What is defined as "bullying?"
The American Psychological Association defines bullying as “a form of aggressive behavior in which someone intentionally and repeatedly causes another person injury or discomfort. Bullying can take the form of physical contact, words or more subtle actions. The bullied individual typically has trouble defending him or herself and does nothing to “cause” the bullying.”

Technologically-aware students also may experience cyberbullying from other students. Cyberbullying includes sending hurtful or threatening e-mails or instant messages, spreading rumors, or posting embarrassing photos. While many students are not distressed by cyberbullying by peers, significant numbers of students report feeling upset or afraid. A majority of victims do speak to their friends, parents or other authority figures about being victimized; cyberbullying is more likely to cause distress when it involves an adult harasser (referred to as cyberstalking), or when it leads to unwanted offline contact.

Adults should be aware that bullying in any form may affect a student’s self-esteem and emotional well-being. Listen to students who approach you with concerns about bullying.

Bullying of Students in Special Education

Special Education ARD committee meetings can be an appropriate place to address bullying of students who are eligible for special education services. A student who is a victim of bullying may need a change of placement, counseling as a related service, or other intervention. Keep in mind that if a ARD Committee moves a student to another school because of educational need, special transportation as a related service can be provided, which can be an important reason to try to address the issue of bullying in ARD when possible.

Read more and see a sample letter to request a School Transfer for Victims of Bullying from disabilityrightstx.org.

What Can You Do?
When a student suffers harassment or bullying at a public school it is important for the student to report the conduct to responsible adults, including parents, and for parents to provide written notification to the school describing acts of bullying or harassment. In some cases, to avoid continuing harassment, the parent may wish to transfer the student to another class or school. The Texas Anti-Bullying Law gives parents of a child victim of bullying the right to petition the school’s Board of Trustees or their authorized representative to transfer their child to another class at the same school, or to another school within the same school district.

How Do You Request a Transfer Because of Bullying?
A parent of a harassed student may place the transfer request. The request should be in writing and addressed to the school principal and copied to the superintendent of the school district. An effective letter provides a timeline of events and evidence supporting the severity of the bullying. The letter should include specifics details about the instances of bullying the youth suffered. For example, if a child suffered wounds which required a doctor’s visit, parents should enclose medical documentation to prove particular injuries. Parents should also include relevant incident reports, letters from the school, or correspondence with school teachers or administrators should also be included.

What Does the School Do with the Complaint?
Once the school receives the request, the school board may investigate the bullying allegations before granting the transfer request. The law does not require schools to follow a specific timeframe for responding to the requests, and districts have different procedures for granting requests. For instance, some school districts have offices dealing solely with district transfers. In these districts, the school may investigate and grant the transfer, but the district transfer office must sign off as well. Because of
the different procedures, parents should familiarize themselves with district policies and follow-up with phone calls after the letter is sent to make certain the school is investigating the complaint and moving quickly to protect the student.

Before requesting an Intra-District transfer, it is helpful to locate a desired school with space. While a school does not have to offer a parent their first choice of schools, we recommend that parents request a school that is convenient because the school is not required to provide transportation to the transfer placement. The board’s transfer decision is final and cannot be appealed.

Disability Rights Texas has included a sample letter below if you believe your child has been a victim of bullying and you would like to request a classroom or Intra-District transfer.

**What If I Do Not Want to Transfer Schools?**
Other laws provide protections against harassment based on disability, sex, race or other protected classes. Title IX prohibits discrimination in any educational program based on sex, while Title II of the ADA and Section 504 can offer some protections to students with disabilities who face harassment based on their disabilities. Generally, schools may be liable for harassment performed by third parties if the student reported harassment, the school responded with “deliberate indifference,” and the harassment was so severe that it “effectively bars victims’ access to educational opportunities or benefits.” Davis v. Monroe County Bd. of Educ., 119 S.Ct. 1661 (1999).

It is important to call a school’s attention to harassment or bullying of any type, even if you do not want to request a move to another school or class. By putting the details of bullying and request for action in writing, parents are taking the first important step to making the school take appropriate action.

Read more and see a sample letter to request a [School Transfer for Victims of Bullying](http://www.disabilityrightstx.org/files/School-Transfer-Bullying-Victims_March2012_aug2013.pdf) from disabilityrightstx.org.

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