



## **Bullying: Taking It Seriously**

Bullying is a very real concern and many children suffer from being bullied or are themselves bullies during their school years. It is NOT to be regarded as a “rite of passage” or “just being kids.” In fact, the U.S. Department of Education and many other public and private entities are very concerned about bullying as it impacts students of many ages and abilities. Bullying of children with disabilities may be considered “disability harassment” and schools have a mandated obligation to address this type of bullying.

This packet provides in-depth information on the definition of bullying, the prevalence of bullying, how to determine if it is occurring and what you can do if you suspect your child is either being bullied or participating in bullying. Please review the extensive list of resources including books and websites at the end of the article on Taking Bullying Seriously.

The National Center for Bullying Prevention has many resources including websites for children from elementary through high school that tackle bullying from the perspective of students—what they can do to protect themselves and how they can discourage bullying within their own school.

Kids Against Bullying is a creative and informative resource to educate students about bullying prevention and provide methods to respond to bullying situations. The site features an animated cast of characters, information, celebrity videos, Webisodes, games, animation, contest and other activities. Parents and professionals will find helpful tips, intervention strategies, and resources for use at home or school. The Kids Against Bullying website for elementary school children is [www.pacerkidsagainstbullying.org](http://www.pacerkidsagainstbullying.org).

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## TAKING BULLYING SERIOUSLY: IS YOUR CHILD A TARGET? Strategies and Interventions for Parents/Guardians of Children with Special Needs

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### Defining Bullying

Once accepted as a “rite of passage”, bullying is now acknowledged as a major concern by schools across the U.S. Bullying can create a climate of fear and disrespect that can have a negative impact on school climate and school learning (NEA, 2003). In fact, an estimated 160,000 students miss school each day because of bullying (The National Assn. of School Psychologists and the U.S. Dept. of Justice). To generations who have been raised to dismiss bullying as insignificant, it's a relief to know that our society now understands the serious impact of this behavior.

The U.S. Dept of Education describes bullying as ***“intentional, repeated, hurtful acts, words or other behaviors, such as name-calling, threatening and/or shunning acts, committed by one or more children against another.”***

Bullying is characterized by a real or perceived imbalance of power, and comes in many different forms: physical, written and verbal, as well as non-verbal actions, such as offensive gestures and faces. The common goal is one of dominance over another child. Bullying can be direct, as in threats or name calling, or indirect, like actions intended to isolate or exclude a child. Bullying is most often subtle and discreet, not overt (Hoover & Oliver, 1996). Although both genders engage in all types, boys are more likely to use physical aggression or verbal taunts, while girls tend to utilize more covert forms of bullying such as subtle teasing, ridicule, shunning or gossiping.

Recognizing the significant impact of bullying on children helps us to better acknowledge the need for adult intervention. We now know that the ‘kids will be kids’ mentality leaves the victim, along with any bystander and the bullies themselves, at risk. Bullying can create a negative school climate, where even those not directly involved are impacted. Though this article primarily addresses the needs of the targeted child; the bully and the bystander or spectator require specific interventions as well.

### General Data on Bullying

- Bullying is the most common form of violence; 3.7 million youth engage in it, while more than 3.2 million are victims of bullying annually (Cohn & Cantor, 2003)
- Since 1992, there have been 250 violent deaths in schools, and bullying has been a factor in virtually every school shooting (Ibid, 2003)
- Direct, physical bullying peaks in middle school, and declines in high school. Verbal abuse on the other hand, remains constant (Ibid, 2003)
- Over 2/3 of students believe that schools respond poorly to bullying. The majority of students believe that adult help is infrequent and ineffective (Ibid, 2003)
- 35-40% of victims are victimized by a single student, with girls more likely to be bullied by a group (D, Olweus, 1993).
- Children who are bullied are 2-3 times more likely to have headaches or other illnesses (ABC News, 9/1996)
- Bullying affects nearly one in three American schoolchildren in grades six through ten (NEA.org, 2003)

- 22% of fourth through eighth graders reported academic difficulties due to peer abuse (NAMI-NN, 2/2004)
- Estimates are that 85% of students on any campus are, or have been, bystanders (Maricopa County Juvenile Probation Dept., 2003)

Bullying can become more problematic in middle school due to the emotional and physical development characterized during these years. Middle school students often have a stronger need to belong to a group and are thus more likely to either try to impress others through bullying. . . or fail to speak up when a friend bullies (Stan Davis, 2004). During this time previously healthy behavior choices may be overridden by the need to belong. Middle school students are characterized by an increased awareness of differences, and, at the same time, less acceptance of those who are “different.” Research has found that the most common reason middle school students gave for their bullying was “they [the targeted student] just didn’t fit in” (Hoover and Oliver, 1996). As the need to fit in and belong to a peer group becomes more significant, so may the impact of bullying and the need to be valued by one’s peers and be a part of a ‘significant’ group.

