A BILL TO BE ENTITLED

AN ACT

relating to preventing and responding to bullying and harassment in public schools.

**Section 1: Short Title.**

This act shall be known as the “Protecting All Students from Bullying and Harassment Act.”

**Section 2: Findings.**[[1]](#endnote-2)

The Legislature finds that:

1. Bullying and harassment include a range of behaviors that negatively impact a student’s ability to learn and participate in a school’s educational programs and activities, including unwanted physical contact; name-calling, use of slurs or epithets, threats and intimidation through words or gestures, destruction of property, theft of personal possessions, social exclusion, and the use of digital/electronic devices or online mediums to harass, threaten, embarrass, or target another person.
2. Bullying and harassment foster a climate of fear and disrespect that can seriously harm the physical and mental health of impacted students; create conditions that negatively affect learning, undermining the ability of students to achieve their full potential;[[2]](#endnote-3) and contribute to high dropout rates, increased absenteeism, and academic underachievement.[[3]](#endnote-4)
3. Students have been increasingly singled out for identity-based bullying, harassment, and hate crimes on the basis of their actual or perceived race, color, national origin, sex, disability status, sexual orientation, gender identity, or religion.[[4]](#endnote-5)
4. Identity-based bullying may, alone or in connection with a pattern of behavior, create a discriminatory hostile learning environment or constitute discriminatory harassment.[[5]](#endnote-6)
5. Bullying is associated with negative mental health outcomes, such as depression and suicide, which can be exacerbated when students experience bullying on the basis of their identity.[[6]](#endnote-7)
6. Effectively addressing bullying and harassment is critical to ensuring school safety, creating positive school climates, and supporting youth mental health.[[7]](#endnote-8)
7. Schools with enumerated anti-bullying and harassment policies have an increased level of reporting and educator intervention in incidents of bullying and harassment, thereby reducing the overall frequency and number of such incidents.[[8]](#endnote-9)
8. Interventions to address bullying and harassment should prioritize prevention, education, and evidence-based discipline policies and practices over exclusionary and harmful discipline policies, which do not address causes of harmful behavior and push students out of schools and into the criminal justice system.[[9]](#endnote-10)

**Section 3: Definitions.**

1. **“Bullying”** means a single significant act or a pattern of acts by one or more individuals directed at a student that:
   1. exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that:[[10]](#endnote-11)
      1. has the effect or is intended to have the effect of physically harming a student, damaging a student’s property, or placing a student in reasonable fear of harm to the student’s person or of damage to the student’s property;
      2. is sufficiently severe, persistent, or pervasive that the act creates an intimidating, threatening, or abusive educational environment for a student;[[11]](#endnote-12)
      3. materially and substantially disrupts the educational process or the orderly operation of a classroom or school;[[12]](#endnote-13)
      4. infringes on the rights of the targeted student at school;
      5. constitutes cyberbullying; or
      6. constitutes identity-based bullying;

and

* 1. occurs in one or more of the following circumstances:

