

The Bullying or Harassment of Students with Disabilities: A Guide for Parents

About this Document

This document has been written for parents (including caregivers) of students with disabilities. This document will:

- Outline dynamics associated bullying and harassment.
- Present information on laws and regulations.
- Provide guidance on how to document concerns.
- Provide insight into how to report or file a complaint in Oregon.
- Outline the requirements of a comprehensive school response.
- Provide guidance on how parents can help their child become more resilient.
- Present insight into a comprehensive approach to improve school climate.

Bullying and Harassment in Oregon Schools

There has been no decline in the percentage of students reporting being bullied or harassed in Oregon schools for the last decade on either of the two state student wellness surveys.

Eugene 4J conducts a more comprehensive survey. The rate of reported bullying in 4J is equivalent to other districts on the state surveys. Thus, the 4J data likely applies to other districts.

In 2018, close to 9% of 4J secondary students reported they were bullied or harassed once a week or more. This is clearly a form of trauma called "toxic stress" that is causing profound harm to these students. Two-thirds of these students said they would not ask for help from the school.

Dynamics of Hurtful Behavior

There are four basic sources of hurtful behavior:

- **Students who have other challenges who also are being hurtful.** These students may be hurtful when they have triggered or in an effort to gain some level of power over conditions in their life that have led the to feel powerless. These students are likely to also have been treated badly. Their behavior often causes a substantial disruption that is noted by staff, which will result in discipline.
- **Socially skilled students who are being hurtful to achieve attention and social dominance.** These students are the greatest source of hurtful behavior in schools. These students are often perceived to be popular leaders. However, they have achieved such leadership by denigrating those who they perceive to be "different" or by engaging in battles with rivals. These students engage in subtle, persistent hurtful acts and often bring in other participants. In most situations, the hurtful behavior of these students is not noticed by staff or not considered to be serious. It is unlikely these students will be disciplined because they are not considered to be "problem students" and their parents are often powerful and well connected to the school.
- **Students who engage in impulsive hurtful acts and/or retaliation.** In our society, retaliation if you have been treated badly is often supported. Sometimes, students who are treated badly will trigger and be unable to self-regulate. An unfortunate pattern that is often seen with students with disabilities is that other students or staff are treating them badly in a more subtle, persistent, and less visible manner, which results in them triggering and engaging in a more obvious harmful action. The result is often that the student with disabilities is disciplined and the hurtful acts of the other students or staff are ignored.
- **Staff who are hurtful.** This concern is often ignored. Some staff engage in hurtful behavior associated with biases. More often, the situation is that staff are overwhelmed and lack effective skills in managing student behavior. They denigrate the student they perceive is causing concerns. Frequently, these are students with disabilities who have challenges in moderating their behavior.

Bullying and Harassment of Students with Disabilities

Students with disabilities are more likely to be bullied or harassed than their peers. Challenges in processing, social skills, mannerisms, and in moderating behavior may both increase the likelihood a student with disabilities will be bullied or harassed and interfere with their ability to respond effectively.

Hurtful behavior directed at students with disabilities can have a profound harmful impact. Students who are targets of hurtful behavior are more likely to experience lower academic achievement and aspirations, school avoidance, feelings of alienation from school, poor relationships with peers, loneliness, and depression. This can seriously interfere with the ability of students to receive the education critical to their success.

Bullying or harassment is a form of trauma—more serious incidents, as well as the toxic stress associated with experiencing persistent hurtful acts and exclusion. Experiencing trauma can cause long-lasting physical and mental health challenges. For students who already have a disability, the combined impact can be exceptionally harmful.

When the bullying or harassment of a student with disabilities is interfering with that student's ability to receive a Free and Appropriate Public Education, there are strict, comprehensive requirements placed on schools to intervene appropriately. Empowering you to ensure your child's school responds appropriately to this situation is the objective of this document.

Definitions and Language

Bullying: Serious, persistent, or pervasive hurtful behavior that is significantly interfering with the ability of the targeted student to learn and participate in school activities.

Harassment: When this hurtful behavior is based on the student's membership or perceived membership in a protected class, including students with disabilities, who have a minority sexual orientation or identity, or are a minority race, religion, or national origin.

