

Policy Outline

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I. Policy Value Statement

All students have the right to be free from bullying, cyberbullying, harassment, and intimidation. Bullying, cyberbullying, harassment, or intimidation of any person on school property or at school-related activities is prohibited. The Board of Education is committed to providing a safe, engaging, productive, 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, and intimidation because they compromise the learning environment and well-being of students, employees, and community.

Incidents of bullying, cyberbullying, harassment, and intimidation should be reported to the appropriate Howard County Public School System (HCPSS) authority.

The Board recognizes that 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 on school property or at school-related activities, 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 of bullying, cyberbullying, harassment, or intimidation. The policy also provides standards for the reporting and investigation of bullying, cyberbullying, harassment, and intimidation.

III. Standards

- A. The HCPSS will work to ensure that the school and workplace environments are free from incidents of bullying, cyberbullying, harassment, and intimidation.
- 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 flag symbols, 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. HCPSS will adhere to the requirements set forth by Maryland's Model Policy to Address Bullying, Harassment, or Intimidation, and will utilize the MSDE Bullying, Cyberbullying, Harassment, or Intimidation Reporting Form and the MSDE Bullying, Cyberbullying, Harassment, or Intimidation Investigation Form.
- D. All HCPSS schools and workplaces will follow established procedures for prevention, intervention, and providing supports 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 service providers will receive annual professional development on the provisions of this policy. This professional development will include prevention education, designed to model and teach positive relationship building and appropriate interpersonal communication, as well as procedures for reporting bullying, cyberbullying, harassment, and intimidation.
- G. Students, employees, and others engaging in bullying, cyberbullying, harassment or intimidation will be subject to disciplinary and/or legal action.
- H. Retaliation against anyone who has reported bullying, cyberbullying, harassment, or intimidation is prohibited.
- I. An HCPSS employee who reports an act of bullying, cyberbullying, harassment, or intimidation under the Education Article, Annotated Code of Maryland, Section 7-424.1 in accordance with the county board's policy is not civilly liable for any act or omission in reporting or failing to report an act of bullying, harassment, or intimidation under this policy.
- J. In an effort to maintain a positive school culture and workplace climate, 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.

- K. Bullying, cyberbullying, harassment, and intimidation data will be compiled, analyzed, and reported annually to MSDE.

IV. Responsibilities

- A. The HCPSS will provide annual professional development for employees and 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 service providers are notified of the provisions of this policy annually.
- C. The Superintendent/designee will ensure that this policy is highlighted in the school system's student handbook and on the school system's website.
- D. The Superintendent/designee will ensure appropriate action is taken in response to a violation of this policy.
- E. School administrators/supervisors will notify those under their supervision of the provisions of this policy.
- F. Students, parents, employees, and service providers will report alleged incidents of bullying, cyberbullying, harassment, or intimidation.
- G. School administrators/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 provide access to a "Bullying, Cyberbullying, Harassment or Intimidation Reporting (BCHI) Form".
- H. 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.
- I. School administrators/supervisors will take immediate action to protect targeted students regardless of how the alleged bullying is reported.
- J. School administrators/supervisors will ensure that professional development regarding this policy occurs annually.

- K. School administrators/supervisors will implement systemwide/workplace procedures for prevention and intervention of bullying, cyberbullying, harassment, and intimidation.
- L. School administrators, supervisors, or the Director of Program Innovation and Student Well-Being/designee will provide appropriate assistance to students, parents, employees, and service providers who have been affected by behavior prohibited in this policy.
- M. The Department of Program Innovation and Student Well-Being will compile and report bullying, cyberbullying, harassment, and intimidation data to the Board.
- N. 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** – Unwanted, demeaning behavior among students or employees that involves a real or perceived power imbalance. The behavior is repeated, or is highly likely to be repeated, over time. To be considered bullying, the behavior must be intentional and include: 1) an imbalance of power (students who bully use their physical, emotional, social, or academic power to control, exclude, or harm others), and 2) repetition (bullying behaviors happen more than once or are highly likely to be repeated based on evidence gathered).
- 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** – Bullying that takes place over digital devices like cell phones, computers, and tablets. Cyberbullying can occur through texting, apps, or online via social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting, or sharing negative, harmful, false, or hurtful content about another person. It can include sharing personal or private information about someone else causing embarrassment or humiliation.
- 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.

