

Use Positive Strategies to Protect Your Child with Disabilities from Bullying

Jane has a severe learning disability and delayed social skills. Taking advantage of this, a group of popular girls invited her to join them on “clash day,” when they said they would all wear outlandish clothes. On “clash day,” Jane was the only one to dress in this manner. The stares, laughter, and name calling from classmates humiliated her.

School staff thought Jane was deliberately disrupting classes and suspended her for the day. She was too embarrassed and hurt to explain. After this experience, Jane never raised her hand in class, did not attend extracurricular activities, and her grades plummeted.

While any child can be a target of bullying, children with disabilities like Jane can be especially vulnerable. Although few studies exist concerning children with disabilities and bullying in the United States, the studies available indicate an increased risk for children with special needs.

Like other children, a child with disabilities who is bullied may grow angry, resentful, frightened, or apathetic at school, and is at risk for low self-esteem, school avoidance, depression, lower grades, and increased violence.

Parents can help protect their children with disabilities from bullying and its devastating effects if they promote effective strategies such as PACER’s Peer Advocacy Program, use the Individualized Education Program (IEP) as a tool, work with the school, and know their child’s rights under the law.

Promote Peer Advocacy

Before Julie Hertzog became the director of PACER’s National Bullying Prevention Center, she was a concerned parent. Because her son David was born with Down syndrome, was nonverbal, and had a Pacemaker and a feeding tube, she was worried that he would be vulnerable to bullying.

As she advocated for her son with school staff,

she realized how much student interaction happens outside the view of adults. Recognizing that David’s classmates could be powerful allies for her son in bullying situations, Hertzog worked with the school to create a unique support for him while he was in sixth grade.

A group of his classmates received training on how to prevent bullying and speak out on David’s behalf. They called these students peer advocates. If they see bullying they intervene, ask the bully to stop, or report the situation to an adult.

The idea worked for David. Now what started with four children in sixth grade has evolved to a schoolwide project. More than 40 students volunteer to become peer advocates so they can help David and other students who are different. It’s a strategy that any parent can explore and discuss with school staff.

For more information about the peer advocacy program or how to start one, visit PACER.org/bullying/resources/peer-advocacy.asp.

Use the IEP

Students with disabilities who are eligible for special education under the Individuals with Disabilities Education Act (IDEA) will have an IEP. The IEP can be a helpful tool in a bullying prevention plan. Every child receiving special education is entitled to a free, appropriate public education (FAPE), and bullying can sometimes become an obstacle to receiving that education.

The IEP team, which includes the parent, can identify strategies that can be written into the IEP to help stop the bullying. It may be helpful to involve the child, when appropriated, in the decision-making process. Such strategies include:

- Identifying an adult in the school whom the child can report to or go to for assistance
- Determining how school staff will document and report incidents

PACER’s National Bullying
Prevention Center®

8161 Normandale Blvd
Minneapolis, MN 55437-1044
952.838.9000
952.838.0199 fax
PACER@PACER.org

PACER.org/Bullying
PACERKidsAgainstBullying.org
PACERTeensAgainstBullying.org

- Allowing the child to leave class early to avoid hallway incidents
- Holding separate in-services for school staff and classroom peers to help them understand a child's disability
- Educating peers about school district policies on bullying behavior
- Reassurance from the school staff to the student that he or she has a right to be safe and that the bullying is not his or her fault
- Shadowing by school staff of the student who has been bullied; shadowing can be done in hallways, classrooms, and playgrounds

Work with the School

It's important for parents to believe their child if he or she tells them about a bullying situation. Parents should communicate support to their child, explain that being bullied is not his or her fault, and that no one deserves to be treated this way.

Once parents have reassured their child in this way, they can meet with the principal and share what they know, explain how the situation is affecting their child, and ask the principal what the school can do to keep their child safe at school and on the bus. It's also a good idea to ask if the school has a written policy on bullying and harassment. If it does, request a written copy. Keep a written record of what happened at this meeting, including names and dates.

If a bullying situation is not resolved after meeting with the principal, parents should send a brief, factual letter or e-mail to the district superintendent requesting a meeting to discuss the situation. Copies of this letter can also be sent to the principal, special education director, and chair of the school board. Parents should make sure to keep a copy. A sample letter pertaining to children with disabilities is available at PACER.org/bullying.

Families may also wish to contact a parent center or advocacy organization for assistance. To find a local one, visit ParentCenterNetwork.org or call 888-248-0822.

“Remember, you are your child's best advocate,” says Julie Hertzog, Director of PACER's National Bullying Prevention Center. “If your child does not feel safe, you may decide to change schools. Your child's safety and well-being are of the utmost importance.”

Know the Law

If bullying is based on a child's disability, it may violate that child's federal legal rights under Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and the Individuals with Disabilities Education Act.

In a Letter to Colleagues issued on October 26, 2010, the U.S. Department of Education's Office for Civil Rights (OCR) informed all U.S. public schools that bullying and harassment, including harassment of one student by another, can be a form of prohibited discrimination.

Federal law prohibits discrimination, including harassment, in education programs and activities on the basis of race, color, national origin, sex, gender, or disability. Read the OCR letter at PACER.org/link/ocr-letter-oct--2010.asp.

According to the OCR and Department of Justice, however, not all bullying constitutes “harassment,” and the specific conduct must be examined to determine if civil rights were violated. Read the definition of “disability harassment” as stated by the OCR and the Office of Special Education and Rehabilitative Services at: PACER.org/link/ocr-letter-july-2010.asp.

Although children with disabilities face a higher risk of being bullied, parents can take proactive steps to ensure their child's safety. Promoting innovative ideas such as PACER's Peer Advocacy Program, using the IEP as a bullying prevention tool, working with the school, and knowing the law can help parents protect children with disabilities from bullying. Learn more at PACER.org/bullying.