CREATING SAFE SCHOOLS: BULLYING INTERVENTION AND PREVENTION: STUDENTS WITH DISABILITIES
TEACHER TRAINING
PALO ALTO UNIFIED SCHOOL DISTRICT
Palo Alto, CA

AGENDA
- Review State Harassment Statistics
- Federal Harassment laws
- State Bullying laws
- Review disability-based bullying
- Review intervention strategies to combat bullying
- Review District Policies and Procedures

CALIFORNIA STATISTICS

<table>
<thead>
<tr>
<th>Type of Harassment</th>
<th>Percentage of students</th>
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<td>Any harassment</td>
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<tr>
<td>Any bias-related harassment:</td>
<td>27.4</td>
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<td>Race, ethnicity, or national origin:</td>
<td>14.3</td>
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<td>Religion</td>
<td>9.1</td>
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<tr>
<td>Gender (male or female):</td>
<td>10.3</td>
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<tr>
<td>Actual or perceived sexual orientation:</td>
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<tr>
<td>Physical or mental disability:</td>
<td>4.9</td>
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<tr>
<td>Harassment for some other reason:</td>
<td>23.1</td>
</tr>
<tr>
<td>Not harassed:</td>
<td>62.6</td>
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BIAS-RELATED HARASSMENT AND RISK OUTCOMES

- Race, ethnicity, NO
- Religion
- Gender
- Sexual Orientation
- Not biased related
- Not harassed

FEDERAL LAW

- Federal Law prohibits harassment and discrimination based on protected status
- Disability Civil Rights Laws
  - Section 504 of the Rehabilitation Act of 1973
  - Title II of the Americans with Disabilities Act of 1990

DISABILITY HARASSMENT UNDER SECTION 504 AND TITLE II

- Intimidation or abusive behavior toward a student based on disability that is sufficiently severe, persistent, or pervasive, that it creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the the institutions program.
  
DISABILITY HARASSMENT UNDER SECTION 504 AND TITLE II

- Examples
  - Several students remark out loud during class that a student with dyslexia is "retarded" and doesn't belong in 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 their ability to enter the classroom.


NOTICE

- Actual Notice
- Constructive Notice

HOW DOES A SCHOOL LEARN OF HARASSMENT?

- A student tells a teacher, counselor, playground supervisor, administrator, aide, custodian
- A parent tells a site or district administrator
- A complaint or grievance is filed (oral or written)
- A staff member observes harassing behavior
- A report is received indirectly (e.g., members of the community or the media)
- Graffiti on campus
WHAT TO DO IF YOU LEARN OF HARASSMENT?

- Immediately report the harassment to designated school official.
- Convey to the designated school official all incidents of harassment that you are aware of and explain how they have affected the student.
- Inform the student/parent that they can file a formal complaint with the designated school official.

APPROPRIATE RESPONSE

- Reasonable, timely and effective.
- End the harassment.
- Eliminate any hostile environment.
- Prevent harassment from recurring.
- Remedy the effects of harassment.
- Prevent retaliation against the target or complainant.

HARASSMENT V. BULLYING

- The specific label used (e.g., bullying, hazing, teasing) does not determine whether discriminatory harassment occurred.
- The nature of the conduct itself must be assessed for civil rights implications.
- Harassment does not have to:
  - Include intent to harm,
  - Be directed at a specific target
  - Involve repeated incidents.
STATE LAW

If school personnel witness an act of discrimination, harassment, intimidation, or bullying, he or she shall take immediate action to intervene. (Education Code Section 224.1(b)(1)

BULLYING DEFINED

- Bullying – Ed. Code Section 48390(g)
  1. Severe or pervasive (physical or verbal act or conduct, including communications made in writing or by means of an electronic or other device and including one or more of the following:
  2. Sex harassment (AB 900.1)
  3. Intimidating, threatening, intimidation (AB 600.1)
  3. Has or reasonably predicted to have one or more of the following:
    - Reasonable pupil in fear of physical or emotional harm
    - Reasonable pupil to experience substantial, instrumental or emotional effect to educational or social benefit
    - Reasonable pupil to experience substantial interference with academic performance
    - Reasonable pupil to experience substantial interference with school proceeds

SCOPE OF THE PROBLEM
DISABILITY HARASSMENT AND BULLYING

- 80% of children with Learning Disabilities are bullied at school. (Maeza, 2007)
- Children with Attention Deficit Hyperactivity Disorder (ADHD) are more likely than other children to be bullied. They also are somewhat more likely than others to bully their peers (Dworkin & Pearl, 2008).

