

A PEATC

Do You Know....



Factsheet for Virginia's Parents

BULLYING AND CHILDREN AND YOUTH WITH DISABILITIES AND SPECIAL HEALTH NEEDS

Children with physical, developmental, intellectual, emotional, and sensory disabilities are more likely to be bullied than their peers. Any number of factors: physical vulnerability, social skill challenges, or intolerant environments may increase their risk. Research suggests that some children with disabilities may bully others as well.

Kids with special health needs, such as epilepsy or food allergies, may also be at higher risk of being bullied. For kids with special health needs, bullying can include making fun of kids because of their allergies or exposing them to what they are allergic to. In these cases, bullying is not just serious; it can mean life or death.

Research shows:

- Children with attention deficit or hyperactivity disorder (ADHD) are more likely to experience bullying than their peers. They also are somewhat more likely to bully their peers (Twyman et al., 2010; Unnever & Cornell, 2003; Weiner & Mak, 2009).
- Children with autism spectrum disorder (ASD) are at increased risk of being bullied and left out by peers (Twyman et al., 2010). In a study of 8-17-year-olds, researchers found that children with ASD were more than three times as likely to be bullied as their peers.
- Children who have diabetes and are dependent on insulin may be especially vulnerable to peer bullying (Storch et al., 2004).
- Children with learning disabilities (LD) are at a greater risk of being bullied (Martlew & Hodson, 1991; Mishna, 2003; Nabuzoka & Smith, 1993; Thompson, Whitney, & Smith, 1994; Twyman, Saylor, Saia, Macias, Taylor, & Spratt, 2010).
- At least one study also has found that children with LD may also be more likely than other children to bullying their peers (Twyman et al., 2010).

Bullying, Disability Harassment, and the Law

Bullying behavior can become "disability harassment," which is prohibited under Section 504 of the *Rehabilitation Act of 1973* and Title II of the *Americans with Disabilities Act of 1990*. According to the U.S. Department of Education, disability harassment is "intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the institution's program" (U.S. Department of Education, 2000).

Disability harassment can take different forms including verbal harassment, physical threats, or threatening written statements.

What is bullying?

"Bullying is defined any aggressive and unwanted behavior that is intended to harm, intimidate, or humiliate the victim; involves a real or perceived power imbalance between the aggressor or aggressors and victim; and is repeated over time or causes severe emotional trauma. "Bullying" includes cyber bullying. "Bullying" does not include ordinary teasing, horseplay, argument, or peer conflict."



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When a school learns that disability harassment may have occurred, the school must investigate the incident(s) promptly and respond appropriately. Disability harassment can occur in any location that relates to school—classrooms, the cafeteria, hallways, the playground, athletic fields, or school buses. It also can occur during school-sponsored events (Education Law Center, 2002).

What Parents Can Do

If you believe, a child with special needs is being bullied:

- Be supportive of the child and encourage him or her to describe who was involved and how and where the bullying happened.
- Be aware of signs of bullying, even if the child does not call it that. Children with disabilities do not always realize they are being bullied.
- Talk with the child's teacher immediately to see whether he or she can help to resolve the problem.
- Put your concerns in writing and contact the principal if the bullying or harassment is severe or the teacher does not fix the problem.
- Ask the school district to convene a meeting of the Individualized Education Program (IEP) or the Section 504 teams. These groups ensure that the school district is meeting the needs of its students with disabilities. This meeting will allow parents to explain what has been happening and will let the team review the child's IEP or 504 plans and make sure that the school is taking steps to stop the harassment. Parents, if your child needs counseling or other supportive services because of the harassment, discuss this with the team.

References and Resources

U.S. Department of Education (2000). *Prohibited disability harassment: Reminder of responsibilities under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act*. Retrieved August 10, 2005, from www.ed.gov/about/offices/list/ocr/docs/disabharassltr.html.

Mishna, F. (2003). Learning disabilities and bullying: Double jeopardy. *Journal of Learning Disabilities*, 36, 1-15.

Thompson, D., Whitney, I., & Smith, P. (1994). Bullying of children with special needs in mainstream schools. *Support for Learning*, 9, 103-106.

<https://www.stopbullying.gov/>

ADDITIONAL SUPPORT

**MORE
INFORMATION**



If a school district does not take reasonable, appropriate steps to end the bullying or harassment of a child with special needs, the district may be violating federal, state, and local laws. For more information, contact:

The U.S. Department of Education
Office for Civil Rights
Phone (800) 421-3481
<http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

The U.S. Department of Education
Office of Special Education Programs
Phone (202) 245-7468
<http://www.ed.gov/about/offices/list/osers/osep/index.html>

The U.S. Department of Justice
Civil Rights Division
Phone 1-(877)-202-3804
<http://www.justice.gov/crt/complaint/#three>

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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