- E. Employee – Any individual who is a permanent or temporary employee whose compensation is paid in whole or part by the Board and/or an individual who is a student teacher, an intern, consultant, or an independent contractor for the school system.
- F. Harassment – Includes actual or perceived negative actions that offend, ridicule, or demean another person with regard to race, ethnicity, national origin, immigration status, family/parental or marital status, sex, sexual orientation, gender identity, gender expression, religion, ancestry, physical attributes, socioeconomic status, physical or mental ability, disability, or political opinion.
- G. Intimidation – Any communication or action directed against another person that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.
- H. 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.
- I. 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.

- J. 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.
- K. 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).
- L. 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. Board Policies
 - Policy 1000 Civility
 - Policy 1010 Anti-Discrimination
 - Policy 1020 Sexual Discrimination, Sexual Harassment, and Sexual Misconduct
 - Policy 1025 Title IX Sexual Harassment
 - 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 Form For Use by Employees and Third Parties
 Bullying, Cyberbullying, Harassment, or Intimidation Investigation Form
 Bullying, Cyberbullying, 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: December 21, 2015
 MODIFIED: June 12, 2014
 August 14, 2014
 October 8, 2020
 March 10, 2022
 REVISED: June 8, 2017
 EFFECTIVE: March 10, 2022

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.

**BULLYING, CYBERBULLYING,
HARASSMENT, AND INTIMIDATION**

Effective: March 10, 2022

I. Announcement/Dissemination of Information

- A. Principals/supervisors will provide annual written notice of the general provisions of this policy that states bullying, cyberbullying, harassment, and intimidation are prohibited in the Howard County Public School System (HCPSS). This notice will be provided to students, parents, employees, and service providers in their school/offices during the first month of each school year, to new hires under their supervision throughout the year, and to new students and their parents upon registration.
- B. School administrators/supervisors will provide additional notification by:
1. Providing announcements over the school public address system.
 2. Publishing a link to the policy in school newsletters, on the school website, and in student/employee handbooks.
 3. Posting notification in offices, classrooms, and other commonly used areas.
 4. Providing this policy in hard copy to any student, employee, parent, or service provider upon request.
- C. School administrators/supervisors will annually ensure that students, employees, parents, and service providers are aware of the Bullying, Cyberbullying, Harassment, or Intimidation (BCHI) Reporting Form and how to access it online and in hard copy. The BCHI Reporting Form will be readily available and accessible to students, parents, and employees. At a minimum, hard copies of the BCHI Reporting Form will be available in the main office, staff workroom, school counseling office, media center, and health services office. Posters with information about the online reporting form will be displayed throughout all schools. The Bullying, Harassment, or Intimidation Form For Use by Employees and Third Parties can be accessed by contacting the Equity Assurance Manager or can be found on the school system's website.

II. Prevention Procedures

- A. The HCPSS will provide professional development to ensure that HCPSS employees increase their awareness of the prevalence, causes, and consequences of bullying, cyberbullying, harassment, or intimidation and to increase the use of

evidenced-based positive behavior supports in these areas. Information will be provided for new employees hired at any time during the school year.

