

A PEATC

Do You Know....



Factsheet for Virginia Families: Bullying and the IEP

What is the Legal Definition of Bullying?

Sometimes we can tell if a person is being bullied. We observe the behavior taking place and make a judgment call on whether it's bullying or not. Sometimes bullying is not obvious, especially **cyberbullying**. It's important to know there is an actual definition in Virginia Law. § 22.1-276.01 defines bullying as:

A form of youth violence and an adverse childhood experience (ACE). Bullying is any **unwanted aggressive behavior(s)** by another youth or group of youths who are not siblings or current dating partners, that involves an observed or perceived power imbalance and is **repeated multiple times or is highly likely to be repeated**. Bullying may include harm or distress on the targeted youth including physical, psychological, social, or educational harm.

What is the Impact on Students with Disabilities?

Children with disabilities are **two to three times more likely** to be targets of bullying than their peers without disabilities. So, parents, caregivers, and school staff must work closely together to prevent bullying. It's important that students and their families know that the school takes bullying prevention seriously and will act immediately to protect students and take action against the bully. This issue is so serious that in 2014, the U.S. Education Department's Office for Civil Rights (OCR) issued **guidance to schools** reminding them that bullying is wrong and must not be tolerated—including against America's 6.5 million students with disabilities.

What Role can the IEP Play Against My Child Being Bullied?

If your child has an **Individualized Education Program (IEP)** under the Individuals with Disabilities Education Act (IDEA), that IEP can serve as a helpful tool. If a child is being bullied, they are being denied a **free appropriate public education (FAPE)** as guaranteed under IDEA. Therefore, school officials and IEP teams are responsible for preventing and addressing bullying. This includes when your child may be the one who is bullying another student. The IEP can include goals that address the **types of skills your child will need throughout their life**, but which can be especially helpful in addressing bullying issues. With the right supports for all students, bullying is preventable.

Resources

[Ability Path](#)

[Dear Colleague Letter from US DOE](#)

[Federal and State Activity on Bullying Prevention | American Federation of Teachers \(aft.org\)](#)

[PACER National Bullying Prevention Center](#)

[PACER National Bullying Prevention Center - the IEP and Bullying](#)

[Stopbullying.gov-Bullying and Youth with Disabilities and Special Health Needs](#)



Contact Us:

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Here are some helpful skills that can be put into student IEP goals and objectives.

- ✓ **Social skills** (sharing, taking turns, thinking before acting, recognizing social cues),
- ✓ Understanding **social norms of behavior**—what is acceptable and what is not,
- ✓ **Coping skills** (identifying and practicing ways to react to, handle, and avoid bullying behavior),
- ✓ **Self-advocacy and self-awareness skills**, including the ability to say “no” or “stop that”,
- ✓ Ability to **identify and report** bullying.

Sample Goals

Goal: By the end of the 2nd semester, in four out of five role-play situations, Sam will tell the person bullying him to stop and then will walk away from the bully and tell a trusted adult.

Goal: By June 2024, with the support of the speech-language therapist, a communication device, and a peer buddy, Janelle will effectively communicate with her classmates and advocate for herself if someone is mean to her or exhibits bullying behavior 75 percent of the time.

Goal. By June 2024, through the implementation of a positive behavior support plan, Anna will demonstrate in four out of five trials that she can socially engage with her peers without exhibiting negative behavior such as hitting, kicking, or verbal abuse, including teasing.

What Else?

Ask your child’s school for a copy of their **anti-bullying policies and procedures**. And if you are concerned that your child may be or is the subject of bullying consider developing a **safety plan**. This can be part of the IEP and include making sure the student knows **whom they can go to for help**. That individual can check in with your child to **make sure they feel safe**. You can also arrange for a communication plan with school staff; changes to the environment, like seating arrangements and work with the IEP team to ensure that your child has a way to effectively communicate what they are feeling and what they need help with.

The PACER National Center on Bullying suggests the following be considered as **supplementary aids, services and supports**.

- ✓ **Identity an adult** in the school that the student can go to or help.
- ✓ Monitor and supervise **unstructured time** (hallways, bathroom lunchroom, playground)
- ✓ Allow the student to **leave class early** to avoid hallway incidents (with supervision)
- ✓ **Use social stories** to help the student understand difficult situations and to help them communicate what they are feeling about being bullied.
- ✓ Reassure the student that they have a **right to be safe** and that bullying is not their fault.

PEATC’s mission focuses on building positive futures for Virginia’s children by working collaboratively with families, schools, and communities to improve opportunities for excellence in education and success in school and community life. For more information about us, please contact:

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