Hurtful behavior, hurtful acts, or treated badly: In this document, these terms refer to either bullying or harassment.

Terms "**they**" or "**their**" are used in the singular.

Rationalizations

It is helpful for parents to understand the dynamics of rationalizations. When people engage in behavior that is harmful, they will often create rationalizations for why their behavior was justified or not "that bad." When raising concerns about the behavior of another student, that student and their parent will often rationalize this. Principals or other staff who decline to intervene may also rationalize this. There are four common rationalizations:

- **Spin it.** Use terminology that seeks to decrease the seriousness of the behavior. "It was just a prank." "This was locker room talk."
- **Deny Personal Responsibility.** "Everybody does this." "There is nothing I can do because this was not bullying."
- **Deny the Harm.** "They are overreacting." "It wasn't that bad."
- **Blame the Victim.** "They deserved it." "If your child would just stop _____, this would not happen."

Civil Rights Protections and the Oregon Bullying Statute

Your child is entitled to protections under civil rights laws. If the school responds solely based on Oregon's bullying statute, these protections will not be provided.

Federal Laws

Section 504 of the Rehabilitation Act (Section 504) governs situations of bullying of students with disabilities. Section 504 protections also apply to students receiving services under the Individuals with Disabilities Education Act (IDEA).

Under all civil rights laws, a hostile environment exists when hurtful conduct is sufficiently severe, pervasive, or persistent so as to interfere with or limit a student's ability to participate in or benefit from the services, activities, or opportunities offered by the school. A school must investigate concerns about which it knows or reasonably should have known. The investigation should be prompt, thorough, and impartial.

If an investigation reveals a hostile environment exists, a school must take prompt and effective steps reasonably calculated to end the harassment, prevent it from recurring, remedy the harm to the target, and correct and eliminate any hostile environment.

Under Section 504 and IDEA schools must ensure that students with disabilities receive a Free Appropriate Public Education (FAPE). Bullying or harassment of student with a disability on any basis can result in a denial of FAPE that must be remedied. A hostile environment will essentially constitute a denial of FAPE.

The U.S. Department of Education has directed that in situations where students with disabilities are being or engaging in bullying and this is interfering with FAPE, the school must fully address the concerns in an Individual Education Plan (IEP) or Section 504 Team Meeting.

Under IDEA and Section 504, schools must address Supplemental Aids and Services so that the needs of students with disabilities are met. The comprehensive plan of action to address the bullying concerns should be contained in this section of an IEP or 504 plan. A student with disabilities who has challenges in maintaining positive social relationships should also have Functional Objectives that address these concerns.

Section 504 also applies to any student who might originally not be considered to have disabilities, if a situation has emerged where, as a result of bullying, the student is experiencing mental health challenges and this appears to be interfering with this student's ability to concentrate and learn. This student should be evaluated to determine whether they should now be considered to be a student with a mental health disability under Section 504. This process is called "Child Find."

Oregon Laws

Oregon's statute, ORS 659.850, prohibits discrimination in education. The Oregon Department of Education (ODE) enforces the state non-discrimination statute in accord with the federal civil rights regulations.

Oregon's anti-bullying statute, ORS 339.351-364, requires a district policy that allows for the discipline of a student who engages in serious acts of harm against another student—with a focus solely on whether discipline is warranted. Schools are under pressure not to discipline students.

Unfortunately, the Oregon statute includes the terms "harassment" and addresses "protected classes." This may have created a situation in your district where the school leaders believe that the requirements under the Oregon statute apply to all situations. The recommended policies that have been provided by the Oregon School Board Association (OSBA) do not effectively incorporate the civil rights protections your child deserves.

