

Subject: Bullying Dear Colleague Letter

Dear SEA Director,

We know that it is vital that all students, including students with disabilities, are engaged in positive, safe, and nurturing school environments in which they can learn, develop and participate. Today, the Office of Special Education and Rehabilitative Services (OSERS) is issuing guidance in the form of a Dear Colleague Letter that provides an overview of school districts' responsibilities to address bullying of students with disabilities.

Under IDEA, States and school districts are obligated to ensure that students with disabilities receive a free appropriate public education (FAPE) in the least restrictive environment. This guidance specifically states that bullying of a student with disabilities, regardless of whether or not the bullying is related to the student's disability, is considered a denial of FAPE if it results in the student not getting meaningful educational benefit.

We know that students with disabilities are disproportionately affected by bullying, and that students with learning disabilities, attention deficit or hyperactivity disorder, and autism are even more likely to be bullied than their peers without disabilities. Students with intellectual, communication, processing, or emotional disabilities may not fully understand bullying behaviors and may not be able to tell someone or ask for help.

The release of our guidance coincides with the start of the school year and we want schools to be equipped with the tools to prevent bullying. The enclosure to OSERS' Letter, "Effective Evidence-based Practices for Preventing and Addressing Bullying," offers practices that can be used as part of any bullying prevention and intervention program. States and schools should reevaluate their policies and practices ensuring that problematic behaviors, including bullying, are addressed. Every effort should be made to structure school environments and provide supports to students and staff so that bullying does not occur.

In addition to issuing the Dear Colleague Letter and enclosure, we will post a blog at the following link: <http://www.ed.gov/blog/2013/08/keeping-students-with-disabilities-safe-from-bullying/>. The attached letter and enclosure letter will also be available on the www.ed.gov and www.stopbullying.gov websites.

We hope that you find this guidance helpful and urge you to share it with school district staff, parents and others in your communities concerned with the welfare of students with disabilities.

Gregg

Gregory R. Corr, Ed.D.
Division Director
Monitoring and State Improvement Planning
Office of Special Education Programs
U.S. Department of Education
550 12th St. SW
Washington, DC 20202
202-245-7309
gregg.corr@ed.gov