- B. HCPSS employees will implement evidence-based bullying prevention and intervention strategies to address safe, engaging, and supportive environments. Components will include, but not be limited to, the following:
 - 1. Creating a culture of peer support and mutual respect.
 - 2. Defined behavioral expectations.
 - 3. A plan for teaching behavioral expectations including understanding the impact of bullying, cyberbullying, harassment, intimidation, or retaliation.
 - 4. An ongoing system for recognizing appropriate behaviors.
 - 5. A system for responding to problem behavior.
 - 6. The continuous collection and analysis of data to identify and implement strategies for maintaining and/or improving a positive school climate.
- C. Elementary classroom/secondary health education teachers will implement the curriculum regarding prevention and intervention of bullying for all students in pre-kindergarten through grade nine by teaching the health education standards.
- D. School-based employees will provide lessons on prevention and intervention of bullying for all students. These lessons will include:
 - 1. Information about reporting systems such as the online BCHI Reporting Form and availability of paper copy forms.
 - 2. Information related to potential consequences such as those defined by HCPSS policies and in Grace's Law.
 - 3. Social/emotional and health/safety education pertaining to bullying, cyberbullying, harassment, or intimidation through strategies such as, but not limited to: Positive Behaviors Interventions and Supports (PBIS), Restorative Practices, Social-Emotional Learning, Strength Based Education, Growth Mindset, and Student Voice.
- E. School administrators will ensure that collaboration occurs with families and the community to inform parents about the prevalence, causes and consequences of bullying and its impact on public health. This information can be communicated through newsletters, PTA presentations, parent information nights, and other school activities.

- F. School administrators and school-based employees will collect, analyze, and use school-specific data on the number of incidents of bullying, cyberbullying, harassment, and intimidation to guide school improvement efforts that address safe, engaging, and supportive environments.
- G. All employees are responsible for completing professional development provided by the HCPSS on how to respond to students, parents, employees, and service providers regarding bullying, cyberbullying, harassment, and intimidation.
- H. The Equity Assurance Manager will document employee complaints received on bullying, cyberbullying, harassment, and intimidation.

III. Reporting Procedures

- A. Reporting about Bullying, Cyberbullying, Harassment, and Intimidation of Students
 - 1. School administrators/supervisors will maintain a climate in which students, employees and families may report an incident without fear of retaliation. This expectation extends to all school-related activities and functions. This includes reducing barriers that prevent both targeted students and student bystanders from reporting. Barriers may include feelings of powerlessness, fear of retaliation, and a lack of trust in the adults in the building.
 - 2. School administrators/supervisors/designee will notify all students and employees of the online BCHI form on the school system's website or where to find a paper copy of the form (e.g. media center, health room, front office, counselor's office).
 - 3. When a student reports that they are currently the target of bullying, cyberbullying, harassment, or intimidation, the employee will:
 - a. Respond quickly and appropriately to intervene;
 - b. Report the incident to a school administrator; and
 - c. Notify Student Services staff.
 - 4. If a student wishes to discuss the incident of bullying, cyberbullying, harassment, or intimidation with an employee, the employee will make an effort to provide the student with a practical, safe, private, and age-appropriate way of doing so.
 - 5. Student reports will be documented using the BCHI Reporting Form in the data management system and a copy of the report will be provided to the parent of the targeted student.
 - 6. A student, employee, parent of a student, close adult relative of a student, or bystander, can complete and submit the BCHI Reporting Form to a school

administrator/supervisor in person, by mail, or electronically, as soon as bullying, cyberbullying, harassment, or intimidation is known or suspected. In the event the reporting party does not complete a BCHI Reporting Form, school administrators/supervisors will take the appropriate steps to address and document the incident.

7. A student, parent of a student, close relative of a student, and/or bystander will be provided assistance from an employee, if needed, to complete the BCHI Reporting Form at school.
8. The school administrator/supervisor/designee will begin the investigation process within two school days of receipt of a BCHI Reporting Form or any other report of bullying, cyberbullying, harassment, or intimidation. Every effort will be made to notify the targeted student's parent immediately, but no later than one school day, of the report. Parents of the accused will be notified of the investigation process in a timely manner.
9. The school administrator/supervisor/designee will ensure the information from any report of known or suspected bullying, cyberbullying, harassment, or intimidation and the subsequent investigation is entered into the designated data management system.
10. Information obtained from the BCHI Reporting Form is confidential and may not be redisclosed except as otherwise provided under the Family Educational Rights and Privacy Act (FERPA) and may not be made a part of a student's permanent education record.