Note the differences in the chart. For additional insight into the differences, go to this page: <https://www.stopbullying.gov/resources/laws/oregon>. Look at Questions 4 and 5 and click the link on civil rights protections

| Laws | Federal Civil Rights Laws and Regulations | Oregon's Anti-bullying Statute |
|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Who is protected? | Students in a protected class or perceived to be in a protected class. Protected classes are based on disability, race, color, national origin, sex, and sexual orientation/identity. | All students. |
| What must schools respond to? | Schools must respond to harassment or bullying that has created a hostile environment. A hostile environment has been created when serious, persistent, or pervasive hurtful behavior by peers denies or limits a student's ability to participate in or benefit from the school's education programs and activities. These duties are a school's responsibility even if the misconduct also is covered by an anti-bullying policy and regardless of whether a student has complained or asked the school to take action. | Schools must enact a policy against "harassment, intimidation, or bullying," defined as any act (singular), that substantially interferes with a student's educational benefits, opportunities or performance, takes place within the school environment, and involves physical harm, threat of harm, or interferes with psychological well-being of a student. |
| When must schools investigate? | School must investigate if it knows or reasonably should have known that concerns of harassment are present. Reporting by the target or others is not required. | Schools must adopt and provide a policy, set up a reporting system, identify responsible staff, and investigate reports. Staff must report. |
| What is investigated? | The investigation should focus on whether a hostile environment exists for a protected class student, which will need to be addressed. | The investigation focuses on whether discipline of the student accused of being hurtful is warranted. |
| How must schools respond? | If a hostile environment is found to exist, the school must take prompt and effective steps that are reasonably calculated to stop the harassment, prevent it from recurring, remedy the harm to the target, and correct the environment. If the student has disabilities, this plan must be developed by the IEP or 504 Team, which includes the parent, and incorporated into the student's IEP or 504 plan. | If a principal decides the hurtful conduct meets the definition of the policy, the principal should impose consequences on the hurtful student. Schools are under very strong pressure to reduce suspensions and other disciplinary actions. The school must prevent retaliation. |
| If a parent is not satisfied with the school's response, what can a parent do? | A complaint can be filed with the district. There are several levels of appeal within the district. (However, OSBA's recommended complaint policy JFCF-AR maintains bullying/harassment situations should be investigated solely to determine whether discipline was warranted. This recommended policy is not in accord with the response requirements under civil rights laws.) | A complaint can be filed with district. The district will decide whether discipline was warranted. There are several levels of appeal within the district, but the same discipline-focused analysis will be applied. |
| If the parent is not satisfied with the district's response, what can the parent do? | After exhausting the local complaint processes or 90 days, whichever comes first, parent can appeal to ODE. Parents can request a waiver of this time requirement. Unless the district agrees to follow the civil rights requirements, parents are advised to request such a waiver. | Unless, the student is in a protected class, no further protections are available. This is why it is important to consider whether a student who is not in a protected class but who is now suffering from mental health challenges due to bullying that are interfering with their ability to learn is now entitled to protection under Section 504. |
| What information is provided to you? | You should be informed of all restrictions placed on the hurtful student that relate to the protection of your child. This information is not considered protected by federal privacy laws. | Any information regarding a disciplinary action on the hurtful student is protected under federal privacy laws. |

Documentation Guide and Letter from Medical or Mental Health Professional

Documentation Guide

For the purpose of this Documentation Guide, it is assumed that your child has a disability and is receiving services under IDEA or Section 504 or that, due to bullying, your child is now experiencing mental health challenges that are interfering with learning and should receive services under Section 504. Your child may also be in other protected classes.

Document, Document, Document

- Start documenting all communications with school staff. Go back through your electronic media and find all past communications. If you ever have a meeting in person, take notes. Then, promptly send an email to the person, setting set forth everything that was discussed, based on your notes. End the message stating, "If anything I have stated is not in accord with your memory, please provide me with your feedback so that we can make sure we are on the same page. This will assist in preventing arguments about any statements or agreements made.

Treated Badly by Students at School

- Describe how your child has been treated badly by other students while at school. Describe a sufficient number of these incidents. Especially describe the more serious incidents, incidents where staff were present, incidents that were reported, and incidents where there were witnesses. What has happened? Where and how has this happened? Who was being hurtful? Who was supporting the hurtful acts? Were other students present who might be willing to describe what happened?

Staff Response when Treated Badly by Students at School

- Identify from above any hurtful incidents that occurred in front of staff members or that were reported to a staff member. Describe how that staff member responded. What staff member was present? What staff member was told? How did the staff member respond? What did staff member say? What happened after this?

Treated Badly By Students Online

- Describe how your child has been treated badly by other students from this school or other schools in the district when using digital media—either while at school or outside of school. Describe how these hurtful digital acts are related to what is happening in school. Save and print out all hurtful digital communications or posts.