As the preteen and teen use of on-line communicating through instant/email messaging and web logging has increased, so has the use of technology to bully. “Cyberbully”, sending or posting harmful or cruel text or images using the Internet or other digital communication devices, can occur 24/7 with the capability of wide and rapid distribution. (Cyberbullying and Cyberthreats, 2005/Cyberbully.org, 2005). This often anonymous and unsupervised written record can cause devastating and unchecked consequences to the target.

### Impact and Signs of Bullying

There are many indicators that your child may be the victim of bullying, all typically negative. As your child may be unwilling or unable to articulate the problem with you or someone else, pay attention to the signs and symptoms that your child could be being bullied. Some of these include:

- Loss of appetite, stomach aches, headaches and other illnesses
- A reluctance to go to school. “Hates” school, lower grades, school apathy
- Nightmares, sleep disturbance
- Loss of confidence and friends
- Torn or dirty clothes, missing money and personal items
- Withdrawal, alienation
- Depression, anxiety, panic disorder, fear, anger, despair
- Eating disorders, negative self-talk, self-harm
- Risky behavior, bullying others, violence
- Any sudden (negative) change in your child’s behavior.

Students who are bullied often become humiliated, frightened and/or angry. Low self-esteem, lack of healthy peer interaction, physical and emotional health problems, are just some of the issues that can manifest or worsen due to bullying. Bullying victims experience real suffering with often long lasting effects that can interfere with their social, academic and emotional development, with many children falling deeper into depression as a result of long term bullying (NEA, 2003). Being bullied can have a devastating effect on self-confidence and achievement (Dyslexia Parents Resource). Some students become preoccupied with the bullying and most will feel unsafe. The impact of being bullied may be even more significant for those students who already face obstacles in accessing educational and/or social opportunities.

## Bullying and Disabilities

Bullies often target children who are considered by their peers as “different”. This could be a real or perceived difference around their appearance, the way they learn or communicate or the manner in which they behave (Pacer Center, 2003). Children with unique or special needs can “stand out” due to a physical, learning and/or social emotional difference; consequently, they may be at greater risk and be easier targets for bullying than their non-disabled peers. Disability harassment is a form of bullying specifically based on or because of a disability and has in particular has been steadily increasing (Hoover & Stenhjem, NCSET, 12/2003).

Along with other disabilities, children who have learning disabilities or AD/HD are especially vulnerable to bullying problems. (Schwab Learning, 2003). Youth with poor impulse control, obsessive disorders, sensory vulnerability and social disabilities, like Aspergers, are at greater risk for being “egged-on” by peers looking for a reaction. Often the students most easily provoked are the ones identified by the bully as a “favorite target”. Children who are socially isolated (lack of friends and/or peer group) may be more likely to experience on-going bullying. These children do not have the personal skills tools to respond to a bully and/or they lack a friend or peer group to ‘buffer’ him/her from school bullies. Those who are emotionally vulnerable are not only favorite targets, but may also be the most impacted. In all instances, remember: **bullying is caused by the bully, not by the targeted child.**

Mentally retarded is a medical diagnosis and special education category for people who have developmental and/or cognitive delays. This is not a negative term and should not be used as such. The word “retard” has become a common insult on and off the playground. (Mark C. Weber, 2002). Using the term as a slur, calling people “retards” or “retarded”, whether they are mentally retarded or not, is a form of bullying and may qualify as harassment. Using the term this way is not acceptable and should not be tolerated. It’s also important to understand that though some children with special needs may lack the awareness or ability to recognize bullying behavior for what it is, this does not necessarily make the bullying any less detrimental or dangerous.