B. Reporting about Bullying, Cyberbullying, Harassment and Intimidation of Employees and Service Providers

1. School administrators/supervisors will maintain a school/workplace culture, in which employees or service providers may complete a Bullying, Harassment, or Intimidation Form For Use by Employees and Third Parties without fear of retaliation.
2. The Bullying, Harassment, or Intimidation Form For Use by Employees and Third Parties can be accessed by contacting the Equity Assurance Manager or can be found on the school system's website.
3. Employees and service providers who feel they have been bullied, harassed, or intimidated will report, either orally or in writing, any such incidents promptly to a school administrator/supervisor or to the Equity Assurance Manager, as appropriate.
 - a. If the alleged bully is the employee or service provider's immediate supervisor, the employee or service provider may report the alleged incident to the Equity Assurance Manager.

- b. Employees or service providers will fill out the Bullying, Harassment, or Intimidation Form For Use by Employees and Third Parties.
4. School administrators and supervisors will forward complaints of bullying, cyberbullying, harassment, or intimidation from employees or service providers to the Equity Assurance Manager.
5. If an employee or service provider wishes to discuss the incident of bullying, cyberbullying, harassment, or intimidation with the school administrator/supervisor or the Equity Assurance Manager, the employee will be provided with a practical, safe, private, and appropriate way of doing so.

IV. Investigation Procedures

A. Student Procedures

1. The school administrator will address incidents that occur at school or have a connection or nexus back to the school setting that create a risk of harm to other students while they are at school, or interfere with the educational environment.
2. The school administrator will begin the investigation within two school days after receipt of a BHI Reporting Form in compliance with Maryland's Model Policy To Address Bullying, Harassment, or Intimidation.
3. The school administrator will strive to maintain the confidentiality of the targeted student, the accused, and the witness(es) to the extent possible. The school administrator should not promise confidentiality to involved parties at the onset of an investigation. It cannot be predicted what will be discovered. Efforts should be made to increase the confidence and trust of the targeted student and any witnesses. Students should be informed that any information discussed and recorded will be confined to "need to know" status.
4. The school administrators will make every effort to notify the parent of the targeted student immediately but no later than one school day of the report. The parents of the individual(s) who has/have been accused of participating in the incident will be notified in a timely manner.
5. The school administrator will conduct an adequate, reliable, and impartial investigation of the complaint, which may include interviewing the complainant and witnesses along with the opportunity to present witnesses and other evidence. The school administrator will provide notice to both sets of parents in writing of the outcome of the complaint and the basis for the decision within thirty (30) calendar days of receipt of complaint by the school administrator, excluding extenuating circumstances. Due to confidentiality, specific disciplinary corrective measures are not to be discussed.

A school administrator will investigate the alleged incident and where bullying, cyberbullying, harassment, and/or intimidation has been found appropriate steps will be taken to try to preclude such action from occurring again. Appropriate steps will be taken even if a student, an employee, a parent, or a close adult relative does not complete the BCHI Reporting Form. An administrator will complete the BCHI Reporting Form in the HCPSS data system for documentation and reporting purposes.