Treated Badly by School Staff

- Describe any situations where a school staff member has denigrated, bullied, harassed, or sexually harassed your child. This includes "micro-aggressions"—brief hurtful verbal or behavioral acts. What has happened? Where and how has this happened? How frequently? Were any other staff members were close by. If so, specifically describe how this other staff person reacted. Were other students present who might be willing to describe what happened?

Response if Reported to School

- Describe what happened upon any reports of the above incidents or situations to the school by your child or you. To whom was this reported? What happened in response? What happened after this? Did things get better, stay the same, or get worse? Did your child experience any retaliation? If so, describe in full. If you or your child decided not to report in any of the above incidents or situations, explain why you or your child decided not to report?

Harmful Emotional Impact

- Describe in detail how, as a result of these hurtful acts, your child is feeling. Is your child re-experiencing or frequently thinking about what has been happening, having upsetting memories of what has been happening, having dreams where people are hurtful, feeling distressed just thinking about going to school? Is your child avoiding or trying to avoid thinking about things that can bring up memories or trying to avoid people, places, or activities that relate to this? Is your child feeling anxious, sad, angry? Does your child have negative thoughts about themselves, other people, school, the world? Does your child sometimes blame themselves? Is your child avoiding activities that they used to like to do? Do they feel disconnected from others? Do they have difficulties feeling positive emotions like being happy and joyful? Does your child find that sometimes they are distressed or become aggressive? Is your child engaging in impulsive or self-harmful behavior? Does your child feel like they constantly have to be on guard because someone might be hurtful? Does your child sometimes startle when people come up? Does your child have difficulties concentrating or problems sleeping? Is your child having headaches or stomach pain or other unexplained feelings of discomforts?

Harmful Interference on Your Child's Learning or Participation

- Describe in detail how as a result of these hurtful acts, your child has been unable to concentrate, learn, and/or participation in school activities. Has your child skipped school one or more days, skipped a class one or more times, had difficulties concentrating in class, found it hard to complete assignments, received lower grades, or not felt comfortable participating in class discussions? Has your child avoided riding the bus, certain areas of the school building, using the bathroom, using the locker room, or going into the cafeteria? Has your child avoided participating in school clubs, participating on a school sports team, or attending school games or other activities?

Aspects of the School Environment That May Be Contributing

- Describe any aspects of the school environment that may be reinforcing the way your child is being treated badly by others. This may include district policies, school practices, statements made by staff, curriculum choices, books or lack of books in the library, as well as overall aspects of the school climate. Describe what aspects of the environment make your child feel unwelcome or uncomfortable. Is your child's school using a behavior management chart or a token rewards approach that rewards students who do not have challenges and are compliant, but less frequently rewards students who have greater challenges? Does your child frequently feel denigrated or excluded by these or any other school practices?

Outbursts or Retaliation Acts by Your Child

- Describe any incidents or situations where your child responded badly because of how they were being treated and engaged in some form of outburst, retaliation, or fighting back. Acknowledge that your child must accept personal responsibility for their actions. Describe how your child was being treated before this happened and any other past history.

Letter from Medical or Mental Health Professional

Provide this completed documentation to your pediatrician or a mental health professional, if your child is seeing one. Ask this professional to review the material you have gathered and to discuss this with your child.

Note: Inform this professional that the questions set forth under Harmful Emotional Impact have been guided by an understanding of the diagnosis requirements for DSM-V Specified Trauma and Stressor Related Disorder. Professionals in the field of childhood trauma have recognized that research has failed to demonstrate the effectiveness of psychopathic drugs for the treatment of childhood trauma. To address the concerns of emotional distress from trauma, it is necessary to stop the traumatic incidents from happening and to empower your child through trauma-focused therapy—not place your child on drugs that have dangerous side effects. A document for medical and mental health professionals is on the Engage Students to Embrace Civility web site under the Bullying Resolution link.

Ask this professional to provide a letter to you to take to the school describing their findings. This letter should state that based on the information provided to them and their evaluation, it appears that your child is experiencing serious, persistent or pervasive hurtful conduct while at school, that this appears to be resulting in mental health challenges and a significant interference with your child's ability to learn.

