

Good afternoon. My name is Patricia Spencer. I am not an early childhood education specialist nor am I a child psychologist. I am a parent. I have three children in the Montana City School System and I am here today to testify on their behalf. We want to see HB 284 passed as the effects of bullying have changed our lives first hand.

My second child, Jacob, began kindergarten at Montana City School in the Fall of 2009. At the time we were unaware that he had been placed in a classroom with a student who was known by school administrators to be violent. Throughout the school year we heard stories of outbursts and classroom disruptions from this student. This continued throughout the next school year with the outbursts escalating. As parents we assumed that the school was handling the situation.

Then, on Tuesday, August 21, 2012 our world abruptly changed. My son was sitting on the bottom bleacher in the multipurpose room with friends when he was attacked from behind by the same student who had been causing the outbursts. Jacob hit his head so hard that he suffered a severe concussion that resulted in permanent neurological damage.

Believing in the school system, we tried working with school officials to address the situation. We met road block, after road block and yet the attacks on my son continued, on school property, by the same individual. Always from behind and always without warning and never was punishment given to the other student. In each instance, school administrators protected the attacking student telling us, "he is different and has a right to a free and safe education." We were also told on several occasions, that "boys will be boys."

In May of 2013, this student told my son and 4 other students that he was going to go home and get a gun and come back and kill them. When I reported this incident to the principal, I was told I was over reacting. When I reported the incident to the Jefferson County Sherriff's department, I was told I was over reacting. We knew that this individual had access to a gun and had even fired the gun in his home.

At this point we obtained legal counsel. Our attorney was met with the same resistance we had been experiencing. Our school retained legal advice from the Montana School Board Association, who informed our attorney that this individual had more rights than our son to receive a "Free and Safe Education."

Ultimately, our attorney was able to get information from the school regarding other incidents involving this same student. In short, those incidents included: a student being choked; a student being punched in the eye as he walked around a corner; a student being kicked in the mouth on the school bus; a classroom having to be evacuated because this student began throwing chairs; a substitute teacher being punched; and another threat to obtain a gun and shoot the principal.

By the Spring of 2014 our son was living in fear of going to school and we dreaded dropping him off and what the next phone call would bring. After 3 ½ years of terror, this student was finally expelled from Montana City School, or so we believe as to this day we still have not been told by our school administrators whether or not this individual would be coming back to our school. We do know that this individual is being allowed to remain on the school campus at the preschool/after-school care facility owned by his mother. On a few occasions this school year, my son has come into contact with his attacker at the afterschool snack bar. Again, administration has done little other than to tell us that "non-registered

students are not allowed on school property.” Since his mother owns the after-school care facility in a lease agreement with the school, this seems to allow the student access to school property.

In August of 2014, we applied for a restraining order through Jefferson County. We were told that there was not enough information to warrant a protective order for our son.

My son is still afraid to go to school. Each school morning is a struggle for him, and he tells us frequently that he does not feel safe at his school. My son deserves access to a free and safe education as well. Our family has sustained significant financial expenses in the form of legal fees and medical bills. Jacob’s life has been irrevocably changed because of the abuse he suffered while at school at the hands of another student.

Our schools need to address the fact that physical and emotional abuse is happening by other students towards other students; abuse that has life-long ramifications. As educators, they need to teach our children in a safe environment.

My son tried going to his teachers, school counselor, and principal for help and they failed him. Now it’s your turn, will you turn your back on these kids who are being attacked? Without help, these kids who attack are going to continue to do so, and I believe that each incident is going to increase in severity.

Montana is the only state without any form of anti-bullying law on the books. Montana is not immune to bullying or tragedy. Do you want another Newtown Connecticut; Columbine, Colorado; or Springfield, OR happening, in your state?

Dare to be the Difference. Pass HB 284 and begin the process to protect our children in our schools.