1. occurs on or is delivered to school property or to the site of a school-sponsored or school-related activity on or off school property;
2. occurs on or near a publicly or privately owned school bus or vehicle being used for transportation of students to or from school or a school-sponsored or school-related activity; or
3. occurs off school property or outside of a school-sponsored or school-related activity if the bullying:
4. interferes with a student’s educational opportunities; or
5. substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.[[13]](#endnote-14)
6. **“Cyberbullying”** means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone; a computer, iPad, tablet, or camera; electronic mail, instant messaging, or text messaging; a social media application; an Internet website; or any other Internet-based communication tool.
7. **“Identity-based bullying”** means bullying or cyberbullying that is based on or targets:
   1. a student’s actual or perceived race, ethnicity, color, national origin, sex, sexual orientation, gender, gender identity, religion, or disability status, or
   2. association with a person or group with one or more of the actual or perceived race, ethnicity, color, national origin, sex, sexual orientation, gender, gender identity, religion, or disability status.[[14]](#endnote-15)
8. **“Supportive measures”** means non-disciplinary, non-punitive individualized services offered, as appropriate, and reasonably available, and without fee or charge, that are designed to ensure students impacted by bullying have continued access to a school’s education programs and activities, protect the safety of all students implicated by a report of bullying and the broader school community, and deter bullying behavior. Supportive measures may include, but are not limited to:
   1. counseling, extensions of academic or other deadlines, class-related adjustments, modifications to class schedules, campus escort services, and other similar measures; and
   2. mutual restrictions on contact between the students implicated by a report of bullying.[[15]](#endnote-16)
9. **“Retaliation”** means any form of intimidation, threats, coercion, reprisal or harassment by a student, school employee, or other school community member against directed against a person who reports bullying, provides information during an investigation about bullying, or witnesses or has reliable information about bullying. Retaliation may include, but is not limited to, threats, rumor spreading, ostracism, unwanted physical contact. destruction of property, unjustified punishments, unjustified limitations on participation in the [local education agency’s] education programs or activities, or unwarranted grade reductions. Retaliation does not include petty slights or annoyances.[[16]](#endnote-17)

**Section 4: Policy, Prohibited Conduct.**

1. The [governing body] of each [local education agency] shall adopt a policy, including any necessary procedures, concerning bullying that:
   1. prohibits the bullying of a student, as defined by this Act;
   2. outlines the [local education agency’s] commitments to prevent and remedy bullying incidents;
   3. prohibits retaliation against any person, including a student targeted by or a witness of bullying, who provides information concerning an incident of bullying;
   4. establishes procedures for reporting and requesting intervention in response to an incident of bullying;
   5. establishes a procedure for providing timely notice of an incident of bullying to a parent or guardian of a student targeted by bullying and student alleged to have engaged in bullying conduct, so long as doing so will not endanger the health, safety, or well-being of any student;[[17]](#endnote-18)
   6. sets out the supportive measures available for a student impacted by bullying, including a target of, witness to, or student alleged to have engaged in bullying;
   7. establishes procedures for investigating, documenting, and remedying reported incidents of bullying; and
   8. outlines the [local education agency’s] practices implementing evidence-based prevention, education, and awareness initiatives.

**Section 5: Bullying Prevention and Response Coordinator; Reporting Protocols.**

1. A [local education agency] must designate at least one employee to coordinate the [agency’s] evidence-based prevention, education, and awareness initiatives and oversee campus responses to a reported incident of bullying.[[18]](#endnote-19)
2. The designated employee’s contact information must be provided to students and families in writing at the beginning of each academic year and be published on the [local education agency’s] website.
3. The designated employee must monitor and evaluate the [local education agency’s] implementation of evidence-based prevention, education, and awareness programming, including barriers to reporting information about a bullying incident.
4. The designated employee must have access to all reports, complaints, investigative materials, and any other information or documentation relating to the resolution of a reported bullying incident, subject to any requirements or limitations established by law.
5. A [local education agency] employee who, in the course and scope of their employment, witnesses or receives information regarding an incident that the employee reasonably believes constitutes bullying by or against an enrolled student to promptly report the incident to the school’s [principal or other campus behavior coordinator] or other appropriate school district official.
6. A [local education agency] may designate one or more individuals, such as a school counselor, social worker, or trained community-based partner, as a confidential, non-reporting resource for students to seek guidance and support regarding interpersonal conflicts, including allegations of bullying.
7. A confidential employee shall report only the nature of the incident reported and is not required to report the name of the targeted student or the student alleged to have engaged in the bullying behavior, unless:
8. the confidential employee is given permission to share the information by the person who disclosed the information;
9. there is an immediate threat of harm to the reporting individual or others;
10. the conduct involves suspected abuse of a minor under the age of 18; or
11. as otherwise required by law or pursuant to a subpoena or court order or similar individualized legal requirement.
12. A [local education agency] must provide at least one method for individuals to anonymously report an incident of bullying.
13. Retaliation is prohibited against any person, including a targeted student, a witness, a parent or family member, or another person, who in good faith provides information concerning an incident of bullying.
14. Concerns of retaliation should be reported to the [local education agency’s] bullying prevention and response coordinator or other designated employee.
15. Retaliation is considered a stand-alone policy violation without regard to any finding of responsibility under a [local education agency’s] bullying policy.
16. A [local education agency] may cross-reference the policies and procedures required by this subsection with other applicable nondiscrimination, harassment, and sexual harassment policies and grievance reporting procedures.