DISABILITY HARASSMENT AND BULLYING

- Children with medical conditions that affect their appearance (e.g., cerebral palsy, muscular dystrophy, and spina bifida) are more likely to be victimized by peers. Frequently, these children are called names related to their disability. (Gonzalez, 1999)
- Obesity also may place children at higher risk of being bullied. In a study of children aged 11–16 researchers found that overweight and obese girls (aged 11–16) and boys (aged 11–15) were more likely than normal-weight peers to be teased or to be made fun of and to experience relational bullying (e.g., to be socially excluded). Overweight and obese girls were also more likely to be physically bullied. (Gonzalez, 2008. 08-07-07. 09:34:05)

DISABILITY HARASSMENT AND BULLYING

- 63% of 1,167 children with ASD, ages 6-15, have been bullied at some point in their lives.
  - Teased, picked on, made fun of - 73%
  - Ignored, left out - 51%
  - Called bad names - 47%
  - Pushed, shoved, hit, slapped or kicked - 30%

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TEACHER RESPONSES

- Nationwide, 25% of all teachers see nothing wrong with bullying or putdowns and consequently intervene in only 4% of bullying incidents

(Colin & Colina, What Schools and Parents Can Do, 2002)

TYPES OF HARASSMENT

- Teacher-student harassment (different treatment)
  - A school employee treated a student differently than other students
  - Different treatment occurred in the course of employee's authorized or assigned duties
  - Student's ability to participate in or benefit from a school program of activity was denied or limited
  - Different treatment was based on disability (and there is no legitimate non-discriminatory reason for the different treatment)

TYPES OF HARASSMENT

- Peer harassment (hostile environment)
- Totality of the Circumstances
  - Context
  - Nature (e.g., verbal or physical)
  - Scope, Frequency, Duration
  - Location of incidents
  - Identity, number and relationships of persons involved
  - Particularized characteristics
  - Incidents outside complaint
WHO CAN BE HARASSED?

- People with disabilities
- People perceived to have a disability
- People who have a relationship or association with a person with a disability (e.g., brother, sister, etc.)
- Harassment is prohibited regardless of the disability of the harasser

WHO CAN BE A HARASSER?

- An employee, such as a teacher, classified staff or administrator
- Another student
- A third party

HARASSING CONDUCT

- Disability Examples:
  - Verbal or physical abuse
  - Obstructing entry to programs
  - Contempt or ridicule regarding disability or accommodations
WHERE HARASSMENT OCCURS

- School bus
- Playground
- Athletic field
- Locker room
- Classroom
- Cafeteria
- Hallways
- On internet and social networking sites

IMPACT OF BULLYING - TARGET

- Fear
- Feelings of blame, guilt and shame
- Depression, anxiety, loneliness
- Physical illness including insomnia, high blood pressure, stomach aches, headaches
- Increased absenteeism
- Poor academic performance

IMPACT OF BULLYING - SCHOOL

- Unsafe school environment
- Reduced performance/productivity
- Unhappy/unmotivated staff and student body
- Increased staff turnover and student attrition
- Damaged school reputation
- Lost time and resources devoted to dealing with complaints
INTERVENTION

- The Role of the Adult
  - Adults cannot ignore slurs, harassment, or bullying
    - Ignoring sends message that behavior is acceptable
    - Must model behavior we want to see from student bystanders
      - Provide students with language to intervene
      - Once 1 student speaks up, others will follow
      - In some cases, this requires dealing with own discomfort, beliefs, or bias

THE POWER OF ADULT INTERVENTION

INTERVENTION

- Immediately stop the bullying
  - Interrupt use of slurs or derogatory comments
  - Physically stand in between, when appropriate
  - Don't send anyone away—especially bystanders
  - Don’t immediately ask about or discuss the facts
RESPONDING TO THE CHILD WHO BULLIES

- Interrupt/identify the behavior/comment
- Question the behavior/comment
  - Why do you say that?
  - What do you mean?
- Educate why behavior/comment is offensive or unacceptable
- Identify alternative forms of expression

RESPONDING TO CHILD WHO BULLIES

- Review the school rules and policies with the student
- Report incident to the administrator
- Monitor and check in frequently
- Model the behavior you want to see

SUPPORTING CHILDREN WHO ARE BULLIED

- Spend time with the child, learn and listen
- Praise the child for their courage to discuss bullying incidents with you and urge continued reporting
- Clearly state that you consider bullying based on disability unacceptable
- Ask the child what he/she needs to feel safe and follow through
SUPPORTING CHILDREN WHO ARE BULLIED

- Brainstorm with the child "ready responses" to use when he/she is being picked on.
  - Please stop, that offends me.
  - I don't find that funny.
- Report incident to the administrator and follow reporting protocols
- Provide as much information about your "next steps"