### Parent/Guardian Response: Initial Considerations and Interventions

When we fail to recognize and stop bullying behavior, we inadvertently promote physical or verbal violence — we also suggest to the victim that they’re not worth protecting (National Mental Health Info Center, 2003). Without timely and appropriate intervention, students with disabilities who experience bullying will have increased problems that will likely make it more difficult to meet their special needs. Be aware that students often feel that adult intervention is infrequent, unhelpful and fear that telling adults will only bring more harassment from bullies (R. Banks, 1997). As the person who knows your child best, you are crucial in providing advocacy and support for your child.

Some initial considerations and interventions include:

- Be observant of your child’s behavior, appearance and moods, particularly if you think your child is ‘at risk’ for being bullied. If your child is reluctant to attend school, investigate why and consider a negative social experience as one reason.
- If you suspect something is wrong, talk with your child. Children can be reluctant to speak up for fear of retaliation or because they don’t want to “tattletale”. Whether it’s you or your child who initiates the conversation, speak openly and honestly – and listen! Keep the conversation at a level your child can understand. Remember that every child is different, what may not bother one child, might be extremely detrimental to another. Most importantly, **don’t blame your child**. Be supportive, loving and patient. Take his story seriously. Let him know that it’s not his fault and that you’ll take appropriate action.
- Get details from your child about the incident(s). Try not to direct his responses, but do ask pertinent questions about what happened and how he felt/feels. Let your child know that

appropriate confidentiality will be kept, but that keeping bullying a secret is not good for anyone. Tell your child that he has the right to be safe.

- Stay focused on your child and the issue. Though you'll likely be upset and/or angry for your child, over reacting (or under reacting) can make things more stressful for your child. Allowing your own emotions to 'take over' can also make an objective assessment of the situation more difficult. Keeping your emotional response in check will help you better support and advocate for your child.
- If appropriate, problem solve or brainstorm intervention strategies with your child. Giving him relevant information, such as the definition of bullying, at a level he can understand, can be helpful as well.
- Bullying should never be ignored. Intervene immediately. Children are easily emotionally wounded and often have few skills to cope. Follow up with the school as soon as possible. If needed, seek help from outside sources.
- Talk with all pertinent school staff. Find out what they know and what actions, if any, they've taken. Make sure they understand your child's disability and the possible impact her disability might have on the social dynamics which set up the bullying. The staff may not be aware of a problem, but once they are, work collaboratively on how best to help your child. Ongoing communication and the continued monitoring of resolved bullying issues is often necessary.
- Make sure that staff speaks with the bully and the victim separately. Depending on the age and needs of your child, you may want to be a part of the initial discussion the staff has with your child.
- If needed, ask for a general or an IEP meeting to discuss the situation and solutions.
- Document the incidents in writing. Include your conversations with your child, staff, etc. Record dates, who was involved, what was said, names of possible witnesses, the adverse affects on your child and school response and interventions. Stick to the facts and the observable.
- A written complaint to your district may be appropriate if the problem proves to be severe (see disability harassment, below).
- Seek the help of outside professionals such as a pediatrician or mental health provider. Depending on the degree of the problem and your child's vulnerability, utilizing professional assistance sooner than later may be important.
- Consult with outside organizations. Violence prevention agencies can provide information on how to protect your child. Organizations familiar with your child's disability and its unique characteristics, may have some specific intervention ideas.
- If there are physical signs of the bullying (torn clothes, cuts, bruises), take a photo; police involvement may be needed.
- For the younger child, volunteering in their classroom might help you better understand the social dynamics and the underlying problems.
- Discuss with other parents, individually or in a support group. Talking with the parents of the bully, or the bully herself, is not recommended.

Continue to assess and monitor your child. Is he physically and emotionally safe? If not, what further steps need to be taken? Provide on-going opportunities for continued open discussions, checking in with him regularly. If your child becomes more withdrawn, depressed or reluctant to go to school, and/or you see a decline in academic performance, take the issue back to the school. If the school does not use appropriate actions, you may need to go higher up in the administration or take other actions, such as making a formal complaint. Ongoing struggles and/or a continued decline may also be a signal for you to bring in a mental health professional, if you haven't yet done so. Always keep in mind that the emotional consequences of being bullied can be long lasting.

