

Feds Warn Schools On Bullying Of Kids With Disabilities

By [Michelle Diament](#)

October 21, 2014



The Education Department's Office for Civil Rights is encouraging states and school districts to revisit their policies and procedures for handling bullying of students with disabilities in light of new federal guidance on the topic. (Thinkstock)

In response to an increasing number of complaints, federal officials are reminding the nation's schools of their responsibilities to ensure that students with disabilities are not subjected to bullying.

The U.S. Department of Education said in a "Dear Colleague" [letter](#) to educators Tuesday that schools are obligated under federal law to step in immediately when bullying of students with disabilities is suspected and act to halt attacks and prevent any recurrence.

The guidance comes amid what education officials called a "troubling trend" of "an ever-increasing number of complaints" related to bullying of kids with disabilities in recent years. Since 2009, the Education Department's Office for Civil Rights said it has received more than 2,000 complaints stemming from issues at public schools across the country.

“While there is broad consensus that bullying cannot be tolerated, the sad reality is that bullying persists in our schools today, especially for students with disabilities,” said Catherine E. Lhamon, assistant secretary for civil rights at the Department of Education. “Basic decency and respect demand that our schools ensure that all their students learn in a safe environment.”

The new guidance makes clear that there are protections in place for students whether they are served in school under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act.

In cases where students with disabilities are believed to be experiencing bullying, schools must “take immediate and appropriate action to investigate the issue and, as necessary, take steps to stop the bullying and prevent it from recurring,” the Education Department said.

What’s more, schools must act to ensure that bullying — whether or not it is based on a student’s disability — does not interfere with a child’s ability to receive special education or other disability-related services.

This is not the first time that federal education officials have spelled out the special responsibilities that schools have to address bullying of kids with disabilities. Just last year, the Department of Education [told](#) schools that bullying can lead to a denial of a student’s right under IDEA to a free and appropriate public education, or FAPE, if it “results in the student not receiving meaningful educational benefit.”

In addition to its guidance for educators, the Department of Education is also issuing a [fact sheet](#) for parents clarifying what they can expect of schools.

<http://www.disabilityscoop.com/2014/10/21/feds-schools-bullying/19775/>