



## Parent Fact Sheet

# What Are Public Schools Required to Do When Students with Disabilities Are Bullied?

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### *What does a school have to do when a child with a disability is being bullied?*

- School staff, parents, and other caring adults have a role to play in preventing and responding to all forms of bullying. If a student with a disability is being bullied, federal law requires schools to take immediate and appropriate action to investigate the issue and, as necessary, take steps to stop the bullying and prevent it from recurring.
- *Regardless of whether the student is being bullied based on his or her disability*, schools must remedy the effects of bullying on the services that the student with a disability receives (special education or other disability-related services) to ensure the student continues to receive a free appropriate public education (FAPE). Any remedy should not burden the student who has been bullied.

### *Does it matter if a child has an Individualized Education Program (IEP) or 504 plan?*

- No. Some students with disabilities receive FAPE through an IEP developed under the Individuals with Disabilities Education Act (IDEA) and others receive a plan developed under Section 504. If changes in a student's behavior or academic performance indicate that a student may not be receiving FAPE, the IEP or Section 504 team should meet to determine whether the student's educational needs have changed and the school must provide any needed additional services promptly to ensure the student's ongoing receipt of FAPE.

### *Where can I go for help?*

- Go to [www.stopbullying.gov](http://www.stopbullying.gov), a federal website that provides helpful information and resources on bullying prevention and remedies.
- Ask to meet with the IEP or 504 team, the principal, or the district's Section 504 or Title II Coordinator if you believe your child is being bullied. Consider using your school's disability grievance procedures to have the school address your concerns.
- The U.S. Department of Education's Office for Civil Rights (OCR) has issued a [Dear Colleague Letter](#) explaining what public schools must do under federal law to respond when students with disabilities are bullied. OCR investigates complaints of disability discrimination at schools. To learn more about federal civil rights laws or how to file a complaint, contact OCR at 800-421-3481 (TDD: 800-877-8339), or [ocr@ed.gov](mailto:ocr@ed.gov). OCR's website is [www.ed.gov/ocr](http://www.ed.gov/ocr). To fill out a complaint form online, go to <http://www.ed.gov/ocr/complaintintro.html>.