6. The school administrator will comply with due process rights, which include:
 - a. Notifying the accused of the allegations.
 - b. Providing an explanation of the evidence if the accused denies the allegations.
 - c. Allowing the accused an opportunity to respond to the allegations and encouraging them to provide a written response, when appropriate.
 - d. Notifying the parent of the accused promptly, in writing, of the violation and disciplinary consequence.
7. The school administrator will inform all parties involved that they are prohibited from discussing or sharing any information regarding the incident in question, with the exception of their parents, appropriate school-based employee, legal counsel, law enforcement personnel, or healthcare professional.
8. The accused will be informed that retaliation, bullying, cyberbullying harassment, or intimidation against the targeted student or bystander/witness is strictly prohibited and that progressive consequences will occur if the activity continues.
9. The school administrator will create a written record of the bullying, cyberbullying, harassment, or intimidation incident and any disciplinary actions taken, as well as the statements of the targeted student, witnesses, and accused. Discussions with all parties will be documented as soon as possible after the event. Any material records or evidence will be retained for a criminal investigation or prosecution resulting from the incident.
10. After the investigation, Student Services staff will provide appropriate counseling support to the targeted student and accused within two weeks. If during the counseling session(s) it is determined that the bullying, cyberbullying, harassment or intimidation continues, it will be reported to the school administrator.
11. Any students and/or parents having concerns regarding the application of these procedures may refer to the formal concern process on the HCPSS

website or in the HCPSS Student & Parent Handbook. Individuals may also contact the School Climate Initiatives Specialist with the Maryland State Department of Education (MSDE) at 410-767-0306.

B. Employees and Service Provider Procedures

1. School administrators/supervisors will collaborate with the Equity Assurance Manager within two school days after receipt of the Bullying, Harassment, or Intimidation Form For Use by Employees and Third Parties. Either the school administrator or the Equity Assurance Manager will begin the investigation.
2. School administrators/supervisors or the Equity Assurance Manager will notify in a timely manner the targeted employee, individual(s) who has/have been accused of participating in the incident that investigated action has been taken. Due to confidentiality, specific disciplinary corrective measures are not to be discussed.
3. School administrators/supervisors or the Equity Assurance Manager will comply with due process rights, which include:
 - a. Notifying the accused of the allegations.
 - b. Providing an explanation of the evidence if the accused denies the allegations.
 - c. Allowing the accused an opportunity to respond to the allegations and encouraging them to provide a written response, when appropriate.
4. School administrators/supervisors or the Equity Assurance Manager will strive to maintain the confidentiality of the targeted employee, the accused and the witnesses to the extent possible.
5. School administrators/supervisors or the Equity Assurance Manager will inform all parties involved that they are prohibited from discussing or sharing any information regarding the incident in question, with the exception appropriate school-based employee, union representative, legal counsel, or law enforcement personnel.
6. The accused will be informed that retaliation, bullying, cyberbullying harassment, or intimidation against the targeted employee or bystander/witness is strictly prohibited and that progressive consequences will occur if the activity continues.
7. School administrators/supervisors or the Equity Assurance Manager will create a written record of the bullying, cyberbullying, harassment, or intimidation incident and any disciplinary actions taken, as well as the statements of the targeted employee, witnesses, and accused. Discussions with all parties will be documented as soon as possible after the event. Any

material records or evidence will be kept while a criminal investigation or prosecution resulting from the incident is ongoing.

8. After the investigation, school administrators/supervisors or the Equity Assurance Manager may recommend supports in Section VII.B. below.
9. School administrators/supervisors or the Equity Assurance Manager and targeted employee will schedule a meeting two weeks after the conclusion of the investigation to confer that there has been resolution to the reported incident.

V. Violations of Policy

A. Student Violations

1. Any school administrator who believes that a student has violated this policy must also consider the following: Policy 1010 Anti-Discrimination, Policy 1020 Sexual Discrimination, Sexual Harassment, and Sexual Misconduct, Policy 1025 Title IX Sexual Discrimination, Policy 1030 Child Abuse and Neglect, Policy 1040 Safe and Supportive Schools, Policy 8080 Responsible use of Technology, Digital Tools, and Social Media, Policy 9060 Rehabilitation Act of 1973 Compliance: Section 504, or Policy 9200 Student Discipline, the HCPSS Student Code of Conduct, or the HCPSS Threat Management Procedures.
2. School administrators will comply with due process rights, which include:
 - a. Notifying the accused of the allegations.
 - b. Providing an explanation of the evidence if the accused denies the allegations.
 - c. Allowing the accused an opportunity to respond to the allegations and encouraging them to provide a written response, when appropriate.
 - d. Notifying the parent of the accused promptly, in writing, of the violation and the disciplinary consequence.
3. If, after an investigation, the administrator determines that bullying, cyberbullying, harassment, or intimidation did occur, the following procedures should be followed in accordance with Maryland's Model Policy to Address Bullying, Harassment, or Intimidation:
 - a. The administrator/designee will promptly implement one or more of the corrective actions outlined on the Bullying, Cyberbullying, Harassment, or Intimidation Investigation Form, consistent with the consequences outlined in the HCPSS Student Code of Conduct.