Questions and Answers—Addressing Bullying in Your School:  
Schools Are Required to Keep All Students Safe

The school has a responsibility to stop bullying behavior and to create a safe learning environment for all students (Olweus, 1997). Your role in recognizing that your child is being bullied and your support at home is essential, but so is ensuring that the school appropriately responds to the problem. This includes addressing the climate in your child's classroom or school. Working collaboratively with staff will most often yield the best results.

Research indicates that creating an on-going supportive school climate is the most important step in preventing harassment (U.S. Dept. of Ed, OCR, 1999). There is a growing agreement among educators that though the bully needs appropriate consequences, the best way to protect students from harassment is to establish a secure school environment that expects and supports respectful behavior and promotes awareness, tolerance, sensitivity and cooperative interactions (Ibid, 1999). A comprehensive plan is needed to ensure that all students can learn in a safe and fear-free environment (R. Banks, 4/1997). The school staff should play a primary role in preventing bullying and harassment through curriculum, modeling and enforcement of behavior standards. Including and respecting all students, regardless of their ability/disability, is essential (U.S. Dept. of Ed, OCR, 1999). Although you may not be able to eliminate all teasing and bullying, you can advocate for a more respectful school environment, where everyone benefits, as part of making sure that the school is appropriately intervening on behalf of your child.

When addressing school culture consider the following questions:

- What is the classroom and school-wide environment like? Are there positive behavior programs to reinforce a healthy climate?
- What comprehensive anti-bullying programs, such as respect, social skills and diversity education, are in place?
- Does your school's disability awareness and education focus on strengths and abilities, and not just on the disability?
- How does the school respond to the bully – are their anti-bullying policies and procedures adequate?
- Is the staff trained in proper intervention?
- Are the special education students being mainstreamed or fully included, as appropriate?
- Are special education classes physically integrated into the school setting?

Schools should systematically address bullying using both proactive and responsive measures, with the focus on prevention, not punishment. Ineffective school response can negatively impact the school climate and the academic performance of all students. Know that bullying is a learned behavior that can be prevented (SchwabLearning.org, 2003).

Ways you can help your child's class and school address the problem:

- Help educate your child's classmates about her/his specific disability, or disabilities in general. Disability awareness is often not considered when we teach children about respect, but it should be. Insist that your school create a campus environment that is sensitive to disability issues. Remember that your child *has* a disability, but he's *not* the disability.
- Provide curriculum strategies and resources that value diversity, including disability 'differences'. If the school's current anti-bullying/respect programs are not addressing the specifics of disabilities, look to other programs that will do so, e.g., Pacer's bullying-intervention program. A good program will be utilized school-wide on an on-going basis and will weave or embed disability education into the classroom curriculum and throughout the school's culture.
- Encourage the school have up-to-date and timely in-service training for staff to help them best handle and recognize bullying problems and potential disability harassment. It's not only important for staff to know how best to intervene, but also to understand the impact of their

role as models. Make sure that trainings include areas specific to the particulars of students with disabilities and that all relevant staff, including teachers, yard duties, bus drivers, sport coaches, etc., receive training.

- Suggest that your school consider using student surveys. These often reveal problem areas and allow students to anonymously express their concerns/fears.
- Know your school's anti-bullying/harassment policies and procedures. Find out if they're adequately and appropriately communicated to parents. Work with the school to make sure that all parents are informed of these school policies.
- Encourage a school program that has student involvement. A general lack of leadership by youth to prevent bullying and teasing contributes to the problem (Bowman, 2001). A good program should include empowering bystanders to speak up. In many instances the bystanders, and even the bully's followers, though not directly targeted, are also victims of the bully.
- Encourage the creation of new class/school-wide rules. Teachers can work with their students on developing rules against bullying. Challenge the teacher who says: "we're all friends here", this may be an incomplete picture of the social climate in his/her classroom.
- Ask the school to provide a social skills or "life skills" group, if they don't already have one. Even if a group like this isn't appropriate for your child, it may benefit others, including the bystanders who may be afraid to speak up.
- Raise awareness of bullying in your school community by speaking at PTA meetings or before your School Board.
- Prompt the creation of an anti-bullying or diversity oversight or coordinating group, either school or district wide. This group can generate anti-bullying materials and strategies, review policy and manage and evaluate them.
- If a special education class isn't appropriately integrated into your school's physical setting convene a meeting to discuss how the campus/classes can be reconfigured. By isolating certain classes schools may inadvertently be engendering the potential bully with an 'exclusion is o.k.' message, as well as negatively impacting the self-esteem of the special education students.
- As your child's advocate — you have the ability to promote positive change!

