

Betty

From: Brit Horvath [ihatesitall@yahoo.com]
Sent: Friday, November 19, 2004 11:55 PM
To: betty@mhrn.org
Subject: brit horvath statement

My name is Britinie Horvath,, i am 16 and recently a drop out of Anaconda Senior High.. i was stabbed in the leg.. had my name with 'fat whore' painted all around the school.. i was too shoved into lockers.. had food thrown at me.. had teachers refusing to help me becuae of the way i dressed.. my Sophomore class tried to Impeach me from Office becuae of who i was.. i am one of the many who get tortured.. becuae of even more of this.. i was not able to learn in an environment that was supposidly 'safe' ...
Thank You to anyone who cares.

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DATE: March 3, 2005

TO: House Education Committee

FROM: Sherry Jones, School Counselor, Polson High School, Polson, MT 59860

RE: Senate Bill 198

I would like to share an experience that illustrates the importance of Montana school district's having policies and procedures for reporting harassment. A student at Polson High School was being harassed by other students because he was perceived to be gay. The student was so distraught by the experience that he felt his only option was to, and I quote, "either bring a gun or an attorney to school". Fortunately, the student referred to his student handbook and saw that Polson had a policy and set procedures in place to deal with harassment. With this information in hand, the student consulted his school counselor who in turn made the appropriate referrals and the harassment ended.

This is exactly the purpose of policies. Students need to know where they stand and who will support them when they feel targeted by others. Students can't learn if they do not feel safe. It is our responsibility to ensure that our schools are harassment free. Further more, we can't assume that schools will develop policy on their own. If that were the case, all Montana schools would have clearly stated harassment policies.

This bill will help schools create clear definitions and procedures that lead to safe learning environments for all Montana youth.

Please give Senate Bill 198 a do pass as written.

February 23, 2005

To: House Education Committee

From: Marlene Snyder, PhD
665 Delrey Road
Whitefish, MT 59937

Re: SB198

As a full time Montana resident, I am writing to ask for your support to vote to pass SB198, requiring all Montana schools to adopt anti-bullying (or peer abuse) policies. This measure will insure that all schools have taken the first step on the journey to improve school climate so all children have a safe place to learn. It will not put a financial burden on schools to adopt such a policy, but will give them the opportunity to decrease critical behavior incidents, improve absentee rates, and support the healthy mental and physical development of their students. It is important to children and families all across Montana that this bill is passed.

You may be surprised that I am using "peer abuse" here as a synonym for "bullying". I ask that your committee think about all the horrible things that kids can experience from parental abuse – repeated physical beatings, punching, pinching, and spitting; repeated verbal poundings such as name calling, taunts and threats; repeated threatening facial and hand gestures, and ongoing exclusion from the group and neglect of their suffering. The negative short and long term impacts of parent abuse are well understood. Please be clear that "bullying" includes the same sorts of physical, verbal, and non-verbal abuse, only bullying is experienced at the hands of a child's own peer group. Outcome research on children who bully in Norway shows that they are more than 4 times more likely to have three or more criminal convictions by the age of 24 as compared to children who do not bully. Research in the United States may show the same relationship. Montana schools need policies to deal with this critical issue for the sake of the kids who are being abused as well as their abusers.

Attitudes about the importance of bullying (or peer abuse) have changed rather dramatically in the U.S. after the shootings at Columbine High School. Unfortunately Montana has experienced it's own school shooting, and has recently narrowly escaped others. Now is the time for your committee to act in passing this bill to help schools have the tools to prevent further threats to the safety of our children.

The costs of NOT passing this bill will be tremendous. Consider the costs of ineffective discipline in schools, costs of juvenile justice cases, the numbers of child suicides attributed to being bullied (bullycide), and the chance of revenge violence. Just this last year, the nation has seen lawsuits settled on behalf of

bullied children exceeding millions of dollars per incident. Montana schools need to understand that not making policies against bullying is a very real risk management decision that can have devastating impact upon their school finances.

Living in Montana, yet a staff member of the Institute on Families and Neighborhood Life, Clemson University, Clemson, South Carolina, for the last eight years, I have been involved in preparing materials for the National Bullying Prevention Campaign sponsored by Health Resources Services Administration (www.stopbullyingnow.hrsa.gov) for the past 2 years. I would be most happy to provide literally stacks of research abstracts supporting the importance of adults in schools intervening in bullying, should you need them.

March 4, 2005

To Members of the House Education Committee:

My testimony is intended to support SB 198.

From my perspective, local control of harassment, intimidation and bullying could, in fact already has created the condition in Montana where students in some Districts and communities are protected while students in other Districts and communities are not.

School districts are embedded in their community, communities embedded in states, states in countries. Whether we analyze system conditions and situations politically, socially, economically or culturally, the dynamics of interdependence between and among systems at all levels moves both ways. From a systems perspective we know, all "life" is local. And there can be serious inherent risks in mistaking or limiting the definition of "local." Determining the appropriate "local" governance system-level for different functions and needs of people is a constant and critical challenge to those participating in democratic governance systems.

In this particular case, SB198, I believe protecting all students from intimidation, bullying and harassment regardless of where they reside is a political function and a social need best determined and legislated at the most inclusive system-level. I am very uncomfortable thinking about where our country would be today if other now-protected human rights had been controlled at the level of local Boards and communities.