- i. Exclusionary discipline measures should be avoided and only used after all other available and appropriate behavioral interventions have been exhausted or if a student's continued presence in school would pose a threat to the safety of others.
 - ii. Administrators/designees are encouraged to choose rehabilitative interventions that seek to restore relationships and are designed so students have an opportunity to learn from their mistakes. They should assess each bullying situation to determine whether a restorative process is appropriate.
 - b. Separate conferences with the targeted student and offender will occur within two weeks after the investigation to determine whether the bullying, cyberbullying, harassment, or intimidation has continued and whether additional consequences need to be implemented.
 - c. A follow-up conference will be held with the targeted student four weeks after the initial follow-up conference to determine if the bullying, cyberbullying, harassment, or intimidation has ceased.
 - d. Communication with the parents of the targeted student and offender will continue until the issue is resolved.
 - e. The school administrator/designee will ensure that the information recorded on the BCHI Reporting Form and the information on the Bullying, Harassment, or Intimidation Investigation Form is entered into the bullying database on the HCPSS student data system.
 - f. The BCHI Reporting Form will be maintained in accordance with Policy 9050 Student Records.
4. It is a violation of this policy for students to be engaged in retaliation. Consequences and/or remedial actions in accordance with HCPSS policies or the HCPSS Student Code of Conduct will be applied as a result of this policy violation.
 5. The Department of Program Innovation and Student Well-Being will annually report bullying, cyberbullying, harassment, and intimidation data to the MSDE in accordance with Maryland's Model Policy to Address Bullying, Harassment, or Intimidation.
 6. Acts of bullying, cyberbullying, harassment, or intimidation that the administrator/designee believes may be delinquent or criminal acts, will promptly be reported to the responsible law enforcement agencies and the MSDE according to the Code of Maryland Regulations (COMAR 13A.08.01.15).

7. Acts of cyberbullying that the school administrator/designee believes may be criminal will promptly be reported to the responsible law enforcement agencies to determine if Grace's Law has been violated. (The Annotated Code of Maryland, Criminal Law Article, §3-805)
8. School administrators/designees will investigate any alleged incident and take corrective action as appropriate, even if a student, employee, parent, or a close adult relative does not complete the BCHI Reporting Form.
9. Gang related activity, as defined in the HCPSS Student Code of Conduct and Policy 9290 Gangs, Gang Activity, and Similar Destructive or Delinquent Group Behavior as it relates to bullying, cyberbullying, harassment, and intimidation, is considered a violation of this policy.
10. For acts of sexual harassment, sexual assault and/or sexual violence, the school administrator/designee will promptly follow Policy 1020 Sexual Discrimination, Sexual Harassment, and Sexual Misconduct, which addresses these offences in accordance with Title IX of the Educational Amendments of 1972 ensuring the rights of the targeted student are protected.