Teachers nearly always have the best intentions, but most bullying behaviors happen outside of the eyes and ears of adults making the need for school-wide programs crucial in changing a culture where bullying frequently occurs without adult awareness. Additionally, even when under the watch of adults, bullying can look social in nature and be misinterpreted. (S. Smith & J. Sprague, 2004). A comprehensive intervention plan that involves all students, parents and school staff is required to ensure that all students can learn in a safe and fear-free environment (R. Banks, 4/1997)

Your school may recommend peer mediation to resolve the bullying incident(s). This is not an appropriate strategy as the bullied child is the victim of an imbalance of power. Your child's special needs may also make mediation more stressful and unequal. Even with adult supervision, facing the bully is usually an intimidating experience and unlikely to produce a healthy outcome.

### Helping Your Child: Interventions and Strategies to Consider Outside of School

Even though the bullying is most likely occurring at school, or resulting from interactions with school peers, intervention at home is also essential. Many of the following may also be implemented as school goals (see IEP goals, below). Though your child's input is important, always consider her age, ability and emotional health, when deciding how actively involved she should be in coming up with strategies to address the bullying, as well as the strategies themselves.

Some ways to actively involve your child:

- Identify and designate an adult mentor. A family friend, or a mentor through Big Brothers/Big Sisters or the YMCA, can turn into a trusted person and an important ally and role model for your child. Write the name and phone of the trusted adult(s) on a card your child can carry with her.
- Encourage and provide opportunities for your child to make new friends – one good friend is often all a child needs. If possible, create after school friendships that can potentially spill over into school. Bullies often target children who are alone and friendships can provide some extra benefits for children. Studies show that children who have healthy peer interaction are less likely to be bullied (Pacer, 2003).
- Have your child join a club or an after-school activity to provide both positive social interactions and the opportunity to build on your child's strengths. In some instances it may be helpful for your child's extracurricular activities to be in another town with a new social group.
- Consider enrolling your child in a social group. A social skills group or a group that's disability specific, such as for youth with Aspergers, ADHD and anxiety disorders, may be particularly helpful.
- Help your child develop skills that may deflect bullying. Role-play what to do and say when confronted by a bully. Some behaviors or responses 'encourage' bullies, and though the bullying isn't your child's fault, sometimes kids can and need to help themselves by identifying these behaviors and learn replacement behaviors (see IEP goals).
- Choose an unobtrusive signal for you to give your child when she is in a social situation that may need adult monitoring. Sometimes signaling your child can help them avoid a negative social outcome.
- Help your child feel proud of who she is. A confident child is less likely to be bullied and may be better able to deal with bullying behavior. Emphasize your child's strengths.
- Work with your child, at his level, on self-advocacy and problem solving skills.
- Encourage your child to talk about her feelings. Build on the mutual trust you and your child have.
- Individual therapy or counseling may also provide the support, outlet and understanding of the situation your child needs.

### Addressing Bullying Issues in Your Child's IEP

If general class, school and home interventions are not enough to address your child's needs, utilize the IEP to help. Your child's team should work together to make the IEP reflect your child's unique needs. Goals and accommodations can be added which work on strategies and tools to help your child build needed skills. Your school's psychologist should be involved in writing social-emotional goals that are measurable and relevant. Including your child in the IEP decision-making, if appropriate, can lead to better outcomes. Though targets, children who are bullied do not have to remain victims. With the appropriate tools and support system in place, your child can be a part of changing what is happening to them.

Some goal areas for the IEP team to consider:

- Social skills work, individual and group
- Speech and Language skills
- Self-advocacy skills
- Self-awareness and strength building skills

The following are some IEP goals and interventions that can directly or indirectly help address the bullying:

- Improve social understanding by having goals around sharing, taking turns, or thinking before acting (Pacer Center, 2003). Use concrete "real world" situations. Teaching the child to be less "teasable" should not be the focus of social skill building, interpersonal skill building should be.

