



POLICY 1060
BULLYING, CYBERBULLYING,
HARASSMENT, OR INTIMIDATION

Board of Education

Effective: October 8, 2020

Policy Outline

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I. Policy Statement

The Board of Education is committed to providing a safe, engaging, and supportive school and work environment that values diversity and commonality. The Board is also committed to fostering a climate where individuals are valued and their safety and rights are protected. The Board prohibits acts of bullying, cyberbullying, harassment, or intimidation because they compromise the learning environment and well-being of students, employees, and community.

The Board recognizes that Howard County Public School System (HCPSS) employees must be knowledgeable regarding bullying and victimization in order to promote an environment where opportunities for bullying, cyberbullying, harassment, or intimidation do not occur.

II. Purpose

The purpose of this policy is to establish expectations for maintaining a safe and respectful school climate and workplace in the HCPSS where bullying, cyberbullying, harassment, and intimidation are not tolerated. This policy also provides standards for identifying and preventing bullying, cyberbullying, harassing, or intimidating behavior, as well as intervening and supporting students and employees who are exhibiting bullying, cyberbullying, harassing, or intimidating behavior or who are targets/victims of bullying, cyberbullying, harassment, or intimidation.

III. Standards

- A. The HCPSS will work to ensure that the school and workplace environments are free from incidents of bullying, cyberbullying, harassment, hazing, or intimidation. The prohibition of bullying, cyberbullying, harassment, hazing, or intimidation in schools and workplaces and reprisal and retaliation against individuals who report acts of

bullying, cyberbullying, harassment, hazing, or intimidation, as well as standard consequences for policy violations, will be a part of systemwide efforts to maintain positive school and workplace climates.

- B. The display of symbols, images, language, materials, or items that demean an identifiable person or group or are reasonably perceived as promoting hatred, intimidation, or harassment, such as but not limited to swastikas and confederate flags, are prohibited on school property or at school-related activities and are subject to the standards of this policy.
- C. The HCPSS will comply with the Maryland Safe Schools Reporting Act of 2005, as amended, which mandates the Maryland State Department of Education (MSDE) to require all county boards of education to report incidents of bullying, harassment, or intimidation against students on public school property. Additionally, MSDE was required to create and distribute a “Bullying, Harassment, or Intimidation Report Form” and Maryland’s Model Policy To Address Bullying, Harassment, or Intimidation.
- D. All HCPSS schools and workplaces will follow established procedures for prevention and intervention as outlined in the implementation procedures.
- E. The prevention and intervention strategies of bullying, cyberbullying, harassment, or intimidation, will be presented to all students in pre-kindergarten through grade twelve.
- F. Employees and contract service providers will receive annual professional development on the substance of this policy. This professional development will provide prevention education, designed to model and teach positive relationship building and appropriate interpersonal communication.
- G. Students, employees, and others engaging in bullying, cyberbullying, harassment or intimidation will be subject to disciplinary and/or legal action.
- H. Bullying, cyberbullying, harassment, hazing, intimidation, or retaliation against anyone who has reported bullying, cyberbullying, harassment, hazing, intimidation, or retaliation is prohibited.
- I. Consequences for violations of this policy will be administered according to applicable school system policies (Policy 7030 Employee Conduct and Discipline, Policy 9200 Student Discipline, the HCPSS Student Code of Conduct, and all applicable state and federal laws). Prior violations of this policy will be considered when determining consequences.
- J. Bullying, cyberbullying, harassment, hazing, and intimidation data will be compiled, analyzed, and reported quarterly to the Board and the Superintendent.

