



SAFE AND CIVIL IOWA SCHOOLS: NO ROOM FOR BULLYING

by Connie B. Fanselow, ASK Resource Center

We all remember the saying, “sticks and stones may break my bones, but words can never hurt me” from our own school days, and we all learned pretty quickly that it really wasn’t true. Words can hurt deeply and emotional injuries can have serious and long-lasting consequences, especially for children. Bullying and harassment is not only harmful to the social and emotional development of children, it gets in the way of learning.

Ensuring the physical safety and emotional security of children in school is a critical concern shared by parents and educators. Recognizing that concern, in 2007 the Iowa Legislature passed a new state law to help prevent and address bullying in schools. The law has been in effect for almost a full school year now, yet many parents are not aware of its provisions, how anti-bullying policies are being implemented in their local school districts, or what they can do to support the effort.

The new Iowa law declared a statewide policy against harassment and bullying and called upon schools to adopt their own anti-bullying policies that meet the statewide standard.

Under the new law, each school district in Iowa was required to adopt its own policy to address harassment and bullying by September 1, 2007. While

schools had anti-bullying policies prior to the new law, they must now be consistent with the state standards. If you have not seen your school’s anti-bullying policy, you may want to request a copy. School district anti-bullying policies must be made available to parents and the general public.

“The state of Iowa is committed to providing all students with a safe and civil school environment in which all members of the school community are treated with dignity and respect. . . . [I]t is the policy of the state of Iowa that school employees, volunteers, and students in Iowa schools shall not engage in harassing or bullying behavior.”

~ Iowa Code Section 280.28(1)

Each school district’s policy must include:

1. A statement declaring harassment and bullying to be against state and school district policy.

2. No bullying: A statement that school employees, volunteers, and students shall not engage in harassing and bullying behavior in school, on school property, or at any school function or school-sponsored activity.

3. No retaliation: A statement that school employees, volunteers, and students shall not engage in reprisal, retaliation, or false accusation against a person who has been tar-

geted by bullying, a witness, or any one who has reliable information about an act of bullying.

4. A definition of bullying consistent with the following:

Any electronic, written, verbal, or physical act or conduct toward a student which is based on any actual or perceived trait or characteristic of the student and which creates one of the following conditions:

Places the student in reasonable fear of harm to themselves or their property

Has a substantially detrimental effect on the student’s physical or mental health

Has the effect of substantially interfering with a student’s academic performance

Has the effect of substantially interfering with the student’s ability to participate in or benefit from school services, activities, or privileges

Iowa’s anti-bullying law specifically lists the following **“traits or characteristics”**:

- age
 - color
 - creed
 - national origin
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The Parent Training and Information Center of Iowa exists to serve families of children with disabilities. The PTI of Iowa is a statewide service of ASK (Access for Special Kids) Resource Center, a nonprofit organization dedicated to helping families of children with disabilities.

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- race
- religion
- marital status
- sex
- sexual orientation
- gender identity
- physical attributes
- physical or mental ability or disability
- ancestry
- political party preference
- political belief
- socioeconomic status
- familial status

addition, the law clearly states that this list is not meant to be exclusive. Traits or characteristics other than those specifically listed are also covered by the anti-bullying policy.

Each school district's policy must also include:

5. How the School Will Respond:

A description of the type of behavior expected from school employees, volunteers, parents or guardians, and students relative to prevention measures, reporting, and investigation of harassment or bullying.

6. The Consequences for Violations:

A description of the consequences for someone who violates the anti-harassment and anti-bullying policy.

7. How to Report Acts of Bullying:

A procedure for reporting an act of harassment or bullying, including the job title of the school official responsible for ensuring that the policy is implemented, and the person or persons responsible for receiving reports of harassment or bullying.

8. The Procedure for Investigating Reports:

A procedure for the prompt investigation of complaints that identifies either the school superintendent or a person designated by the superintendent as the individual responsible for conducting the investigation. The investigators will consider all the circumstances present in determining whether the conduct constitutes bullying.

9. How the Anti-Bullying Policy Will Be Made Public:

A statement of the manner in which the policy will be publicized and made available to parents and others in the community.