B. Employee and Service Provider Violations

1. Any administrator/supervisor who believes that an employee or service provider has violated this policy will also consider whether the behavior constitutes a violation of Policy 1000 Civility, Policy 1010 Anti-Discrimination, Policy 1020 Sexual Discrimination Sexual Harassment, and Sexual Misconduct, Policy 1025 Title IX Sexual Harassment, Policy 1030 Child Abuse and Neglect, Policy 1040 Safe and Supportive Schools, or Policy 8080 Responsible Use of Technology, Digital Tools, and Social Media.
2. When it is reported that an incident of bullying, cyberbullying, harassment or intimidation has occurred, the following procedures will be followed:
 - a. An employee or service provider suspected of violating this policy will be referred to the appropriate school administrator/supervisor or Equity Assurance Manager.
 - b. The school administrator/supervisor will collaborate with the Equity Assurance Manager. Either the school administrator/supervisor or Equity Assurance Manager will promptly conduct an investigation, and will notify the targeted employee and the accused, in writing, of the results of the investigation.
 - c. If the investigation reveals that a violation has occurred, the school administrator/supervisor will take appropriate action in accordance with Policy 7030 Employee Conduct and Discipline and relevant master

agreements if the employee is a member of a bargaining unit. Action against a service provider will be taken in accordance with relevant school system policies and other appropriate state and federal laws.

- d. The offender will be counseled and notified of their rights, in writing, of the violation and of the disciplinary consequences.

VI. Intervention

- A. School administrators will ensure a continuum of positive behavior supports are implemented as part of their schoolwide behavioral plan in order to develop and sustain a positive school culture that enhances effective teaching and learning.
- B. School administrators/supervisors will provide appropriate school-based assistance to students, parents, employees, and service providers who have been affected by behavior prohibited in this policy.
- C. A student or employee who violates this policy may be required by the school administrator/supervisor to participate in appropriate counseling/intervention designed to increase the student or employee's understanding of the offense and its impact on others.
- D. HCPSS employees who are trained in individual counseling will provide counseling, education, and intervention to students who have been found in violation of this policy. In addition, support/counseling may be provided targeted student or the bystander who has been victimized by bullying behaviors. Education/counseling will include, but is not limited to teaching/counseling for:
 1. Mutual respect
 2. Replacement behaviors
 3. Anger management
 4. Impulse control
 5. Empathy
 6. Cultural proficiency/diversity training
 7. Assertiveness training
 8. Healthy relationships
 9. Resilience.
- E. When an incident is deemed to be bullying, mediation (an intervention used to bring two or more parties together to resolve a dispute) between the targeted student and offender is prohibited.
- F. Schools will collaborate, as needed, with community and mental health resources to assist students who continue to be involved in bullying behaviors as perpetrators, targeted students, or witnesses, and whose mental or physical health, safety, or academic performance has been impaired.

VII. Supports

- A. Support services available to the student exhibiting bullying behaviors, the targeted student, witness or bystander will be implemented as appropriate based on context, situation, age, and severity. Such supports may include, but are not limited to:
1. School System
 - a. Counseling
 - b. Conflict resolution
 - c. Restorative practices
 - d. Problem-solving skills training
 - e. Social skills training, including anger management/impulse control
 - f. Peer support groups
 - g. Schedule modifications
 - h. Collaboration with school-based problem solving teams.
 2. Community/Family
 - a. Public or private community-based mental health services
 - b. Community mediations
 - c. Department of Juvenile Services
 - d. Department of Social Services
 - e. Law enforcement agencies
 - f. Health Department programs
 - g. Youth development organizations
 - h. Faith-based services.
- B. Supports and services available for employees may include, but are not limited to:
1. School System
 - a. Appropriate school administrator/supervisor
 - b. Appropriate administrative directors
 - c. Equity Assurance Manager.
 2. Community/Family
 - a. Public or private community-based mental health services
 - b. Law enforcement agencies
 - c. Health Department programs
 - d. Community mediations
 - e. Faith-based services.

VIII. Monitoring

Policy 1060 implementation procedures will be overseen by the Division of Academics.

IX. History¹

ADOPTED: June 11, 2009
REVIEWED: December 21, 2015
MODIFIED: June 12, 2014
 August 14, 2014
 August 17, 2017
 March 10, 2022
REVISED: November 5, 2009
 June 8, 2017
EFFECTIVE: March 10, 2022

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 that policy 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.