IV. Responsibilities

- A. The HCPSS will provide annual professional development for employees and contract service providers on the substance of this policy. This professional development will provide prevention education, designed to model and teach positive relationship building and appropriate interpersonal communication as well as detail the process and responsibilities for bullying reporting.
- B. The Superintendent/Designee will ensure that students, parents, employees, and contract service providers are notified of the provisions of this policy annually.
- C. The Superintendent/Designee is responsible for any action taken in response to a violation of this policy.
- D. School principals/supervisors will notify those under their supervision of the provisions of this policy.
- E. Students, parents, employees, and service providers will report alleged incidents of bullying, cyberbullying, harassment, hazing, intimidation, and retaliation.
- F. School principals/supervisors will ensure compliance with the Maryland Safe Schools Reporting Act of 2005, as amended, requiring all county boards of education to report incidents of bullying, harassment, or intimidation against students in public schools and to distribute a “Bullying, Harassment or Intimidation Report Form”.
- G. The Superintendent/Designee and/or school administrators will ensure that all illegal behaviors are reported to the appropriate social service agencies, law enforcement agencies, and the MSDE.
- H. School principals/supervisors will take immediate action to protect victims regardless of how the alleged bullying is reported.
- I. School principals/supervisors will ensure that professional development regarding this policy occurs annually.
- J. School principals/supervisors will implement systemwide/workplace procedures for prevention and intervention of bullying, cyberbullying, harassment, hazing, intimidation, or retaliation.
- K. School principals, supervisors, or the Executive Director of Special Education and Student Services/designee will provide appropriate assistance to students, parents, employees, and service providers who have been affected by behavior prohibited in this policy.
- L. The Department of Special Education and Student Services will compile and report bullying, cyberbullying, harassment, hazing, or intimidation data to the Board.

M. All employees will comply with the expectations for safe school environments.

V. Delegation of Authority

The Superintendent is authorized to develop appropriate procedures for the implementation of this policy.

VI. Definitions

Within the context of this policy, the following definitions apply:

- A. Bullying – Intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication that creates a hostile educational or work environment by substantially interfering with a student’s or employee’s educational or employment benefits, opportunities, or performance, or with their physical or psychological well-being and is:
1. A real or perceived power imbalance; or,
 2. Repeated; or,
 3. Motivated by an actual or a perceived personal characteristic including race, national origin, immigration status, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, family structure, or physical or mental ability or disability; or,
 4. Threatening or seriously intimidating; or,
 5. Occurs on school property, at a school activity or event, or on a school bus; or,
 6. Sent via electronic communication; or,
 7. Substantially disrupts the orderly operation of a school or workplace.
- B. Community – The society at large which includes, but is not limited to families, businesses, faith communities, government agencies, nonprofit service organizations, other organizations, and individuals.
- C. Cyberbullying – Harassment, humiliation, intimidation, and/or threats to others transmitted by means of any electronic device, including but not limited to the use of social media sites, telephones, cellular phones, computers, or tablets.
- D. Electronic Communication – A communication transmitted by means of any electronic device, including but not limited to the use of social media sites, telephones, cellular phones, computers, or tablets.

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- E. Employee – Any individual employed by the HCPSS.
- F. Harassment – A sufficiently severe action or persistent, pervasive pattern of actions or statements, directed at an identifiable individual or group, that is intended to be, or which a reasonable person would perceive as, ridiculing or demeaning.
- G. Hazing – Participation in any intentional or reckless act directed against another for the purpose of initiation into, affiliation with, or maintenance of membership in an organization. Hazing is considered to be a form of bullying; hazing includes, but is not limited to, any action taken or situation created that directly or indirectly embarrasses, humiliates, harasses, ridicules, intimidates, or causes harm or mental or physical discomfort to another.
- H. Intimidation – Subjection to intentional action that seriously threatens and induces a sense of fear and/or inferiority which adversely affects one’s ability to participate in or benefit from the educational or work setting.
- I. Parent – Any one of the following, recognized as the adult(s) legally responsible for the child or vulnerable adult:
1. Biological Parent – A natural parent whose parental rights have not been terminated.
 2. Adoptive Parent – A parent who has legally adopted the student and whose parental rights have not been terminated.
 3. Custodian – A person or an agency appointed by the court as the legal custodian of the student and granted parental rights and responsibilities.
 4. Guardian – A person who has been placed by the court in charge of the affairs of the student and granted parental rights and responsibilities.
 5. Caregiver – An adult resident of Howard County who exercises care, custody or control over the student, but who is neither the biological parent nor legal guardian as long as the person satisfies the requirements of the Education Article §7-101(c) (Informal Kinship Care) or has been issued a U.S. Department of Health and Human Service’s Office of Refugee Resettlement (ORR) Verification of Release form entering into a custodial arrangement with the federal government.
 6. Foster Parent – An adult approved to care for a child who has been placed in their home by a state agency or a licensed child placement agency as provided by the Family Law Article, §5-507.
- J. Retaliation – The act or process of threatening or otherwise penalizing a person for reporting an alleged violation of this policy or for participating in an investigation of an alleged violation.

