BULLYING INVOLVING STUDENTS WITH DISABILITIES

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Disability Rights Texas
The Protection and Advocacy (P&A) Agency for People with Disabilities in Texas
Disability Rights Texas Mission:
Help people with disabilities understand and exercise their rights under the law, ensuring their full and equal participation in society.
What we will talk about today

- Facts and definitions
- Prevention strategies
- Best practice responses
- Federal guidance, laws and remedies
The facts

- Students with disabilities are much more likely to be bullied than their non-disabled peers and are less likely to report
- Bullying comes in different forms
- Bullying is not harmless
- Adult and peer interventions matter
- Self advocacy is crucial
- There is help
- Direct
- Indirect
- Verbal
- Physical
- Relational
- Damage to property
- Cyberbullying
Prevention strategies

- People first language
- Provide an inclusive setting
- Anti-bullying curriculum and training program
- Strong policies and procedures
- Mentoring programs
- Reward and model appropriate behaviors
- Notify and include parents
Parent responses

• Notify the school in writing
  – Put them on notice of problem
  – File a formal grievance and request investigation
• Follow up with multiple level appeals
• Don’t expect to know everything
• Consider a transfer
• Police involvement?

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School responsibilities

- Notify parents
- Immediate and appropriate action to investigate or otherwise determine what happened
- Interviews
- Check ins
- Prevention of further bullying and retaliation
- Update P&P’s and prevention
ADA and 504

• OCR will find a violation when…
  - Intimidation or abusive behavior toward a student based on disability that creates a hostile environment.
  - Districts know or should know about it.
  - School does not respond appropriately.
IDEA and Bullying

Bullying can rise to the level of denial of FAPE
- No longer receiving a meaningful educational benefit
- Ask has the student’s needs changed in ARD committee
- LRE considerations
- Trigger for Child Find

• Remedies
Resources

• StopBullying.gov
• PACER.org/bullying
• SafeSupportiveSchools.ed.gov
• SandyHookPromise.org
• RachelsChallenge.org
• DRTx.org