

The legislation under Chapter 92 of the Acts of 2010 signed into law last spring. There are some potential benefits and risks for children with disabilities.

It obligates schools to initiate an anti-bullying prevention and retaliation prevention measures and other issues. It is a question about how the schools are responding to these new procedures and recent points of bullying.

There is a question about under the regulations and it would so broadly interpreted stating that at any point that after the receipt of report of bullying or retaliation, the principal is supposed to notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

That really puts a question about the schools involvement with law enforcement and what the rolls are.

There are also questions about what the statute means for students who have disabilities and if that student is suspected of bullying. If a youth is receiving special education services under the IEPA and it is supposed to look at youths IEP to consider whether the student has been involved in any bullying incident and can use that information when developing an IEP; if that student is at risk of being bullied, and that risk is tied to the disability.

Also, if they are addressing bullying risk of behavior by that student, it can provide additional counseling skills, building support

or other issues. They can use both an IEP and 504 plans to seek to deal with issues regarding either behavioral relating to bullying on their behalf or risk of being bullied by others.

It is still unclear even though the law has been passed, exactly how each school is dealing with it, but what is important to recognize is that if you have a son or daughter who is easy to being bullied or exhibiting some bullying behavior; particularly if they have an IEP or 504 plan that the law can arguably be used as a benefit to that student and they have more rights so long as it is related to their individual needs.

Massachusetts Anti-Bullying Law

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