- K. School Property – Any property owned or leased by the HCPSS or used by HCPSS for school-related activities. The concept of property extends to school activities such as field trips, use of parks and recreation facilities, proms at hotels, etc. School buses, bus stops, and facilities scheduled by the school system for student use are considered an extension of school property.
- L. School-Related Activity – Any school system activity, on or off school property, in which a student directly participates (e.g. school field trip, athletic event, or class/graduation activity), or an activity in which the student does not directly participate but represents the school or student body simply by being present (e.g. spectator at a school event).
- M. Service Providers – Individuals who provide services to the HCPSS, either through contract or volunteer service, when those services involve access to students, such as substitute teachers, mentors, chaperones, bus drivers, and individuals who participate in partnership programs.

VII. References

- A. Legal
 Title IX of the Educational Amendments Act of 1972
 Annotated Code of Maryland, Criminal Law Article, §3-805 – Misuse of electronic communication or interactive computer service (“Grace’s Law”)
 Annotated Code of Maryland, Education Article, §7-424 – Reporting incidents of harassment or intimidation against students
 Annotated Code of Maryland, Education Article, §7-424.1 – Model policy prohibiting bullying, harassment and intimidation
 COMAR 13A.01.04.03 – School Safety
 COMAR 13A.08.01.15 – Reporting Delinquent Acts
- B. Other Board Policies
 Policy 1000 Civility
 Policy 1010 Anti-Discrimination
 Policy 1020 Sexual Discrimination, Sexual Harassment, and Sexual Misconduct
 Policy 1030 Child Abuse and Neglect
 Policy 1040 Safe and Supportive Schools
 Policy 3050 Records Management
 Policy 7010 Personnel Records
 Policy 7030 Employee Conduct and Discipline
 Policy 8080 Responsible Use of Technology, Digital Tools, and Social Media
 Policy 9020 Students’ Rights and Responsibilities
 Policy 9050 Student Records
 Policy 9060 Rehabilitation Act of 1973 Compliance: Section 504
 Policy 9200 Student Discipline
 Policy 9280 School Use of Community or Reportable Offenses

Policy 9290 Gangs, Gang Activity, and Similar Destructive or Delinquent Group Behavior

Policy 10000 Student, Parent, Family, and Community Involvement

C. Relevant Data Sources

Bullying, Harassment, or Intimidation in Maryland Public Schools: A Report to the Maryland General Assembly, (March 31, 2015)

HCPSS Bullying, Harassment or Intimidation Reports to MSDE

HCPSS Suspensions for Bullying/Harassment trend data

Suspensions, Expulsions, and Health Related Exclusions Maryland Public Schools Annual report

D. Other

Bullying, Harassment, or Intimidation Complaint Form

Bullying, Harassment, or Intimidation Incident School Investigation Form

Bullying, Harassment, or Intimidation Reporting Form

HCPSS Student & Parent Handbook

HCPSS Student Code of Conduct

HCPSS Threat Management Procedures

Maryland's Model Policy To Address Bullying, Harassment, or Intimidation

Master Agreement Between the Board of Education and the Howard County Administrators Association

Master Agreement Between the Board of Education and the Howard County Education Association

SRO Memorandum of Understanding

VIII. History¹

ADOPTED: June 11, 2009

REVIEWED:

MODIFIED: June 12, 2014

August 14, 2014

October 8, 2020

REVISED: June 8, 2017

EFFECTIVE: October 8, 2020

¹ Key: **Adopted**-Original date the Board took action to approve a policy; **Reviewed**-The date the status of a policy was assessed by the Superintendent's Standing Policy Group; **Modified**-The date the Board took action to alter a policy that based on the recommendation of the Superintendent/designee did not require a comprehensive examination; **Revised**-The date the Board took action on a policy that based on the recommendation of the Superintendent/designee needed a comprehensive examination; **Effective**-The date a policy is implemented throughout the HCPSS, typically July 1 following Board action.