SUPPORTING CHILDREN WHO ARE BULLIED

- Encourage and support the child in making friends (general and special education)
- Teach the student appropriate responses to problem behavior (Stop-Walk-Talk)
- Keep parents and caregivers informed of incidents and school's response

SUPPORTING CHILDREN WHO ARE BULLIED

- Make a referral, if needed (counselor, mental health, etc.)
- Provide student with opportunity to obtain benefit that was denied (e.g., retake a class/test)
- Follow-up with the child and "check in" periodically
WHAT DOESN'T WORK

- Do not require apology or resolution in the moment
- Do not tell students that you will keep their identity confidential
- Do not discourage a student from using an accommodation in order to appease or deter harassers
- Do not tell a student to handle harassment on his or her own, particularly when the student is developmentally disabled
- Do not require the student to identify disability as the basis for the harassment

SUPPORTING BYSTANDERS

- Encourage them to talk with you
- Review the school rules and policies with the student
- Model intervention*
- Discuss with bystanders how they might intervene and/or get help next time*
- Encourage them to take a more active or prosocial role — Peer Advocates

SUPPORTING BYSTANDERS

- Brainstorm with the child “ready responses” to use when he/she sees someone being picked on.
  - Please stop, that offends me.
  - I don’t find that funny.
  - Did you mean to say something hurtful when you said that?
  - Using that word as a put-down offends me.
- Acknowledge students who took action to stop the bullying
WHEN BYSTANDERS BECOME ALLIES!

BULLYING AND THE IEP

- If the child has an IEP:
  - Contact the student's case manager to discuss ways to support the student through the IEP.
  - Monitor and supervise unstructured time.
  - Designate a peer buddy or the teacher in the classroom teacher can foster a friendship between the child and a 'safe' child.
  - Identify and facilitate a relationship with a school staff person who can help the child make reports of incidents and who will provide the child with additional intervention and support.

COMMUNICATING WITH PARENTS

- Consult with site administrator as you address the following:
  - Describe the incident.
  - Review school rules and policies with the parents.
  - Clearly indicate school's commitment to anti-discrimination and to respecting and valuing ALL students.
  - Encourage parents to be role models for their children.
  - Describe the intervention measures taken, as appropriate.
  - Develop a plan to follow up.
DISCUSSION – STUDENT STORIES

Kevin was born with cerebral palsy, a neurological disorder that affects body movement and muscle coordination. He has been a bullying target since the third grade, and each year, it gets worse. "They go after me because they see me as a vulnerable target," said Kevin. Kevin walks slower than most children and drag his feet because of his disability. His classmates have tripped and pinned him down and force fed dog food into his mouth. Kevin’s classmates tied his sweatshirt tightly around his face and forced him to walk around the playground, barely able to see through the small opening. After taunting and teasing, the kids ripped the sweatshirt off, cutting his eyelids. What do you do?

DISCUSSION – STUDENT STORIES

Harrison, age 13, is a young boy with special needs. He came home from school and was very excited, telling his parents that his friends at school created a Facebook fan page and 50 school children had already joined as his "friend." What they discovered was a digital portrayal that branded Harrison as a "retard." One child’s posting (read) this page is, in fact, a hate group on Harrison because he is this way. What do you do?

DISCUSSION – STUDENT STORIES

Shaniya, an 8-year-old with cerebral palsy, tried to jump out of a window at school to get away after three students who had teased her, kicked in the forehead and knocked off of the crutches she needs to walk. What do you do?
PRACTICE - ELEMENTARY

- A group of 4th graders is eating lunch together. One student, who is from an immigrant Korean family and the only Asian in the group, pulls out a container of kimchi. You hear the other kids at the table say "Eeew, that's nasty!" and pretend to hold their noses. What do you do?

PRACTICE - MIDDLE SCHOOL

- One of your 8th grade students, a girl you are particularly close to, tells you she has become the target of intensive in-school and online bullying. She opens her Facebook page to show you a string of insults posted by many of the popular kids in school, calling her a "slut", a "whore" and a "Mexican bitch" — and spreading false rumors about her sexual behavior. How do you respond?

PRACTICE - HIGH SCHOOL

- A openly gay 11th grade boy posts on his Facebook page the names of boys that he likes on campus. The next day at school, one of the boys he identified as liking severely beats him up. What do you do?
COMPLAINT PROCEDURES

- If you observe, or receive a report of, alleged discrimination, harassment, intimidation or bullying, you must report it to the site-administrator or designee within 1 day
- Allegations based on a protected status MUST be investigated utilizing the UCP
- Allegations that do NOT implicate a protected status, shall be investigated utilizing a site-level complaint process

DISCUSSION

- Review District Initiatives
  - Safe and Welcoming Schools
- Review Supporting Documents & Forms

Q & A?

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