

Policy Outline

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I. Policy Value Statement

The Board of Education of Howard County (Board) is committed to providing a safe, engaging, productive, and supportive work environment that values diversity, equity, and inclusion. The Board is also committed to fostering a climate where individuals are valued, and their safety and rights are protected. Howard County Public School System (HCPSS) school property should be places where individuals are treated with kindness and empathy, while building a relationship-focused, welcoming, supportive environment fostering academic and personal growth for all.

Employee bullying and harassment, which includes cyberbullying or intimidation, of any person on school property that has a direct effect on the order and general welfare of the workplace is prohibited. Retaliation against individuals who report acts of bullying or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying is prohibited.

The Board recognizes that HCPSS employees must be knowledgeable regarding bullying and victimization in order to promote an environment where opportunities for employee bullying do not occur. Incidents of employee bullying and harassment should be reported to the appropriate (HCPSS) authority and will be investigated appropriately.

II. Purpose

The purpose of this policy is to establish expectations for maintaining a safe and respectful workplace in the HCPSS where employee bullying and harassment on school property or at school-related activities, are not tolerated. This policy also provides standards for supporting HCPSS employees who are targets of employee bullying or harassment and for identifying and preventing bullying and harassment.

III. Standards

- A. The HCPSS will work to ensure that HCPSS workplace environments are free from incidents of employee bullying and harassment.
- B. The display of symbols, images, language, materials, or items that demean an identifiable person or group or are reasonably perceived as promoting hatred, 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. All HCPSS workplaces will follow established procedures for employee bullying and harassment prevention, intervention, and provision of supports as outlined in the implementation procedures.
- D. HCPSS employees, and other individuals engaging in employee bullying or harassment may be subject to disciplinary and/or legal action.
- E. Retaliation against anyone who has reported employee bullying or harassment is prohibited and may be subject to disciplinary and/or legal action.
- F. In an effort to maintain a positive workplace climate, consequences for violations of this policy will be administered in accordance with Policy 7030 Employee Conduct and Discipline and all applicable state and federal laws. Prior violations of this policy will be considered when determining consequences.
- G. HCPSS employees who believe they have experienced or witnessed employee bullying or harassment will utilize the Bullying, Harassment and Intimidation Reporting Form For Use by Employees.

IV. Responsibilities

- A. The Superintendent/designee will ensure appropriate disciplinary action is taken against HCPSS employees who bully or harass in accordance with this policy.
- B. School administrators, supervisors, or the Compliance and Investigations Officer will take immediate action to protect targeted individuals regardless of how the alleged bullying is reported.
- C. School administrators/supervisors will provide annual written notice of the general provisions of this policy.
- D. School administrators, supervisors, or the Compliance and Investigations Officer will investigate and address all reported incidents of employee bullying and harassment in accordance with this policy and applicable laws.

- E. School administrators, supervisors, or the Director of Program Innovation and Student Well-Being/designee will provide appropriate assistance to HCPSS employees who have been affected by behavior prohibited in this policy. Examples include but are not limited to the opportunity to talk with an administrator, mediation, Employee Assistance Program (EAP), and referrals to community supports.
- F. HCPSS employees will maintain a safe and supportive work environment.

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. 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.
- B. Employee Bullying – Unwanted, demeaning behavior directed at employees by non-student adults that involves a power imbalance. Cyberbullying, harassment, and intimidation are all considered forms of bullying. 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; 2) repetition (bullying behaviors happen more than once or are highly likely to be repeated based on evidence gathered); and 3) have a connection or nexus back to the work environment that creates a risk of harm to the employee while they are at work or interfere with the workplace environment.
- C. 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.
- D. HCPSS Employee – Any individual who is a permanent or temporary employee of the HCPSS whose compensation is paid in whole or part by the Board, including but not limited to, teachers, substitute teachers, paraeducators, and other school-based and Central Office support staff.

- E. 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.
- F. 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.
- G. 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, school bus stops, and facilities scheduled by the school system for student use are considered an extension of school property.
- H. 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).

VII. References

- A. Legal
 - Title IX of the Educational Amendments Act of 1972
 - 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 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
- C. Relevant Data Sources
 - (none)
- D. Other
 - Bullying, Harassment, or Intimidation Form For Use by Employees
 - Bullying, Cyberbullying, Harassment, or Intimidation Investigation Form
 - Master Agreement Between the Board of Education of Howard County and the Howard County Association of Supervisors and Administrators

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

VIII. History¹

ADOPTED: June 8, 2023

REVIEWED:

MODIFIED:

REVISED:

EFFECTIVE: July 1, 2023

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
INVOLVING HCPSS EMPLOYEES**

Effective: July 1, 2023

I. Announcement/Dissemination of Information

The Superintendent/designee will annually ensure that HCPSS employees are aware of the Bullying, Harassment, or Intimidation Form For Use by Employees and how to access it online and in hard copy. The form will be readily available and accessible to HCPSS employees. At a minimum, hard copies of the Bullying, Harassment, or Intimidation Form For Use by Employees will be available in the main office and staff workroom. Additionally, this form can be accessed on the HCPSS website or by contacting the Compliance and Investigations Officer.

