



Don't tread on LRE when responding to bullying concerns

Any report of bullying is not to be taken lightly. But parents may be protective of their child and ask an IEP team to change their child's services or placement if they think their child is being bullied. They may not think of the potential consequences for their child's learning.

"If you think it's interfering with a student's education, then there's a concern about FAPE," said Brian J. DeSantis, a school attorney at Pepple & Waggoner Ltd. in Cleveland, Ohio. "But I would strongly advise against changing a student's placement based on bullying unless absolutely necessary."

Changing a student's special education services or placement because of parents' concerns about bullying could potentially cause the team to violate the student's right to learn in the least restrictive environment with nondisabled peers. It could also exacerbate the problem if the bully and target still interact in other situations. IEP teams should take parents' bullying concerns seriously, then work together to figure out what supports may be appropriate for the student while school administrators see to the bully. Find out what steps to take to ensure the target remains safe and continues learning.

Talk with parents about their concerns

First, rule out that the parents are not just worried about bullying *possibly* happening, DeSantis said. You don't have to discuss a change in a student's programming or placement based on fear. At the same time, if parents have a valid concern, such as one about a student switching from elementary to middle school, you can talk as a team about how to prevent bullying from occurring. Let parents know that students of all levels and types of needs leave the classroom for different reasons throughout the day, so their child is not likely to be singled out for going to the resource room.

You can also find out how comfortable the family would be with teachers disclosing the student's differences and highlighting how everyone has differences, so no one should be bullied for his. The team can also discuss designating one staff member as someone the student can seek out if he needs support. "I find putting certain supports in place can help parents get more comfortable," he said.

If legitimate bullying is happening, what you don't want to do first is pull the target of the bullying out of his program just because the parents request it, DeSantis said. You could be removing the student from his natural learning environment and exposure to other nondisabled peers, leaving you vulnerable to violating the LRE mandate. "We still have an obligation to educate the child in the LRE," he said. Also, just moving the child may not address the bullying, DeSantis said. The students can come into contact in other ways. "If the school hasn't resolved the bullying, you're just putting a Band-Aid on the problem," he said. "This has to be a team decision."

Discuss changes to services, placement

Discuss with parents if the student would benefit from any additional IEP goals or accommodations in response to the bullying, DeSantis said. While the bully may undergo discipline and social skills training, depending on his needs, the target may benefit from self-advocacy, social skills, and other services to prevent future bullying. The target may benefit from having an aide with her, but keep in mind that then

you risk impeding her independence. "The student may be more singled out than anyone else if they're with an aide all the time," he said. "The student has to learn how to be their own person, too. They need socialization skills as well."

It may make sense to teach the student how to use a pass to leave class to see a trusted adult whenever she needs a break in case the effects of the bullying linger, DeSantis said. "As opposed to moving to a self-contained class or changing their instruction, the student can show their teacher a green card at any time to go talk to a counselor," he said.

See also:

- [4 fundamentals to address the impact of bullying on FAPE](#)
- [Address students' need for support even when they're not technically being bullied](#)
- [Practical Strategies for Preventing and Responding to Bullying and Harassment in School](#)

[Cara Nissman](#) covers autism, school psychology, and IEP team issues for LRP Publications.

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