In

**TOP TEN
INAPPROPRIATE
RESPONSES TO
BULLYING**



- | | |
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| <p>10. BOYS WILL BE BOYS</p> <p>9. IT HAPPENS TO EVERYONE</p> <p>8. IT WILL TOUGHEN YOU UP</p> <p>7. YOU NEED TO LEARN HOW TO TAKE IT</p> <p>6. THEY ARE JUST WORDS, GET OVER IT</p> | <p>5. IF YOU IGNORE IT, THEY'LL STOP</p> <p>4. THEY DON'T MEAN ANYTHING BY IT</p> <p>3. IF YOU DIDN'T ACT LIKE A VICTIM THEY WOULDN'T PICK ON YOU</p> <p>2. YOU ARE BEING OVER SENSITIVE</p> <p>1. IT'S JUST A NORMAL PART OF GROWING UP</p> |
|--|--|

Parents can help support the efforts to implement effective anti-bullying strategies in school by becoming familiar with school policies, by talking to their children about appropriate behavior and about understanding and accepting differences in people, by supporting programs and activities that strengthen the development of good character among all students, and by reporting any concerns they have about their child's safety and security in school. It takes everyone's efforts to keep our schools and communities free of "sticks and stones" and all those troublesome "words" that we know can be the most hurtful injuries of all.

BULLYING F.A.Q.

by Connie B. Fanselow, ASK Resource Center

What does bullying look like?

Bullying and harassment can take many forms. Under the anti-bullying policy definition, it can be an electronic, written, verbal, or physical act, and could include any of the following:

- name calling
- saying hurtful things
- embarrassing
- teasing
- pushing
- threatening
- hitting
- pinching
- kicking
- playing tricks on
- taking someone's things
- damaging someone's things
- ignoring or isolating
- making sexual references
- leaving out
- unwelcome or intrusive touching
- spreading rumors
- writing nasty emails or notes

Bullying can be almost anything mean or nasty that's done on purpose to hurt someone, whether it's in person, on the phone, over the internet, spoken, or in writing. What separates "bullying" from incidents of unpleasant behavior between otherwise friendly students is when it is damaging to a student's physical or

mental health, when it impedes the student's learning or participation in school activities, or when it puts the student in fear and creates a hostile environment.

What Should I Do If I Believe My Child is Being Bullied?

1. Evaluate the problem.

Talk to your child about what is happening and ask yourself some questions to help you determine the facts and circumstances:

- Did it go beyond "normal" disagreements for children of this age?
- How was your child affected?
- Have there been other incidents between these children?
- Was it one on one or a group targeting one child?
- Was there a significant difference in the ages or the relative "power" of the children involved?
- Was anyone injured?

Be aware that depending on the particular circumstances and the effect on the child, a single incident between students may not be viewed as "bullying" under a district's anti-bullying policy. That doesn't mean it shouldn't be reported to educators and addressed as inappropriate behavior by the student or students involved.

2. Document the problem.

Often bullying comes to light only when it be-



OUT OF IDEAS?

Attention! Parents and Educators!

If you're having TROUBLE resolving DIFFERENCES over educational services and issues, try using a RESOLUTION FACILITATOR to get things going again. An OBJECTIVE third party can help SMOOTH out the rough spots and SPEED you towards a SUCCESSFUL outcome for all involved.



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comes a pattern of behavior. If your child shares information with you about interactions with other students that concern you, make a record:

- Write things down as they happen.
- Record dates, times, places, names, witnesses, and specific information about what your child says happened.
- Don't write down your opinions or conclusions, stick to the facts as you are able to gather them.
- Keep copies of any notes, letters, emails, or other communications you have with educators about the problem.
- If you have phone conversations about it, keep notes on what you said and how the educators responded.
- If there are injuries, take pictures and get copies of health care records.
- If it rises to a level that school or police reports are produced, request copies.

3. Communicate the problem.

Sharing your concerns with educators will be much easier and more effective if you have evaluated and documented what has happened from your child's perspective:

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- Start at the first sign of a problem.
- Report the problem to the people closest to the situation and move up to those in a broader position of authority if you don't see results at the informal level (first inform the classroom teacher or a person who is likely to be close by when incidents occur, then the building administrator or principal, and superintendent if the problem persists).
- If you haven't reviewed your school's bullying policy, make sure you get a copy and read it.
- Follow any steps the plan identifies for formally reporting the problem and accessing protections for your child.