Achieving a Positive Outcome

Recommended Complaint Approach

The appropriate response by the school/district must be a plan of action that is reasonably calculated to stop the harassment, prevent it from recurring, remedy the harm to your child, and correct the environment—that is developed by the IEP or 504 Team, which includes you.

- **Level 1.** Complete your documentation and obtain a letter from your doctor/counselor. Report your concerns to the school, stating: “My child is being bullied and harassed and this is interfering with my child’s ability to learn and participate at school. It is my understanding that this is a violation of Section 504. I request that an appropriate investigation be conducted and that a plan of action be developed to address these concerns in a 504 (or IEP) Team Meeting.” If the principal responds that this is not bullying and no disciplinary action is warranted, realize that the principal does not understand the civil rights requirements. Proceed to Level 2.
- **Level 2.** File a complaint with the district. Ask school for the complaint form. Complete the form and provide your documentation. State on this form: “My child is being bullied and harassed and this is interfering with my child’s ability to learn and participate at school. It is my understanding that this is a violation of Section 504. I have requested that an appropriate investigation be conducted and that a plan of action be developed to address this in a 504 (or IEP) Team Meeting. The principal has responded that the situation does not violate the bullying policy. I ask that the school be directed to respond to this situation in accord with the civil rights regulations.” If the response of the district gives you reason to think the district does not intend to comply with civil rights regulations, go to Level 3.
- **Level 3.** Respond to the district stating, “My child deserves protection from bullying or harassment that is interfering with their learning under civil rights laws. These protections are not being provided. I request that the district waive the requirement for proceeding under the district complaint to allow me to immediately appeal to the Oregon Department of Education.” Even without a response by the district, contact ODE and send them your complaint. Also consider filing a complaint under Section 504. You can do this directly, without having to wait for any school or district action. ODE civil rights contacts: Go to ODE home page. Under Students and Families, select Complaints and Appeals.

Comprehensive Investigation

A comprehensive investigation/evaluation is necessary first step to create an Intervention Plan. If you have had long-standing challenges getting your school to improve, consider asking for an independent investigation. This investigation should address:

- **The dynamics of the hurtful incidents.** There should be a clear understanding of where, who, how, and when these incidents occur.
- **The perceived motivations and any challenges of student(s) being hurtful and supporters.** Some of this information will be considered to be protected under federal privacy laws. You and your child likely have insight into motivations and challenges. You should be provided with sufficient information to allow you to ascertain that the school has taken the time to consider these issues and incorporate this insight into their efforts to stop the harassment.
- **Protections and support needed for your child.** There should be a complete evaluation of the common occurrences to allow for the development of a Protection Plan. The harm to your child both in terms of emotional distress and harm to your child’s academic progress should be outlined so that this can be remedied. If your child has challenges that relate to social relationships, these should be identified—without blaming your child.
- **Aspects of the environment that must be corrected.** This investigation should assess whether any staff members are treating your child in a disrespectful manner or not responding effectively. This will allow for plans to correct staff behavior and improve the skills of staff. The behavior management approaches used in the school and classrooms should be evaluated to determine whether they are modeling the denigration and exclusion of students who have challenges (charts or token rewards). Other aspects of the school environment should be evaluated related to the objective or increasing inclusion of all students with disabilities.

“We don’t have time. We have to focus on test scores.”

This excuse or rationalization may be stated or implied. Realize that too many school leaders perceive this to be the case. It is time to take a stand against this.

The emotional and social well-being of students should be the highest priority of schools. If schools place the well-being of students as their primary focus, test scores will increase. Nothing they have been doing for the last decade has caused test scores to increase. Please point this out.

Send this message further. Write a poignant letter outlining the harm your child has been suffering. Repeat statements made by any school staff for why their focus on test scores is interfering with their ability to address the situation harming your child.

Send your letter demanding positive change to:

- Your district’s superintendent and school board.
- The Oregon Department of Education Superintendent of Public Instruction and the State Board of Education.
- The Oregon State Legislature committees on education.

Stop the Harassment and Prevent it From Recurring

The school should be able to outline the following strategies to you. Note, some of this information will need to be more general due to privacy protections for the hurtful student(s) and supporters.