- Participate in a social skills group. Practicing social situations, role playing, social stories and other techniques, with school peers, under adult supervision, can help your child identify and understand difficult situations when they occur. Groups like this can also facilitate friendships and a sense of not being alone.
- Increase self-advocacy skills so that your child can say “stop that” or walk away (Ibid, 2003). “Ignoring” a bully doesn’t mean the hurt isn’t there or the incident shouldn’t be reported, but it may be one strategy your child can use to take some of the power away from the bully, and to remove your child from further harm. A goal can also help your child develop and learn a brief/non-confrontational verbal response to the bully. Practice both direct and indirect ways to react to, handle or avoid bullying behavior (Ibid, 2003).
- Speech and Language goals — with a speech and language specialist. Goals can focus on articulation, speech intelligibility and language pragmatics.
- Increase your child’s self-awareness of their disability. Learning their strengths, feeling proud of who they are and their accomplishments, but also understanding how their disability may impact them, particularly in social situations, is often important.
- Help your child identify bullying and how to report it and to whom. Keep in mind that some children may have a difficult time determining that they’re a target of bullying behavior (Ibid, 2003). Goals that help educate the difference between reporting an incident and “ratting” (tattling) and identifying the difference between playful teasing and hurtful teasing (bullying), may be needed.
- Teach a signal system to use when in need of friend or adult intervention.
- Provide therapeutic and coping strategies to help your child better deal with the bullying. Goals can focus on relaxation techniques and positive affirmations; healthy outlets such as journal writing and art projects; and awareness, identification and labeling of their emotions. If your child receives County mental health services, make sure that their goals reflect the social/bullying issues as well.
- Identify and facilitate a relationship with a school staff person who can help your child make reports of the incidents and provide additional intervention and support.

If social situations are impeding your child’s ability to access their education, this must be appropriately remedied. Being the target of bullying can bring some children’s social needs into sharper focus — besides new goals, a new assessment may then be appropriate.

Other supports, accommodations and strategies for the IEP team to consider:

- Monitor and supervise unstructured time. Increased hallway, bathroom, lunchroom and playground monitoring by staff. Adult monitored “safe zones” or having an adult ‘shadow’ the child during these times, is sometimes necessary.
- Educating the staff and other students about child’s assistive technology, 1:1 aide, interpreter and other things that are ‘different’ (Ibid, 2003). Create better understanding of your child’s disability and the necessary supports that go with it.
- Avoid certain situations or locations that can be ‘loaded’ for a student.
- Keep the child away from the bully, or the bully away from the child, until things are resolved.
- Consider seating your student away from the students who might tend to bully. Remember, being proactive can prevent incidents from occurring in the first place.
- Allow the child to leave class early to avoid hallway incidents.
- Take recess or lunch in a different setting — but still with some peers.
- Consider keeping your child from highly charged competitive situations.
- Designate a peer buddy or have the classroom teacher foster a friendship between your child and a ‘safe’ child. A classroom with cooperative learning activities is one mechanism to facilitate positive social interactions.
- Set up regular appointments with the school psychologist or another “safe” person on the campus, with whom your child can ‘check-in’.
- As an outlet, allow for classroom breaks (either in or out of the classroom).

- If needed, ask to bring in outside professionals to help the school team in developing a plan and strategies to deal with the bullying and to support your child by giving her some needed tools.
- A greater or lesser degree of inclusion may be indicated.
- In extreme situations a change of placement might be considered.
- Use a Positive Behavior Plan, if indicated.

Some children with disabilities may be less likely to “read” a situation well. Others are more vulnerable to teasing and are more easily provoked or “put up to” inappropriate behavior and are themselves labeled as bullies. If your student has behavior issues, make sure that the behaviors being addressed are not a result of bullying, or if they are, this is acknowledged. Some bullies are quick to learn that they can get certain kids in trouble by provoking them (Meredith Wilson, 2003). If your child does have significant behavior issues, a behavior plan may be indicated. If your child already has one, make sure the interventions take into account the possibility that some of the child’s misbehavior may be a result of being provoked. If the current behavior plan isn’t working, a functional behavior analysis may be needed. This type of assessment will look further into the antecedents (triggers) of the incidents. It’s important that your child be responsible for his own behavior, but NOT the behavior of the bully. Do not expect the victim to change in order to prevent the bullying. It is the bully whose behavior needs to change (Maricopa County Juvenile Probation Department, 2003); however, your child may need replacement behaviors to help him to respond appropriately — be it to walk away, get help, etc.