Thank you for hearing my testimony. On behalf of all young people in the state of Montana, I ask for your careful consideration of the issues and consequences inherent in SB 198.

With sincere respect and best regards,

Sue McCormick
Superintendent, Polson School District #23

I am writing in support of SB 198, which would require school districts to adopt anti-harassment policies. I believe that such a policy would promote a safe learning environment for all students.

I have gained an understanding of the importance of a safe learning environment for all students through decades-worth of experience in Montana's public schools. I have been a student in Montana's public schools from elementary to graduate school. I was both a teacher's assistant and a teacher in Montana's public school system. I also worked with all of Montana's public schools as the Indian Education Specialist for the Office of Public Instruction. This bill will provide to schools a tool that will assist them in creating a safe environment and give educators the necessary support so they feel confident about responding to harassment.

For some students in public schools, harassment and intimidation is a daily occurrence. This type of harassment and intimidation happens because some students do not "fit" into the public school mold, such as it is in Montana. We must not any longer ignore the fact that some students do act on actual and perceived characteristics as outlined in the bill.

As much as we would like to believe that Montana public schools are doing as much as necessary to give students a safe environment, that belief does not hold true for certain groups of students. I like to believe that we are not a society that allows some students in our public schools to be consistently harassed in such a manner that it interferes with the schools' ability to teach or the students' ability to learn.

The type of behavior addressed in the bill is not simple teasing, and is instead, severe, persistent, and intimidating. Such harassment results in the creation of an environment that may become so hostile that it results in students leaving the school system. Montana students, as part of a quality education, should realize when their actions place another student in reasonable fear of harm; or when their actions effectually demean another in such a way as to interfere with the school's educational mission; or when their actions are sufficiently severe enough that it creates an abusive educational environment for another student.

To knowingly allow this type of behavior to continue, without providing schools a tool to promote a safe environment that protects ALL students, regardless of their differences, is unreasonable. The purpose and goal of this bill is noble and honorable. I urge you to vote "aye" on SB 198.

Sincerely,
Denise Juneau
1007 8th Avenue
Helena, Montana 59601

3 March, 2005

Dear House Education Committee:

All students have the right to an education and that won't happen if they are being intimidated or harassed in school.

As a teacher, it's important that I create a "safe" learning environment in my classroom; if not, learning will not occur. Often students will simply "shut-down or tune-out" when they are concerned about being harassed.

In no small measure, school policies that clearly prohibit bullying behavior enable me to establish that classroom atmosphere where all my students can learn. For one, students know what is acceptable and what is not. This helps to prevent harassment from taking place to begin with. And when intimidation does happen, it gives me (and my colleagues) a useful tool to put a stop to it. If the bully wants to argue, all I have to do is point out the policy or send them to the administrators that can implement the district's policy.

Five years ago, my school district (#23) adopted an anti-harassment policy which has considerably improved the school climate; so much so in fact, that our school board trustees recently renewed this policy for another five years.

Plainly put, strong and clear school district anti-harassment policies help teachers provide safe learning environments where all students can learn and achieve their greatest potential.

Please support Senate Bill 198 sponsored by Senator Kitzenberg.

Thank you for your consideration.

Jim Rogers

Science and Geography Teacher
Polson High School
School District #23

JENNIFER S. HENDRICKS

717 FIFTH AVENUE
HELENA, MONTANA 59601

SB 198, House Education Committee

Hearing 3/7/05

Testimony in support of the bill

Mme. Chairwoman, members of the committee, my name is Jennifer Hendricks. I am a member of the board of Pride, Montana's gay and lesbian civil rights organization, and I am a mother concerned about the future well-being of my two-year-old boy. I am also a plaintiff's lawyer, and that is the perspective I'd like to offer you today.

This bill includes a model anti-harassment policy that schools would have to adopt. Opponents of the bill have argued that the model policy should not include a ban on harassing gay kids. One of the reasons the opponents offer is that the Montana School Boards Association has told school districts they should delete "sexual orientation" from their anti-harassment and anti-discrimination policies. The supposed reason for this is fear that adopting a policy against hurting gay kids would show that schools were aware of the problem of anti-gay harassment and that, by acknowledging they knew of the problem, would expose themselves to lawsuits. This argument not just morally wrong; it is utterly, completely wrong in its legal rationale.

I represent a lot of people who have been the victims of discrimination or harassment. If a student is harassed by other students and brings a case against the school, there are two things you have to prove. One is that the bullying actually happened. The other is that the school was at fault and should be held responsible for the bullying. That is not always the case, and even when it is, it is very difficult to prove.

What you need to know about this bill is that the number-one defense a school can have is that it did what it could to prevent the harassment. The number-one way to do this is by showing that the school adopted a policy that was as detailed and explicit as possible in prohibiting harassment. Taking "sexual orientation" out of this bill, or even not passing the bill at all, wouldn't make lawsuits any less likely. In fact, it would make them more likely because it would show that when the state had a chance to address the problem, it declined. It would also make schools more likely to lose when lawsuits are brought.

By contrast, anything a school does to make schools *safer* for kids is also going to translate into making schools less exposed to liability. If you act according to what I think is your main goal, to protect kids, you will automatically protect schools from lawsuits because fewer kids will get hurt and because the model anti-harassment policy will create an assumption by judges that the schools have taken important steps to protect students.