- What strategy will be used to support unmet needs and challenges of any student(s) being hurtful?
- What strategy will be used to ensure the hurtful student(s) and their supporters accept personal responsibility and will take steps to remedy the harm to both your child and the school community?
- What steps will be taken to ensure that these students will abide by the Protection Plan that has been developed for your child?

All aspects of the requirements placed on these students should be disclosed to you and your child. Under civil rights regulations, this aspect of the discipline of these students is not considered to be protected under federal privacy laws.

Do not push for suspension of these students. Suspension is rarely effective and often leads to retaliation. Your school should be able to explain to you how they will use a restorative and problem solving intervention approach that requires the hurtful student and supporters accept personal responsibility, agree to discontinue hurtful behavior, and take steps to remedy harm to both your child and community. This should not be merely a forced apology and your child’s forced acceptance of this apology. It should be made clear to these students that there will be more significant disciplinary consequences for any future hurtful conduct or failure to abide by the Protection Plan that has been established for your child.

You should be informed whether the parents of these students have been informed of their wrongdoing, have accepted the fact that their children were personally responsible, and will support their children in remedying the harm and avoiding future harm. Recognize that in some situations, principals can not work miracles. Family dysfunction may be an underlying concern. If this is a concern, you should be informed of how these students will be receiving greater staff support at school.

If any changes in schedules or activities need to be made, those changes should be made by the hurtful student(s)—not your child. If your child is enjoying a class they are in with a hurtful student and the continuation of both in the same class is perceived to present challenges, the hurtful student should be removed from the class.

Achieving a Positive Outcome

Remedy Harm and Provide Support

The Supplemental Aids and Supports section of your child's IEP or 504 should be modified to incorporate the following:

- **Protection Plan.** A Protection Plan should be set forth to ensure the safety and emotional well-being of your child within school building and grounds, going to and from school, and in relation to classes and school activities. This Protection Plan should address risk in all of the locations that were identified in the investigation to present possible concerns. As noted, hurtful students and their supporters should be required to acknowledge any aspects of this plan that relate to their location or other requirements, such as a "no contact order." This Protection Plan should include specific instructions for your child on how to respond and report any further hurtful incidents. This Protection Plan will need to be conveyed to all staff who might be responsible for ensuring its effectiveness. A plan for doing this should be discussed and agreed upon.
- **Resiliency Plan.** A Resiliency Plan should be developed to provide support, remedy emotional harm, and address any social relationship challenges your child might have. Strategies to support your child's resilience are on the next page.
- **Academic Remedy Plan.** An Academic Remedy Plan may be necessary to remedy any impact of hurtful conduct on your child's learning and achievement. This may include tutoring, extra credit opportunities, and priorities in scheduling for classes.

Functional Behavior Objectives and Plan

If your child has identified concerns in social relationship skills, this must be addressed in a positive manner in the Functional Objectives section of your child's IEP or 504. A solid plan should be included for how these objectives will be accomplished. However, the inclusion of Functional Objectives to support your child's social relationships should not make your child feel blamed.

Effective social relationship skills are essential for all students, especially those with disabilities. Your child's future success in life—including future education, family and living relationships, employment, and life enjoyment activities—is far more dependent on gaining effective social relationship skills than improved academic test scores. This priority must be reflected in your child's IEP or 504 objectives and the related instructional and support plan.

Sometimes, in students' IEPs or 504s, Functional Objectives relate primarily to the students' compliance with adult authority. These kinds of objectives will be entirely ineffective.

Because your child has been experiencing trauma and may be engaging in inappropriate behavior as a result, make sure the social relationship skills Functional Objectives are in line with insight into trauma. These must include a strong focus on self-regulation and problem-solving.

Your Child's Involvement

All aspects of these plans should be developed in close coordination with your child in a collaborative problem solving manner. The concern should be identified. You, your child and other members of the team should outline and discuss possible strategies to address these concerns.

Every strategy that is decided upon should meet with your child's approval. When a young person is bullied, this takes away their power. Requiring your child's in-depth involvement is the way to ensure that your child feels they have gained power in this situation.