**Section 6: Supportive Measures.**

1. Supportive measures must be promptly made available to a student targeted by, engaging in, or witnessing bullying behavior.
2. Supportive measures must be offered regardless of whether a student elects to initiate an investigation or grievance process under this section.
3. Each school must designate an employee with responsibility for coordinating the provision of supportive measures to a student impacted by bullying.
4. Information about the availability and provision of supportive measures must be provided to students and families at the beginning of each academic year and posted on the [local education agency’s] website.

**Section 7: Investigation and Documentation**

1. **Initial Evaluation of Report.** Within two business days of receiving a report of an alleged incident of bullying, the principal or designee must take steps to preliminarily investigate the details of the alleged incident by, at a minimum:

1. meeting with the individual(s) who made the report, if the name and contact information for the reporting individual is available;
2. identifying, to the extent possible, the name and contact information of the targeted student, student alleged to have engaged in bullying, and any potential witnesses; and
3. taking reasonable steps to preserve evidence relating to the alleged incident in the possession of, under the control of, or otherwise accessible to the [local education agency], such as security camera footage or publicly available Internet or social media posts.
4. **Student Targeted by Bullying Rights and Options.**Within three business days of identifying the student targeted by bullying in the reported incident, the principal or designee must meet with the student and/or their parent(s) or guardian(s) to:
5. provide a copy of the [local education agency’s] bullying and harassment policies and procedures and explain the student’s rights and options under [local education agency’s] policy;
6. discuss and identify available supportive measures; and
7. conduct an interview to document the student’s account of the incident, including the student’s desired outcomes; obtain additional information and evidence relating to the incident; and identify any additional witnesses of the incident, if any.

1. **Student Alleged to Have Engaged in Bullying** **Rights and Options.** Within a reasonable amount of time after meeting with the targeted student, the principal or other designated employee must meet with the student alleged to have engaged in the bullying behavior and/or the student’s parent(s) or guardian(s) to:
2. provide a copy of the [local education agency’s] bullying policies and procedures and explain the alleged student’s rights and options under [local education agency] policy;
3. discuss and identify available supportive measures to address the root causes of the bullying behavior and prevent its recurrence; and
4. conduct an interview to document the student’s account of the incident, including their willingness to accept responsibility for and take steps to address the harm caused by the alleged behavior; obtain additional information and evidence relating to the incident; and identify any additional witnesses to the incident, if any.

1. **Documentation of Investigation.** The principal or designee shall document the steps taken to comply with this section in writing. Documentation must include:
2. any statements prepared by the targeted student, the student alleged to have engaged in bullying, and any witnesses;
3. written summaries of investigative interviews with the targeted student, the student alleged to have engaged in bullying, and any witnesses; and
4. any evidence related to the alleged incident, including text messages, social media content, photographs, videos, security camera footage, police reports, etc.
5. **Investigation Report.** The principal or designee shall provide a written summary of the investigation completed under this section to both parties within ten school days of receiving the complaint, unless there is good cause for extending the investigation period.
6. The written summary shall comply with state and federal laws regarding privacy of student records, including the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99).
7. The investigation report must include a summary of the information and evidence considered, a determination regarding responsibility for the alleged bullying conduct, and the rationale for the determination.
8. The principal or designee must provide an opportunity for the targeted student and the student alleged to have engaged in bullying and their parent or guardian to review and comment on the written summary before a determination of responsibility becomes final.

