



MORE INFORMATION ABOUT NON-VIOLENT DIRECT ACTION

Non-Violent Direct Action or NVDA has a long and honorable history—from Gandhi and Martin Luther King to Thoreau. The Civil Rights movement didn't begin with a letter-writing campaign: it took off when Rosa Parks refused to move from her seat in the white section of the bus and when people sat-in at segregated lunch counters in the South. And Rosa Parks wasn't just tired she had been preparing and training for a long time. This document gives a tiny bit of info on how to prepare and train for doing NVDA.

There's a wide range of opinion on what tactics are necessary to win the battle over our environment. There's a lot more to civil disobedience than we could possibly put in this document; it's a big decision, and one that your group should discuss very carefully. If you choose to do NVDA, prepare yourself and your group for what you're getting into. Build unity by agreeing beforehand on guidelines and principles for the action. Try to get NVDA training from RAN, from a community group in your area, or SEAC (The Student Environmental Action Coalition: www.seac.org) can help find someone.

SIT-INS

You should not hold a sit-in until you have worked through the initial stages of educating people and holding one or more protests. A sit-in is a last resort, and should not be done out of the blue. However, if after having worked on an issue for a substantial period, if you are hitting your head against a brick administrative (or corporate or political) wall, then the time might be ripe assert your power more directly.

You'll need a core group of people to start the effort. Organize a series of meetings over the course of which you introduce and discuss the sit-in option. Don't force reluctant people to commit, but over a couple weeks build up a list of people willing to sit-in. Get them to sign a pledge and repeatedly verify that they are comfortable doing so. Aim for group consensus on the decision to sit-in. Members who do not want to sit-in will hopefully be supportive of those who do, because they definitely have a role. Your group will need some people not sitting

down to support the effort (with logistics, food and water, talking to observers, security, media etc.). Decide where you will have it and scout it out. It should be strategic (a site of power), ideally near the center of campus (where you can gather supporters), and large enough to accommodate your group of people for a couple days or more.

Discuss what you will do if security tells you to leave. To avoid security stopping you before you can get into the building or office you are targeting, keep the discussion of doing a sit-in off all email lists (especially details of date and time). Rely upon word-of-mouth, calling people and group meetings.

Here is a list of things to bring:

- ★ Don't overpack. You might have the freedom to come and leave, in which case you can arrange to deliver assignments and stay on top of your courses.
- ★ Leave the space neat and tidy. Don't punish the underpaid secretaries and janitors who will have to clean up any mess you leave.
- ★ Backpacks
- ★ Food and water
- ★ Deodorant (and other personal hygiene items)
- ★ Blankets, sleeping bags, pillows
- ★ Books, cards, homework
- ★ Cameras
- ★ Signs
- ★ Laptops
- ★ Cellular phone(s): to call outside supporters and the media
- ★ List of outside supporters and media to call
- ★ Scanner radio: for \$50-\$100 you can buy a handheld scanner that will let you listen to your security and city police, hopefully giving you advance warning before they take any action (though using it to do so is slightly illegal). (Tip: Try www.grove-ent.com for scanner. Also you should be able to find a list of frequencies on the web.)
- ★ Reporter(s): the more reporters present, the better you will get treated by your target (the more likely they are to negotiate and grant your demands)

KNOW YOUR RIGHTS

Make sure you read through and sign RYSE's Nonviolent Direct Action Guidelines.

Depending on what state you live in, and if your school is public or private, the legal consequences for you varies greatly. Check with your local community legal center. Don't ask a police officer. They can legally lie to you, and often will.

Basically, it's important to know what to do if security shows up and what to do if you are arrested.

Assign people in advance who are willing to be arrested, others who will join them with a legal demonstration (in which they will not risk arrest), and a police liaison to coordinate and deal with police in as friendly and neutral a way as possible.

Firstly you should know what your rights are.

Frequently Asked Questions about your rights at a high school

(Excerpted from www.eff.org)

Do Public School Students Have Free Speech Rights under the First Amendment?