Sometimes teachers are unclear ‘who started what’ and may have a difficult time assessing misbehavior as something which was provoked by a bully, another reason why working with the school staff on behalf of your child can be so important. Make sure the teacher understands the nature of your child’s disability and any related challenges.

It’s also important to remember that some children with certain disabilities may not know they’re being teased — but even when the victim is not aware of the ridicule, unchecked, the suggestion to the bully and bystanders is that it’s o.k. to make fun of kids who have some social or cognitive impairment. All bullying must be addressed, even when the perception by the victim is that nothing bad is happening.

### Disability Harassment

According to the Office for Civil Rights (OCR) and the Office of Special Education and Rehabilitative Services (OSERS) Disability Harassment can have a profound impact on students, raise safety concerns, and erode efforts to ensure that students with disabilities have equal access to the myriad benefits that an education offers (Cantu & Heumann, 7/2000). The number of complaints and consultation calls to OCR and OSERS indicates a steady increase of allegations and proven situations of disability harassment (Ibid, 2003). The Federal Government defines harassment as: “Unwanted verbal, nonverbal, written, graphic or physical behavior directed at an individual on the basis of race, color, sex, or disability”. If your child is specifically being teased or bullied because of their disability, this *may*, depending on severity, qualify as disability harassment. If a student with a disability as defined under Section 504 of the Rehabilitation Act of 1973 is subject to harassment, that student’s civil rights may have been violated under federal law. Disability harassment is a form of discrimination. To be illegal the harassment should be severe enough so that it makes it very difficult for a student to learn or take part in school activities (Education Law Center, 8/2002).

If you feel your child is a victim of disability harassment, either by fellow students or school personnel, you should notify your school principal and district administrators in writing. Include written documentation of all incidents and ask for a response in writing. If the problems are severe and pervasive and/or your concerns are not adequately addressed through administrative remedies, you may want to file a formal complaint. Your school district can provide you with the procedure for filing a complaint and the necessary forms. Federal laws prohibiting disability discrimination require prompt and equitable complaint procedures that incorporate due process standards.

School districts have a responsibility under Section 504 of the Rehabilitation Act of 1973, Title II of the American with Disabilities Act of 1990 and the Individuals with Disabilities Education Act (IDEA) to ensure that a Free Appropriate Public Education (FAPE) is made available to eligible students with disabilities (Ibid, 2000). When bullying and/or disability harassment decreases the student's ability to benefit from his or her education, the result may be a denial of FAPE under these statutes (Ibid, 2000). Oftentimes, looking at additional services and supports through an IEP meeting is the best way to address the issue. If your child has missed school due to the harassment, it may be appropriate to request compensatory services (Education Law Center 8/02). If you feel that the supports and services are not adequate, consider informal/local mediation to resolve differences. However, if you feel that administrative and local remedies have been unproductive, you may instead want to proceed along more formal legal channels. If you file a grievance or complaint, try to indicate how you want the school to address the problem. Involving your local police agency may also be necessary.

Under Title IX of the Education Amendments of 1992, schools have a legal responsibility to ensure that a non-hostile environment is available to all students; however, those students with special education or 504 eligibility also have specific protections. Harassment conduct also may violate California anti-harassment education code along with state and federal civil rights and criminal laws. Disability harassment is preventable and should not be tolerated. . . schools should address the issue not just when, but before, the incidents occur (Ibid, 7/2000).

### In Closing

Bullying is a serious problem that occurs throughout our schools every day. Without intervention bullying can lead to serious academic, social, emotional and legal problems (Cohn and Cantor, 2002). Children with special needs may be at greater risk to be targeted by bullies due to real or perceived 'differences' that can set them apart. Vulnerable reactions, social isolation and low self-esteem are all traits often present in special needs children that contribute to this increased risk (Pacer Center, 2003).

Intervention involves individual and comprehensive proactive and responsive measures, and though the primary responsibility for responding and preventing bullying at school rests with the school staff, as your child's parent and advocate, you have an indispensable role. We all need to remember that equal access to educational opportunities can be eroded through bullying. In the end, everyone benefits when we work to create a school culture where all students behave appropriately with one another and where each individual can feel safe and respected for who they are.

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