**Section 8: Resolution.**

1. The principal or designee shall promptly notify the parents or guardians of the targeted student and of the student who engaged in bullying at the conclusion of the investigation.
2. Regardless of the determination of responsibility for misconduct under the policy required by this Act, the notice provided to students and parents/guardians must include the actions taken to:
3. restore or preserve a targeted student’s access to or participation in the [local education agency’s] education programs or activities;
4. protect the safety and sense of belonging of the targeted student and the broader school community; and
5. educate the student alleged to have engaged in bullying behavior on the harm caused by the alleged bullying behavior.
6. If the results of an investigation indicate that bullying occurred, the [local education agency] shall promptly respond by taking appropriate corrective action reasonably calculated to address the misconduct and prevent its recurrence. Corrective action may include, but is not limited to:
7. a bullying prevention and education program for the individuals involved in the complaint;
8. a comprehensive education program for the school community;
9. follow-up inquiries to determine whether any new incidents or any instances of bullying or retaliation have occurred;
10. involving families and students in efforts to identify problems and improve school climate;
11. increasing staff monitoring of areas where bullying has occurred; and
12. appropriate evidence-based discipline policies and practices.
13. In determining the appropriate actions, the [local education agency] shall consider the following factors:
14. the impact on and goals of the targeted student;
15. the responsible student’s willingness to accept responsibility for and take steps to address the harm caused by the bullying behavior;
16. the interim and ongoing steps taken to address the root causes of the bullying behavior;
17. the nature, frequency, and seriousness of the conduct;
18. the age of the students involved;
19. whether the student alleged to have engaged in bullying has engaged in any prior acts of bullying or retaliation; and
20. other factors established by [local education agency] policy or required by law.
21. A student targeted by bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action.
22. Corrective action for a student with a disability is subject to applicable state and federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 *et seq.*) and Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794).

**Section 9: Data Collection and Reporting.**

1. Each [local education agency] shall prepare an annual summary of the [agency’s] compliance with the policy required by this section and publish the annual summary on the [agency’s] website. The reports may not identify any person, and must include information regarding:
2. the number of reports of bullying received under this Act, including the number of reports of cyberbullying and identity-based bullying, disaggregated by race, ethnicity, color, national origin, sex, sexual orientation, gender, gender identity, religion, or disability status; and
3. a general description of the [local education agency’s] responses and interventions in response to bullying reports.

**Section 10: Prevention, Employee Training, and Professional Development.**

1. **Prevention Programming.** The policy adopted by [the governing body] of the [local education agency] must contain appropriate preventative measures for bullying and plans to implement them in students’ academic curriculum, support services, employee training, and professional development, notwithstanding existing state law concerning discussions of race, ethnicity, gender, sexuality, and other characteristics as defined in Section 2(c) of this Act in classroom curriculum, educator training, and professional development.
2. **Student Assistance.** In collaboration with families, the [local education agency] may provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to targeted students, students alleged to have engaged in bullying, and witnesses affected by bullying.
3. **Employee Training and Professional Development.** At the start of each academic year, all [local education agency] employees will participate in training on preventing, identifying, responding to, and reporting incidents of bullying.
4. **Curriculum.** Each [local education agency] shall provide age-appropriate and evidence-based instruction on bullying prevention in each grade that is incorporated into school curricula for all K-12 students. Effective instruction may include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development.
5. **Annual Staff Training.** Annual training required in this section shall include staff duties and responsibilities under the policy required by this Act, an overview of the steps that the school principal or other designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school.
6. **Ongoing Professional Development.** The Bullying Prevention and Response Coordinator or their designee will be responsible for oversight and implementation of the professional development curricula for a [local education agency]. The goal of professional development is to establish a common understanding of the tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. The content of professional development will be informed by research and will include:
7. developmentally appropriate strategies to prevent bullying;
8. developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
9. information regarding the complex interaction and power differential that can take place between and among a student engaging in bullying behavior, a targeted student, and witnesses to bullying;
10. research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
11. information on the incidence and nature of cyber-bullying; and
12. internet safety issues as they relate to cyber-bullying.
13. **Supporting Students with Disabilities.** Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students’ Individualized Education Programs (IEPs).
14. **Ongoing Assessment.** Data collected during the reporting process outlined in Section 8 of this Act shall inform the adoption and implementation of anti-bullying curricula, training, and professional development.