Correct the Hostile Environment

The Supplemental Aids and Supports section of your child's IEP or 504 should also be modified to incorporate the strategies the school intends to implement to improve how your child is being treated and the school climate in relation to increasing inclusion of all students with disabilities. However, correcting the environment will also require more comprehensive, school-wide initiatives. These may be referenced in your child's IEP or 504 Plan, but not detailed.

Four important components of this correction plan are recommended:

- **Correct any inappropriate staff behavior.** Your documentation and the investigation should have identified any concerns related to how your child is being treated by all school staff. If any staff member is treating your child with disrespect, this is modeling to other students that this is acceptable. Such behavior must be changed. Some aspects of enforcing such a change will be considered confidential, as this relates to the staff member's employment. However, your child's IEP or 504 should outline that this will occur and the precise steps you or your child should take if any such inappropriate staff behavior occurs. If there are any profoundly serious concerns or repeat incidences of inappropriate behavior, video or audio monitoring should be put into place to ensure staff compliance.
- **Correct how staff will respond if they witness hurtful behavior directed at your child.** Your documentation and the investigation should have identified any concerns related to how staff are responding if your child is treated badly in their presence or reports this to them. If there are any concerns associated with this, your child's IEP or 504 should outline the school's commitment to agreed upon standards for how staff will respond, insight into how staff will receive training, and the precise steps you or your child should take if there are any future hurtful incidents where staff responds ineffectively.
- **Correct any behavior management approaches that model the denigration and exclusion of students who have challenges.** Too many schools are using behavior management approaches that are profoundly damaging from the perspective of children who have challenges. These approaches include behavior management charts and token rewards. These approaches have been put into place with the mistaken perspective that if students who have challenges see that other students are getting positive rewards, this will motivate the students with challenges to behave. If children who have challenges could better manage their behavior, they would. Publicly pointing out school disapproval of their inability to do so only increases the harm. Correcting the harmful use of these behavior management approaches requires a shift to approaches grounded in trauma informed practices. This is a more significant undertaking than should be set forth in an individual student's IEP or 504. However, reference to the concern, the harmful impact of this concern, and the school's intention to change these harmful practices in your child's classes should be addressed.
- **Increase school activities to support inclusion of students.** There are many innovative approaches schools are implementing to increase the positive inclusion of students with disabilities. These also are a more significant undertaking than should be set forth in an individual student's IEP or 504. However, reference to the intent to implement increased inclusion strategies and to include both you and your child on a task force to identify, plan, and implement such activities is advised.

Monitoring and Compliance

The IEP or 504 Plan should set forth how this situation will be monitored and addressed if challenges continue. You and your child should know how to report concerns and have the expectation that a prompt response will occur. Information on how to do this should be incorporated into the IEP or 504 Plan.

You should know that provisions that are incorporated into an IEP or 504 Plan are enforceable. You can immediately file a complaint with ODE if the school fails to abide by the commitments set forth in this Plan.

Your Child's Resilience and Positive School Climate

Resiliency Plan for Your Child

The Resiliency Plan for your child should be grounded in trauma informed practices and positive psychology. These strategies should also be addressed as Functional Objectives or Aids and Supports.

Connections

Ensuring your child has positive connections with a number of Staff Allies is imperative. Which staff members does your child feel closest with who can be designated Staff Allies? How can your child's school day be arranged so that they can regularly have some private time to check-in with one of these Staff Allies? Note that this check in must be positive. Not focused on your child's compliance.

Friendships

The research has documented that having even one close friend can reduce the harmful impact of being bullied. Encourage your child to engage in a consistent effort to reach out to be kind to other students. This has been demonstrated to increase peer acceptance.

Who are your child's friends? How does your child get together with friends? Are there some ways your child might increase the time with friends both at school and in out-of-school activities? What kinds of activities or interests does your child enjoy or would like to do more of that could result in greater friendships with those who share mutual interests? If your child routinely reaching out to be kind to others? How can reaching out to be kind be encouraged and supported?

Strengths, Goals, and Presence Focus

Identify the strengths of your child. Encourage your child to engage in at least one act a day that uses one of their personal strengths. Ask your child if there are any other strengths they would like to develop.