WHAT IF THE HARASSING OR BULLYING BEHAVIOR IS COMING FROM AN ADULT?

It's tough enough for a child to experience being bullied by peers, but it may be even more difficult if the student is being harassed by an adult because it is often the child's word against the adult's. It doesn't happen often, but it does happen. Your school's procedures for reporting and investigating incidents of bullying apply to adults as well as students. Use the procedures available to you under the school's anti-bullying policy. Anytime you believe there is a problem with a school employee, it is advisable to report it directly to an administrator who supervises that person. If you are in doubt about who that is, talk to a building principal or the superintendent.

Pursue the process available to you through your school district first. If you are not satisfied that the school district process has resolved the prob-

lem, there are also other avenues to report serious harassment by adults. Complaints against educational professionals and para-educators can be filed with the Iowa Board of Educational Examiners. The Iowa Civil Rights Commission enforces Iowa's anti-discrimination law, the Iowa Civil Rights Act of 1965. Any Iowan who believes their civil rights under state law have been violated can file a complaint with the Iowa Civil Rights Commission.

Complaints about harassment that violates federal civil rights laws including the Americans with Disabilities Act or the Rehabilitation Act of 1973 can be filed with the Office for Civil Rights. Each federal agency has an Office for Civil Rights, so you may need to determine which agency is responsible for the program where the discrimination is taking place. Disability advocates at the Iowa Civil Rights Commission or other advocacy agencies may be able to help you determine where and how to file your complaint.

Few instances of bullying, harassment, or discrimination require formal action at these levels. **Keep in mind that resolving issues of concern through cooperative action at the earliest opportunity usually produces the best outcomes for everyone involved.**



"IF THIS IS SPECIAL, I'LL TAKE ORDINARY . . ." BULLYING AND KIDS WITH SPECIAL NEEDS

by Connie B. Fanselow,
ASK Resource Center

The social aspects of school life are often particularly difficult for students with special needs for a variety of reasons. The reasons may be related to the unique differences that tend to set them apart from their peers, to deficits in communication or social skills, or to scheduling and classroom placements that make natural peer interactions more challenging.

Kids who are seen as "different" tend to get singled out by those who engage in bullying behavior. For reasons related to their disabilities, children with special needs may also have more difficulty learning how to respond effectively, how to seek help, or how to moderate their own behavior in response to teasing or harassment. They may not pick up on non-verbal signals or automatically understand what is expected of them in social situations. Sometimes they just don't speak the social "language" of their peers.

A recent national study* found that children with certain conditions that impact behavior may also be more likely to exhibit bullying behavior themselves, probably because of deficits in communication, social interaction skills, and impulse control, or because they are mimicking what they have experienced. They may also be easily "set up" by other kids to get caught behaving badly.

So if there are reasons that students with special needs are more likely to be a target of bullying or to engage in bullying behavior than the general school population, what can parents and educators do to give them extra support, resources, or protection?

PARENTS CAN TALK TO THEIR CHILDREN.

- Talk to your children about what happens at school and encourage them to share anything that bothers them.
- Help your children develop a sense of who they are and an understanding of their disability.
- Talk about teasing, bullying, friendship, and feelings.
- Help your children have a clear understanding of your expectations for their behavior and that of others.
- Acknowledge that there will be people who may not be nice to them and teach them appropriate ways to respond.
- Practice the appropriate responses. (“What would you do if another student pushes you in line?” “What would you do if another student calls you a name or says something mean or hurtful to you?”)
- Help them learn how to tell the bully to stop if they feel safe.
- Help them learn how to tell someone else if they do not feel safe confronting the bully.

EDUCATORS CAN CREATE A SCHOOL-WIDE CLIMATE OF RESPECT AND UNDERSTANDING.

- Actively teach and model acceptance.

