



SOUTHERN PLAINS EDUCATION COOPERATIVE

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To: Principals, Superintendents, and Special Education Teachers

From: Sarah Mittelstadt, Director

Re: Bullying and Special Education

As we begin the school year navigating the new bullying law, a colleague of mine shared some guidance she received from legal counsel regarding his law and special education.

The following are key points:

- *It is recommended that the IEP team discuss (and document the discussion) regarding potential bullying concern, especially if the team thinks the student might be unaware of bullying. The team's notes (Prior Written Notice) should reflect discussion of the interventions discussed.*
- *This discussion will vary from student to student. It is likely worthwhile to have the student receive specific instruction on recognizing appropriate and inappropriate behavior for any student who does not grasp the behavior. This could be as simple as explaining the anti-bullying policy in a small group with some examples. Students who engage in bullying (whether or not they understand the concept) might benefit from friendship groups, roleplaying, communication goals, social goals, and working through frustration/anger/etc. in a constructive manner.*
- *Students who are potential victims, especially if they are unaware, might need self-advocacy problem solving or skills instruction aimed at recognizing when he or she is the victim of inappropriate conduct. Potential unaware observers (who might also be potential victims too, if they are truly unaware of inappropriate behavior) might just need examples of what conduct is inappropriate and how to respond to it.*
- *Currently, the law required districts to "allow" the team to address bullying behavior for both victims and bullies. In order to comply with the law, and to head off legal claims and negative publicity, teams should take all allegations of bullying seriously. When appropriate, make changes to the IEP and document thoroughly any provisions to protect children from bullying.*