II. Reporting Procedures

- A. School administrators/supervisors will maintain a workplace culture in which HCPSS employees may complete a Bullying, Harassment, or Intimidation Form For Use by Employees without fear of retaliation.
- B. HCPSS employees who feel they have been bullied, harassed, or intimidated will report any such incidents to a school administrator, supervisor, or the Compliance and Investigations Officer, as appropriate.
 - 1. HCPSS employees can complete and submit the Bullying, Harassment, or Intimidation Form For Use by Employees to a school administrator, supervisor, or Compliance and Investigations Officer in person, by mail, or electronically.
 - 2. If the alleged offender is the HCPSS employee's immediate supervisor, they may report the alleged incident directly to the Compliance and Investigations Officer.
- C. If an HCPSS employee wishes to discuss the incident of bullying or harassment with the school administrator, supervisor, or the Compliance and Investigations Officer, they will be provided with a practical, safe, private, and appropriate way of doing so.
- D. Reports of bullying or harassment of an HCPSS employee by an HCPSS student will be handled through HCPSS Policy 9200 Student Discipline, as appropriate.

III. Investigation Procedures

- A. School administrators/supervisors will contact the Compliance and Investigations Officer within two school days after receipt of the Bullying, Harassment, or Intimidation Form For Use by Employees. The Compliance and Investigations Officer will determine the appropriate investigator.
- B. School administrators, supervisors, or the Compliance and Investigations Officer will notify in a timely manner the HCPSS employee(s) who has/have been accused of participating in the incident that a complaint regarding violation of the policy has been made.
- C. School administrators, supervisors, or the Compliance and Investigations Officer will comply with due process rights under the appropriate master agreement and/or HCPSS policy.
- D. School administrators, supervisors, or the Compliance and Investigations Officer will strive to maintain the confidentiality of the targeted individual, the accused, and the witnesses to the extent possible.
- E. School administrators, supervisors, or the Compliance and Investigations Officer will inform all parties involved that they are strongly encouraged not to discuss or share any information regarding the incident in question, with the exception of the appropriate HCPSS school-based employee, union representative, legal counsel, or law enforcement personnel.
- F. The accused will be informed that retaliation, bullying, and harassment against the targeted individual or bystander/witness is strictly prohibited and that progressive consequences will occur if the activity continues.
- G. School administrators, supervisors, or the Compliance and Investigations Officer will create a written record of the employee bullying or harassment incident and any disciplinary actions taken, as well as the statements of the targeted individual, 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. All investigation documentation should be secured in a separate investigatory file.
- H. During and/or after the investigation, school administrators, supervisors, or the Compliance and Investigations Officer may recommend supports outlined in Section VI.B. below.
- I. School administrators, supervisors, or the Compliance and Investigations Officer will contact the targeted individual within two weeks after the conclusion of the investigation to confer that there has been a resolution to the reported incident.

- J. The school administrator, supervisor, or Compliance and Investigations Officer will notify the targeted individual and the accused, in writing, of the results of the investigation. Individuals may also request a meeting to discuss the results of the investigation.

IV. Violations of Policy

- A. Any school administrator/supervisor who believes that an HCPSS employee has violated this policy will also consider whether the behavior constitutes a violation of other HCPSS policies.
- B. If, after an investigation, it is determined that employee bullying or harassment did occur, the following procedures will be followed:
 - 1. The school administrator/supervisor will take appropriate action in accordance with Policy 7030 Employee Conduct and Discipline and relevant master agreements. Action against an individual who is not an HCPSS employee, will be taken in accordance with relevant HCPSS policies and other appropriate state and federal laws.
 - 2. HCPSS employees will be counseled and notified of their rights, in writing, when in violation of this policy and will be notified of the disciplinary consequences.

V. Intervention

- A. School administrators/supervisors will provide appropriate assistance to HCPSS employees who have been affected by behavior prohibited in this policy.
- B. An HCPSS employee who violates this policy may be required by the school administrator/supervisor to participate in appropriate intervention to increase the employee's understanding of the offense and its impact on others.
- C. The targeted HCPSS employee and the individual(s) who has/have been accused of participating in the incident can mutually agree to participate in a mediation or a facilitated conversation with a neutral third-party in lieu of a formal investigation. The Compliance and Investigations Officer should be contacted to arrange for a neutral third-party to mediate and/or facilitate a conversation to resolve the complaint.

VI. Supports

Supports and services available for HCPSS employees may include, but are not limited to:

A. School System

1. Appropriate school administrator/supervisor
2. Appropriate Community Superintendent or Director of Schools
3. Compliance and Investigations Officer
4. Employee Assistance Program (EAP)
5. Mediation (if all parties agree)

B. Community/Family

1. Public or private community-based mental health services
2. Law enforcement agencies
3. Health Department programs
4. Community mediations
5. Faith-based services.

VII. Monitoring

Policy 7140 implementation procedures will be overseen by the Office of Human Resources.

VIII. History¹

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