Absolutely. Both minors and adults have First Amendment rights, and according to the Supreme Court, public school students don't "shed their constitutional right to freedom of speech or expression at the schoolhouse gate." See [*Tinker v. Des Moines Independent Community School District*](#), 393 U.S. 503 (1969). In the *Tinker* case, the Court said that public high school students had a First Amendment right to wear black armbands to class in symbolic protest of the Vietnam War. "Students in school as well as out of school are 'persons' under our Constitution," the Court said, and "they are possessed of fundamental rights which the State must respect..." However, regardless of your rights, your organization can be banned from the school if they don't like you.

But I'm a Private School Student—What About Me?

You also have First Amendment rights, but those rights only protect you from **government** censorship, not private censorship. As a general matter, you will receive no protection from censorship or punishment by a private school or college. See e.g. *Ubriaco v. Albertus Magnus High School*, No. 99 Civ. 11135 (JSM) (S.D.N.Y. July 21, 2000) (dismissing claim contesting private school expulsion for content on personal web site). However, as discussed below, some states provide private high school and college students with additional speech protections that go above and beyond the First Amendment. Furthermore, if your private school has an applicable written policy, the school must follow that policy.

Can Public Schools Censor or Punish Students' On-Campus Speech?

Yes, whether you're a minor or an adult, in high school or in college. Although the *Tinker* decision recognized that students have free speech rights on campus, the court also held that your free-speech rights can be limited when the speech

"materially disrupts classwork or involves substantial disorder or invasion of the rights of others." This rule is referred to as *Tinker's* "material disruption" standard, or the *Tinker* test. For example, a school can "prohibit the use of vulgar and offensive terms in public discourse" while you are on campus [Bethel School District No. 403 v. Fraser](#), 478 U.S. 675 (1986) (upholding suspension of a high-school student Matthew Fraser for a student government nomination speech "including the use of obscene, profane language or gestures.").

Can Public High School Administrators Censor What I Say in a School-Hosted Blog or Other School-Sponsored Publication?

Usually, but it depends on the facts. In [Hazelwood Sch. Dist. v. Kuhlmeier](#), 484 U.S. 260 (1988), the Supreme Court distinguished a school-sponsored newspaper from the armbands permitted in *Tinker* and allowed censorship that was "reasonably related to legitimate pedagogical concerns." This rule is referred to as the *Hazelwood* standard or the *Hazelwood* test. The *Hazelwood* standard applies to censorship of "school-sponsored publications, theatrical productions, and other expressive activities that students, parents, and members of the public might reasonably perceive to bear the imprimatur of the school." "Imprimatur of the school" refers to activities that appear to be sponsored or endorsed by the school.

GETTING AROUND IT

Fortunately there is a vast difference between what your rights are and what you can get away with. For instance, activists at the University of Notre Dame chalk the sidewalks all the time. Chalking is not permitted by any rule in the student handbook, however it is also not explicitly banned and if you do it late at night and dodge security you won't get hassled. Likewise the unrecognized Notre Dame queer student group puts up posters even though they aren't allowed to meet on campus. The point in breaking rules (ex.: if you had a rule that requires that all rallies must be registered in advance), is not to have fun being deviant, but to create a situation where the rules are not being enforced, are ultimately removed, and students achieve unhindered free speech. Then your campus will be a safe environment for activism.

Public school students have the right to protest, leaflet, petition and form organizations.

The school can put reasonable restrictions as to the time and place, and even require advance notice, but they cannot ban your activism because they don't agree with it. Older students should pass-on stories about past administrative attempts to censor their activities. At many schools you may detect a persistent pattern of administrative actions to maintain control over activists by limiting their activities.

Morally you should be able to do whatever it takes, outside of violence or anything that would destroy the integrity of your organization, to achieve justice. Peacefully

filling the administration building and sitting-in until they give in to your demands, blocking a building, or having everyone strike are all useful tactics if your supporters are ready to do them and you have demonstrated to the general public the importance of your cause.

For more information on your rights, check out <http://www.midnightspecial.net/materials/>

Also, we have “Know Your Rights” comics we can send you, just let us know at ryse@ran.org.