- Provide school-wide character education.
- Teach disability awareness to all students.
- Provide as much inclusion and peer interaction between students with and without disabilities as possible. When kids get to know each other they are more likely to empathize and less likely to bully.
- Include all staff, not just teachers, in anti-bullying training and awareness activities.
- The building principal and administrative staff need to show leadership in this area and help set the tone for the school.
- Para-educators, bus drivers, lunch staff, custodians and other support staff are also very important because they are the eyes and ears that can help monitor school-wide behavior both in and out of the classroom.
- Make sure EVERY adult knows it is part of their job to make school a safe and welcoming environment for all students.

PARENTS AND EDUCATORS CAN WORK TOGETHER.

- Open communication between educators and parents helps identify and address problems early, while they are easier to solve.
- If bullying or harassment is getting in the way of learning, the IEP team has an obligation to address it as part of the student’s educational program.
- The IEP team can serve as a valuable resource in identifying

strategies and supports needed to deal with bullying situations.

- Members of the IEP team know your child and your child’s disability. They can sometimes be enlisted to help monitor day-to-day school interactions.
- The IEP team can establish social skills goals or behavioral goals when needed.
- The IEP team can also be proactive by including extracurricular and other activities that encourage building social connections and friendships.

WHAT KIDS CAN DO

- Tell someone you trust when you are being bullied.
- Tell someone you trust when you see someone else being bullied.
- It is not “tattling” to tell someone. It’s everyone’s responsibility to help keep kids safe.
- Understand that no one deserves to be bullied or treated badly.
- Tell other kids not to be mean.
- Don’t go along with other kids who want to do something you know will hurt someone.
- Try to get to know kids who seem to spend time alone.

WHEN BULLYING IS DISABILITY DISCRIMINATION

Bullying based on a student’s disability may also be disability harassment, a form of discrimination that violates federal civil rights laws. Under Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973, school districts and other state and local entities have a responsibility to provide students

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with disabilities equal access to educational opportunities. Both of these federal laws allow parents and students to file a complaint or request a due process hearing at the local level if they believe the student's rights have been violated.

The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973 also require states to provide a free and appropriate public education (FAPE) to eligible students with disabilities.

A setting that is hostile or fearful for a student is obviously not an "appropriate" learning environment. Because of the impact disability harassment can have on a child, failure to prevent it or effectively address it may be a denial of FAPE to that child.

The denial of a free and appropriate public education is a violation of both the IDEA and Section 504. In this situation, parents and students may also file a complaint, request mediation, or request an impartial hearing if they feel their rights under IDEA or Section 504 have been violated.

Following are some situations that the U.S. Department of Education's Office of Special Education and Rehabilitative Services (OSERS) and Office for Civil Rights (OCR)** have

identified as examples of harassment that could create a hostile learning environment for a student:

- Several students continually remark out loud to other students during class that a student with dyslexia is "retarded" or "deaf and dumb" and does not belong in the class; as a result, the harassed student has difficulty doing work in class and her grades decline.
- A student repeatedly places classroom furniture or other objects in the path of classmates who use wheelchairs, impeding the classmates' ability to enter the classroom.
- A teacher subjects a student to inappropriate physical restraint because of conduct related to his disability, with the result that the student tries to avoid school through increased absences.
- A school administrator repeatedly denies a student with a disability access to lunch, field trips, assemblies, and extracurricular activities as punishment for taking time off from school for required services related to the student's disability.
- A professor repeatedly belittles and criticizes a student with a disability for using accommodations in class, with the result that the student is so discouraged that she has great difficulty performing in class and learning.
- Students continually taunt or belittle a student with mental retardation by mocking and intimidating him so he does not participate in class.



If teasing, harassment, or bullying is related to a student's special needs and interferes with the student's ability to participate in or benefit from educational programs or other school activities, it may very well be disability harassment.

Schools have a duty to investigate and respond in an appropriate manner when any bullying behavior is reported. They also have an extra duty in the case of students with disabilities to ensure that their educational program is appropriate and provides the services and supports they need to learn and participate in school without being subjected to discrimination.

While students with special needs often face extra challenges in school, they have some extra protections when it comes to bullying situations. Parents can use the rights afforded students with disabilities under the IDEA and Section 504 as tools when bullying or discrimination issues occur. Parents can work with the other members of the IEP team to identify and put in place safeguards, services, and supports for the student who is experiencing harassment. The IEP team can also develop educational programs and social strategies that will help to prevent harassment from occurring.