**Section 11: Rulemaking Authority**

The [State Education Agency] shall have the authority to adopt rules implementing this Act.

1. These legislative findings were modeled, in part, on language developed by GLSEN in its “Model State Anti-Bullying & Harassment Legislation” (April 2020), available at <https://www.glsen.org/activity/model-state-anti-bullying-harassment-legislation#Anchorname1>. [↑](#endnote-ref-2)
2. Ali, R. (October 26, 2010). Dear Colleague Letter – Reducing Bullying in Schools. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf> [↑](#endnote-ref-3)
3. Brion-Meisels, G., O’Neil, E., Bishop, S., & Duggins-Clay, P. (2024). Literature Review – Bullying and Harassment in Schools, second edition. IDRA. <https://idra.news/LitRevBullying>; Greytak, E.A., Kosciw, J.G., Villenas, C., & Giga, N.M. (2016). From Teasing to Torment: School Climate Revisited, A Survey of U.S. Secondary Students and Teachers. GLSEN. <https://www.glsen.org/sites/default/files/2019-12/From_Teasing_to_Tormet_Revised_2016.pdf> [↑](#endnote-ref-4)
4. FBI. (2024). Special Report - Reported Hate Crime at Schools: 2018-2022. U.S. Department of Justice; GAO. (2021). K-12 Education: Students’ Experiences with Bullying, Hate Speech, Hate Crimes, and Victimization in Schools. Report to the Chairman, Committee on Education and Labor, House of Representatives. Government Accountability Office. <https://www.gao.gov/assets/gao-22-104341.pdf> [↑](#endnote-ref-5)
5. *See* Ali, R. (October 26, 2010). Dear Colleague Letter – Reducing Bullying in Schools. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>; *see also* OCR. (March 10, 1994). Racial Incidents and Harassment Against Students. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/docs/race394.html>; OCR. (January 2023). Fact Sheet: Protecting Students from Discrimination Based on Shared Ancestry or Ethnic Characteristics. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/docs/ocr-factsheet-shared-ancestry-202301.pdf> [↑](#endnote-ref-6)
6. Alvis, L., Douglas, R.D., Oosterhoff, B., Gaylord-Harden, N.K., & Kaplow, J.B. (2023). Identity-based bullying and Mental Health Among Black and Latino Youth: The Moderating Role of Emotional Suppression. International Society for Traumatic Stress Studies. <https://mmhpi.org/wp-content/uploads/2023/04/2023_IdentityBased-Bullying.pdf> [↑](#endnote-ref-7)
7. Brion-Meisels, G., O’Neil, E., Bishop, S., & Duggins-Clay, P. (2024). Literature Review – Bullying and Harassment in Schools, second edition. IDRA. <https://idra.news/LitRevBullying>; Safe and Welcoming Schools and Rejecting Policies that Hurt Students – IDRA Issue Brief. IDRA. <https://idra.news/SafeSchoolsIB>; GAO. (2021). K-12 Education: Students’ Experiences with Bullying, Hate Speech, Hate Crimes, and Victimization in Schools. Report to the Chairman, Committee on Education and Labor, House of Representatives. Government Accountability Office. <https://www.gao.gov/assets/gao-22-104341.pdf> [↑](#endnote-ref-8)
8. CDC. (February 5, 2021). Adolescent and School Health: Anti-bullying Policies and Enumeration. <https://www.cdc.gov/healthyyouth/health_and_academics/bullying/anti_bullying_policies_infobrief-basic.htm>; *see also* Ali, R. (October 26, 2010). Dear Colleague Letter – Reducing Bullying in Schools. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf> [↑](#endnote-ref-9)
9. Craven, M. (January 12, 2023). Schools Should Prioritize Prevention, Education and Support Over Exclusionary Discipline in Cases of Identity-Based Bullying and Harassment. IDRA Statement. <https://www.idra.org/resource-center/schools-should-prioritize-prevention-education-and-support-over-exclusionary-discipline-in-cases-of-identity-based-bullying-and-harassment/> [↑](#endnote-ref-10)
10. *See* U.S. Department of Health and Human Services. (Aug. 1, 2023). What is bullying? <https://www.stopbullying.gov/bullying/what-is-bullying>. [↑](#endnote-ref-11)
11. *See* Ali, R. (October 26, 2010). Dear Colleague Letter – Reducing Bullying in Schools. U.S. Department of Education, Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201010.pdf>; *see also Zeno v. Pine Plains Cent. Sch. Dist.*, 702 F.3d 655, 665 (2d Cir. 2012); *Top of Form*

