Remain calm
- Do not argue, touch the officer, or run
- Think about your words and body language



Interactions with Law Enforcement

- What is required of you when you are stopped:
 - *If passenger / on the street:* You will normally be asked to provide your name, address, and date of birth. Otherwise, you have the right to remain silent.
 - *If driving:* You will be asked for your license and registration.
 - If you are given a ticket, you must sign it. Otherwise you can be arrested!
 - Never resist or interfere with a search, even if you do not consent. Say "I do not consent to a search."



Interactions with Law Enforcement

- Know your rights, and use them!
 - Remember the officer's name and badge number in case you want to make a complaint later.
 - Never consent to a search! However, if a police officer believes you have a weapon, they can pat you down. In vehicles, they can also search the areas within your reach.
 - A police officer does not have the right to enter your home without a warrant! If they say they have one, ask them to show it to you.
 - You always have the right to know if you are being arrested. Ask if you are under arrest or free to go—if you are under arrest you have the right to know why.
 - If you are arrested you have the right to a lawyer!



Interactions with Law Enforcement Quiz!

| Upon being stopped, you should never: | Upon being stopped, you should say: | If you are frisked, you should say: | If you are arrested, you should say: | If you are arrested, be sure to: | If you are injured: |
|---------------------------------------|-------------------------------------|-------------------------------------|--------------------------------------|----------------------------------|---------------------|
| ? | ? | ? | ? | ? | ? |

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| Run, argue, or lie. Remember your right to remain silent. | ? | ? | ? | ? | ? |

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| Run, argue, or lie. Remember your right to remain silent. | Your name, address, and date of birth. Then say "I am invoking my right to remain silent." | ? | ? | ? | ? |

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| Run, argue, or lie. Remember your right to remain silent. | Your name, address, and date of birth. Then say "I am invoking my right to remain silent." | "I do not consent to a search," but do not resist. | "I want a lawyer." Even if you can't afford one, you have a right to a public defender. | ? | ? |

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| Run, argue, or lie. Remember your right to remain silent. | Your name, address, and date of birth. Then say "I am invoking my right to remain silent." | "I do not consent to a search," but do not resist. | "I want a lawyer." Even if you can't afford one, you have a right to a public defender. | Immediately write everything you remember (name, badge number, etc.) | ? |

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| Run, argue, or lie. Remember your right to remain silent. | Your name, address, and date of birth. Then say "I am invoking my right to remain silent." | "I do not consent to a search," but do not resist. | "I want a lawyer." Even if you can't afford one, you have a right to a public defender. | Immediately write everything you remember (name, badge number, etc.) | Seek medical attention and take pictures of the injuries. |

Special Note on Photos and Video

Can you Document the Police? YES.

- Generally you can photograph and film the police (so long as you aren't in their way)
- Police cannot view your photos or video unless they have a warrant
- Police absolutely should not delete your photos or video!
- General tip: stand back when filming



Rights in School

Common civil liberties issues in schools:

- Searches
- Extracurricular groups
- Speech & expression
- Religion
- Equal protection

- Schools are required to keep you safe, and are charged with educating you
- This means they are sometimes allowed to limit your privacy, expression, or actions

Rights in School

OSCENARIO #1

School officials want to search three things. What's allowed?

- A student's locker
- A student's car in school parking lot
- A student's car that's parked down the street

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ANSWER:

Schools can search if they have a reasonable suspicion a specific student is breaking the law or a school rule.

This includes lockers (with a written policy), and sometimes even body searches (proportional to severity)

But not off school grounds!

Rights in School

SCENARIO #2 (this really happened!)

School officials suspect that a few football players were at a party drinking over the weekend, even though they signed an agreement that they wouldn't. On Monday, the coach demands to search their phones for incriminating texts.

Is this allowed?

Rights in School

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Is this allowed?

ANSWER: **NO!**

This is an illegal search because it is too intrusive for the situation at hand.

In this case, a cell phone search is much too severe considering the party took place off school grounds, is only suspected, and doesn't involve immediate danger.

Rights in School

SCENARIO #3

Sometimes students' speech can be prohibited. Which of the following are students allowed to do?

- wear an "I support gay marriage" shirt to school
- write an offensive article in the student newspaper
- write a pro-Trump message on Facebook

Rights in School

SCENARIO #3

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ANSWER:

Schools can prohibit language that distracts from the goal of education—anything lewd or obscene—but political speech is allowed.

Schools are allowed to control school-sponsored language in newspapers and yearbooks.

Students cannot be punished for what they say online on their own time, unless it is a threat.

Rights in School

SCENARIO #4

In schools, all religions must be tolerated but none are allowed to be favored. Which of the following is allowed?

- some Muslim students want to start their own after-school group
- the basketball coach likes to lead his team in prayer before each game
- a Spanish teacher is discussing the religious traditions of Central America

Rights in School

SCENARIO #4

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ANSWER:

Students are allowed to form their own groups, and students may not be denied access to facilities for meetings if other groups are allowed to use them.

Neither students nor adults are allowed to lead prayers at sporting events.

Religion is allowed to be discussed in the context of literature, history, or culture so long as it doesn't endorse one religion over another.

Your Health & the Law

- Teens have health needs that are distinct from those of adults
- For those under the age of 18 ("minors"), there are also unique confidentiality and consent issues
 - Confidentiality: this means that information about your medical care cannot be disclosed without your permission
 - Consent: this means that you understand the treatment, why it is necessary, its purpose, the risks and benefits, and voluntarily agree to have it



Your Health & the Law

○ SCENARIO #1

Teens may want to keep issues regarding sex and health private. Which of the following is true?

- you can get a prescription for birth control without telling your parents
- you can get an abortion without telling your parents
- a parent must be informed if you have an STD and want treatment

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ANSWER:

Doctors are allowed to provide contraceptives to minors without parental consent if the patient is mature enough to consent for themselves.

In Ohio, young women under 18 are required to obtain their parent's consent for them to have an abortion, or they can seek a "judicial bypass" so teens who need an abortion can have one without notifying their parents.

Teens are allowed to consent to STD treatment without telling their parents.

Your Health & the Law

○ SCENARIO #2

Remember, confidentiality and consent are very important. Which of the following is allowed?

- You can talk to a counselor about a drinking problem without your parents knowing
- You can be treated for depression even if your parents won't allow it
- You can only put your child up for adoption if you get the consent of the prospective father

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ANSWER:

A minor does not need parental consent to receive counseling. This means your parents cannot be informed without your permission.

A minor can still be treated, even if their parents disagree or refuse. All that matters is the consent of the person seeking treatment.

The father of a child does not need to consent to an adoption unless he has confirmed legally that he is the father.

How Can You Get Involved?

- Visit acluohio.org/advocacy
 - Take Action Now
 - Sign Up For E-News
- Become a member!
 - Visit acluohio.org/membership
- For More Information:
 - Visit acluohio.org
 - Email: contact@acluohio.org