Research has shown that maintaining a focus on future goals supports positive outcomes for students who have experienced bullying. What are your child's future goals? Are there things your child would like to do now that relate to these future goals? Set forth a plan to accomplish this both at school and home.

Students who maintain a posture that indicated personal power are less likely to be bullied. Help your child practice standing tall and walking with pride. Practice the difference between "feeling small" and "standing tall." Both staff and you can encourage your child to stand tall and walk with pride.

Mindfulness and Self-Regulation

Your child should be engaged in the daily practice of mindfulness, both at school and at home. Just a minute of mindfulness breathing whenever your child enters a new class or returns to the class from recess or lunch can build neural pathways that can help your child better self regulate.

If your child has challenges in triggering or over-reacting if treated badly or when other disruptions or challenges emerge, this Resilience Plan should include specific strategies to help your child better self-regulate. Your child, you, and all staff who regularly interact with your child should know what strategies your child will use to self-regulate. Your child may need a special pass at school to remove themselves from any situation and go to a calming place.

Problem Solving

Make sure your child knows specific steps for problem solving whenever trying to handle challenging interpersonal relationship concerns. The steps for problem solving are: What is the situation? What do I want to accomplish? What strategies could I use? Is each in accord with my values and strengths? For each, what might happen? What is my best choice? If that does not work, what else could I do?

Focus on the Good and Gratitude

Encourage your child to recognize that consistently thinking about the good things that are happening can increase their happiness and the ability to handle challenges, including being treated badly.

Hurtful Incident Response Plan of Action

Help your child develop an effective plan for how they will respond if someone is hurtful. Discuss and practice specific strategies your child can use if someone says or does something hurtful.

Positive Check in

Your child's Staff Ally is advised to ask these kinds of questions on a daily basis. You can also ask these questions daily in the evening. Who did you have a great connection with today? What did you do that you are proud of? How did you use one of your strengths? What goal did you achieve? How did you reach out to be kind to someone else today? Were there any issues that came up that required you to remain calm and think things through? What happened today that you are thankful for?

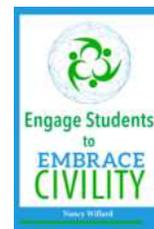
Positive School Climate

Encourage your school to place a greater emphasis on implementing trauma informed practice to increase the resilience of all students. As stated earlier, the emotional and social well-being of students should be the highest priority of schools. The actions your school should be taking include:

- **Positive School Climate Team.** Include appropriate staff, as well as parent and student representatives who are gaining insight from and reporting to parent and student groups.
- **Continuous Improvement Plan.** Have students and staff complete an annual school climate survey. Analyze data to identify connections: Which students are being bullied or do not feel staff care about them? Establish objectives based on the data, identify research-based strategies to implement, and create an action plan. Present the plan to staff, students, and parents for comment and improvement. The effectiveness of the plan will be measured with a subsequent survey. This should be considered a continuous process.
- **Student Kindness Team.** Establish a diverse group of students who are known to be consistently kind and respectful. Charge this group with the responsibility of implementing school-wide strategies to promote kindness and inclusion. Ensure students with disabilities are a part of this team. Consider the establishment of a program to train students to provide peer support.
- **Trauma Informed Practices.** Implement the key trauma informed practices known to increase student resilience and empowerment:
 - Ensure a positive staff connection with every student.
 - Establish a daily or weekly time for students to discuss personal and social concerns in supportive circles.
 - Establish daily mindfulness practices and enhance student and staff ability to self-regulate. Establish calming places in classrooms and the school.
 - Focus on student strengths, goal setting, and future planning.
 - Incorporate problem solving practices into academic studies and into the resolution of all challenging situations.
- **Social Emotional Learning and Cultural Inclusion.** Implement social emotional instructional activities. Ensure all aspects of the school environment support cultural inclusion. Cultural inclusion includes inclusion of students with disabilities. Social justice should also be incorporated.
- **Restorative Practices and Collaborative Problem Solving.** Respond to all negative incidents in a manner that engages all involved parties in collaborative problem solving to achieve a resolution that will remedy any harm to any individual and to the school community.

Helpful Books

The author of this document is the author of two books. One for school leaders and the other for teens. The book for teens also provides helpful guidance for parents of younger children. These are available on Amazon.



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