

Bullying and the Child with a Disability

All children are entitled to an education free of bullying and harassment. Children with disabilities are at an increased risk of being bullied. Studies show that children with disabilities are bullied two to three times more than their non-disabled peers.

What is Bullying?

By definition bullying is not simply a conflict between two people. Conflict is a broad term describing disagreement between two or more people. Anyone can have a conflict with another person. Conflict becomes bullying when there is an imbalance of power. This imbalance of power may be due to many factors such as age, popularity or disability. In addition to the imbalance of power, the difference between conflict and bullying is that the behavior is intentional, aggressive and often repeated over time. Bullying can take many forms. Direct bullying may include physical aggression through hitting, kicking, shoving or spitting. It may also include social aggression through taunting, teasing, racial slurs, verbal harassment, threatening or obscene gestures. Indirect bullying can involve getting another person to bully someone for you, spreading rumors and cyberbullying.

Bullying and Access to a Free Appropriate Public Education (FAPE)

As a parent of a child with a disability, it is important to know the federal laws and resources specifically designed to address bullying. Parents have legal rights when their child with a disability is the target of bullying or harassment related to their disability. States and school districts have a responsibility to ensure that a free appropriate public education (FAPE) is made available to eligible students with disabilities. Bullying or disability harassment may result in a denial of FAPE. Schools are required to respond to harassment or bullying of a student with a disability. The school must provide immediate and appropriate action to investigate, communicate with targeted students regarding steps to end harassment, eliminate any hostile environment, and prevent harassment from recurring.

The Most Common Places Bullying Occurs

A child who bullies often looks for targets who are alone and isolated, vulnerable





Resources for Families

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and unable to defend themselves. Bullying usually occurs when there is the least amount of adult supervision, such as:

- On the School Bus
- During Recess
- Lunchtime
- In the Restroom

What Can Parents Do?

It is important to support your child and listen to their experiences. When they have been bullied, reassure them that it isn't their fault. Do not encourage your child to fight back. If you suspect or know your child has been bullied, do not contact the parents of the student who bullied your child. Document as much as possible about your child's experiences and share with their teacher to see if they are able to resolve the problem. If the bullying continues or the harassment is severe, contact the principal and put your concerns in writing.

If the principal is unable to resolve the bullying it may be necessary to request a meeting of your child's ARD committee or Section 504 team. The committee or team will listen to your concerns and provide an opportunity to review your child's IEP or 504 plan to ensure the school is taking necessary steps to stop bullying and harassment. This also provides an opportunity to discuss related services your child may need such as counseling as a result of the bullying or harassment.

What Should the School Do?

Texas Education Code (TEC 37.0832) requires schools to create policies and procedures to address and prevent bullying. Schools are responsible for protecting a student who witnesses and reports bullying from retaliation.

When a bullying situation is reported to any member of the school staff the school is required to notify the parent or guardian of all children involved in the bullying situation within a reasonable amount of time after the incident occurred.

All school staff, including bus drivers, custodians, secretaries, counselors, etc., must be trained how to respond to bullying. Counseling options must be made available for a student who is a victim of, or a witness to bullying, or a student who engages in bullying.

Each school district is required to develop a system for reporting and investigating a reported incident of bullying. If the investigation confirms an incident of bullying has occurred, the student who was the target cannot be disciplined for the use of reasonable self-defense in response to the bullying.

Preventative Bullying Measures in School

- Engage the child in peer group activities during recess to prevent them from being isolated.
- Provide closer teacher supervision during lunch.
- Request that an aide, peer or teacher accompany the child to the restroom.
- Provide educational opportunities to the class or school on disabilities.
- Let the child sit closer to the adult on the bus or in the classroom.
- Arrange for the child to be in a Buddy Program with another student.
- Get the child involved in extracurricular activities that allow them to build friendships and a support network.



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