    *Davis v. Monroe Cty. Bd. of Educ.*, 526 U.S. 629, 650 (1999).Bottom of Form [↑](#endnote-ref-12)
12. *See Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 509 (1969). [↑](#endnote-ref-13)
13. *See Mahanoy Area Sch. Dist. v. B.L.*, 141 S. Ct. 2038, 2045 (2021) (“The school’s regulatory interests remain significant in some off-campus circumstances… iclud[ing] serious or severe bullying or harassment targeting particular individuals.”). [↑](#endnote-ref-14)
14. This definition is consistent with that utilized by the U.S. Department of Justice. *See* Lahdon, T., & Rapp, S. (2021). Preventing Youth Hates Crimes and Identity Based Bullying. U.S. Department of Justice. <https://www.justice.gov/hatecrimes/spotlight/preventing-youth-hate-crimes> (defining identity-based bullying as “a form of bullying where people are targeted because of their race or ethnicity, religion, disability, sexual orientation, gender identity, or physical appearance”). *See also* GAO. (2021). K-12 Education: Students’ Experiences with Bullying, Hate Speech, Hate Crimes, and Victimization in Schools. Report to the Chairman, Committee on Education and Labor, House of Representatives. Government Accountability Office. <https://www.gao.gov/assets/gao-22-104341.pdf> (discussing “bullying related to [students’] race, national origin, religion, disability, gender, or sexual orientation”). [↑](#endnote-ref-15)
15. This definition is modeled, in part, on a similar provision established in the 2020 Title IX regulations. *See* 34 C.F.R. 106.30(a) (*Supportive Measures*). [↑](#endnote-ref-16)
16. *See* OCR. (Feb. 11, 2022). Retaliation Discrimination. <https://www2.ed.gov/policy/rights/guid/ocr/retaliationoverview.html>; Galanter, S.M. (April 24, 2013). Dear Colleague Letter – Guidance on the prohibition against retaliation under Federal civil rights laws. Office for Civil Rights. <https://www2.ed.gov/about/offices/list/ocr/letters/colleague-201304.html> [↑](#endnote-ref-17)
17. For example, research has shown that LGBTQ+ students have significant fears of being “outed” to family members or caregivers as a result of reporting an incident of identity-based bullying. *See* Kosciw, J.G., Greytak, E.A., Zongrone, A.D., Clark, C.M., & Truong, N.L. (2018). The 2017 National School Climate Survey: The experiences of lesbian, gay, bisexual, transgender, and queer youth in our nation’s schools. New York: GLSEN. <https://www.glsen.org/sites/default/files/2019-10/GLSEN-2017-National-School-Climate-Survey-NSCS-Full-Report.pdf.> Recognizing this potential harm, school leaders should create family notification plans at the LEA and school levels for processing reports of bullying and harassment based on sexual orientation, gender identity, and gender expression. [↑](#endnote-ref-18)
18. This provision is modeled on Title IX’s requirement for schools to designate an employee to “coordinate its efforts to comply with its responsibilities” under Title IX. *See* 34 C.F.R. § 106.8(a). [↑](#endnote-ref-19)