Whether the issue is learning or bullying, students do better when parents and educators work together to find effective solutions.

**Based on research from the 2003 National Survey of Children's Health conducted by the National Center for Health Statistics (published May 18, 2007), available at www.sciencedaily.com*

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www.pacerkidsagainstabullying.org

***Joint U.S. Department of Education OCR and OSERS letter, "Why Disability Harassment Is Such an Important Issue," July 25, 2000, available at <http://www.ed.gov/policy/speced/guid/idea/letters/2000-3/dearcolleague72000harass.3q2001.doc>*

For more information see:

"Bullying and the Special Needs Child" by Lynn Moore, available at <http://www.education.com>

Helping Kids Deal with Bullies, available at <http://www.kidshealth.org/parent/emotions/behavior/bullies.html>

"Bullying and Students with Disabilities: Summary Report of Parent Focus Groups" (May 2004) by Leslie F. Hergert, Ed.D., available at <http://www.urbancollaborative.org/pdfs/Bullying.pdf>

PacerKidsAgainstBullying, available at www.PacerKidsAgainstBullying.org

WHAT DO YOU THINK?

Read the following paragraph and consider the questions below. There are no right and wrong answers—just food for thought:

Kevin is an energetic 11-year-old who has been diagnosed with ADD and autism. He is a very good student, but has a very difficult time making friends or even getting along with the other students in his class. They complain that he is annoying and often just try to ignore him. It is not unusual for his classmates to tell him he is a pest and sometimes they call him names. He feels left out but doesn't understand what he should do to be part of their activities. One day several boys were talking in a group that did not include Kevin. Kevin grabbed a classmate by the shoulder to get his attention. Kevin grabbed a little too hard and spun the other boy around. The classmate was angry and pushed Kevin, telling Kevin to leave him alone. One of the two boys (no one is sure which one) took a swing, and in a moment both boys were on the floor with bumps and bruises and had to be pulled apart by a teacher.

- Is this a bullying incident?
- Is Kevin bullying when he grabs the other boy?
- Is the other bullying when he pushed Kevin?

- Are all the boys bullying when they ignore Kevin and exclude him from their activities?
- Do you see a pattern of bullying emerging?
- Does it make a difference if similar incidents have happened before?
- Is what each of the boys intended important?
- Should Kevin's IEP team become involved?
- What could the IEP team contribute?
- What should educators do to address the behaviors?

TEN THINGS

PARENTS & EDUCATORS CAN DO TO PREVENT BULLYING

1. Monitor your own behavior.
2. Treat children and other adults with respect and kindness.
3. Demonstrate tolerance and fairness to everyone.
4. Talk about differences and help children learn to appreciate and respect diversity.
5. Talk to children about the consequences of their actions.
6. Make sure all children know the rules of behavior and what is expected of them.

7. Talk about the difference between "tattling" and telling an adult about bullying.

8. Model, encourage, and acknowledge acts of kindness in the home, in the classroom, and during school and community activities.

9. Talk to children about what to do if they feel bullied or unsafe.

10. Make sure children know you are there to keep them safe.



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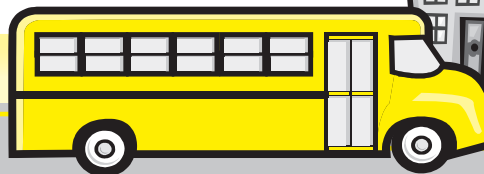
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TEN THINGS PARENTS CAN DO TO SUPPORT KIDS WHO EXPERIENCE BULLYING

1. Listen carefully and acknowledge your child's feelings.
2. Focus on comforting and supporting your child, not on your anger at what happened.
3. Empower your child by reinforcing the child's positive self-image.
4. Praise your child's efforts to handle difficult situations with other children.
5. Offer suggestions to help your child learn to be more effective in dealing with the situation.
6. Make your child part of the solution – ask what the child thinks will help improve things.
7. Help your child practice how to respond to bullying behavior.
8. Identify "safe" people your child can go to for support.
9. Help your child identify friends who can offer support.
10. Document what happened and report it.

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