## KEEP HARASSMENT TOP PRIORITY REGARDLESS OF STAFFING OR BUDGET CUTS

Best Practice: A solid understanding of your district/charter school obligations/responsibilities, with regards to harassment involving students, with disabilities is the answer to avoiding legal troubles.

- > Take immediate Action and adopt an investigation outline.
  - Don't wait to convene an IEP or Section 504 meeting
  - Respond with prompt and immediate remedial action
- > Include preventive measures that will elevate your anti-bullying efforts.
- > Adopt Investigation Framework by:
  - Investigate the complaint by talking with those students involved and other possible witnesses.
  - Document each and every incident
  - Conduct meetings that include the parents of the alleged harassers
  - Document as well as notify and inform the victim's parents of the outcome of the investigation, including all remedies proposed.

## > Address unreported harassment

- Districts have an affirmative duty to investigate all discrimination and harassment complaints, even if they are not formally reported.
- OCR has emphasized that districts/charter schools cannot claim that they did not know about an incident, especially if there is evidence to the contrary.
- ➤ The burden of reporting the complaint should NOT be "shouldered" by the student.
  - **Best Practice:** OCR has stated that the responsibility for reporting such complaints cannot be the Student's sole responsibility just because their IEP or Section 504 Plan states a goal for self-advocacy.

## > Prevention

- Counselors can include anti-bullying training during classroom guidance with dialogue that includes the bullying of students with disabilities.
- Create opportunities for students with disabilities to interact with their non-disabled peers.
- Ensure that your school(s) have peer assistance and leadership programs that train students to be peer leaders.
- These types of leadership programs helps students built self-esteem which will help them self-advocate and report incidents of harassment.

