






Know when to step up IEP services for bullies, targets with disabilities

An incident of bullying can bring a lot of issues to light -- for both the target and the bully. A confrontation may point to a need for additional services in the IEPs of both students.

"If both students are in special education, then both students should have an IEP meeting," said Cynthia Vargas, a school attorney at Fagen, Friedman, and Fulfroost LLP in the Inland Empire and San Diego offices. "You have to find out the impact on the bullied student and the root cause of the bullying, and how to address their frustrations another way." See *Dear Colleague Letter: Responding to Bullying of Students with Disabilities*, [64 IDELR 115](#) (OCR 2014).

In addition to a school administrator's bullying investigation, IEP teams need to meet after an incident to determine if a bully or target needs additional assessments and services and what services may be appropriate. Districts should always examine to what extent the harassment affected the student's receipt of FAPE. Otherwise, they may face child find and discrimination claims. Use the graphic below to uncover ways to address the needs of bullies and targets in IEPs after bullying incidents.

Add services to IEPs of bullies, targets	
	<p>Convene IEP meetings Don't just convene IEP meetings for targets of bullying, Vargas said. Also convene them for bullies who have IEPs. The bullies may have underlying reasons for why they bully and how they respond to bullying. "The impact of the bullying may need to be addressed by the team," she said.</p>
	<p>Consider assessment Decide as a team whether a student involved in bullying needs to undergo additional assessments for emerging issues, Vargas said. For example, a student with a specific learning disability may be developing an emotional disturbance, such as anxiety. He may not have had any mental health services in the past. </p>
	<p>Offer counseling during assessment A student may not be able to wait 60 days until the assessment is complete to receive additional services, Vargas said. "If a student is in crisis, you should address it right away," she said. Offer the student a block of eight counseling sessions while she is evaluated, Vargas said. "Nothing is preventing teams from offering support while they are gathering information," she said. "Just make it clear in the IEP that this is an interim service while assessments are being done and not stay-put. Be very open and clear."</p>
	<p>Pair student with trusted adult Discuss as a team whether the target would benefit from having a teacher or other adult in school whom he can seek out if he feels upset, Vargas said. </p>
	<p>Address student aggression The bully may benefit from receiving anger-management programming and learning how to more appropriately express emotions, Vargas said. The student may have engaged in bullying because of issues at home, so child protective services may also have to get involved.</p>

Change environment

Recognize when it may make sense to move the bully or target to another classroom or school, Vargas said. Parents may request this, or they may balk at the idea, especially if they are parents of the target and feel like the bully should have to move. Just keep the least restrictive environment mandate in mind.

"It should be an option," she said. "In California, if a victim wants to change schools, we're required to do so. It's not something IEP teams want to impose."

**Promote restorative practices**

Depending on the severity of the circumstances and levels of the students' needs, the bully and target can participate in restorative practices to work through what happened with the support of other peers, Vargas said.

"Have the bully learn from their peers the impact of what they did," she said. "It's invaluable."

Offer social-emotional learning lessons

The bully and target may also benefit from receiving a multi-week program on social-emotional skills, Vargas said. This can even be offered on Saturdays if necessary. Students may benefit from working on self-advocacy, self-regulation, communication, and other skills.



See also:

- [Don't tread on LRE when responding to bullying concerns](#)
- [Practical Strategies for Preventing and Responding to Bullying and Harassment in School](#)
- [A Paraprofessional's Guide to Addressing Bullying and Harassment Involving Students With Disabilities](#)

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