

BOARD OF EDUCATION OF HARFORD COUNTY
INFORMATIONAL REPORT
RECOMMENDATION ON
BULLYING, CYBERBULLYING, HARASSMENT, OR INTIMIDATION OF STUDENTS
POLICY NO. 24-0006-000

MARCH 28, 2022

Background Information:

The Board maintains a manual which sets forth the various policies of the Harford County Public Schools. The manual contains policies which are either required by federal and state law and regulation or which are, in the Board’s judgment, necessary and appropriate in order for the school system to operate in a lawful, appropriate, and effective manner. Included among such policies is that entitled:

24-0006-000 Bullying, Cyberbullying, Harassment, or Intimidation of Students

Discussion:

Superintendent of Schools, Mr. Mohammed Choudhury, sent a memorandum, dated December 7, 2021, to Members of the State Board of Education (“State Board”) regarding updates to the state’s Bullying, Harassment, and Intimidation Policy required under §7-424.1 of the Education Article of the Annotated Code of Maryland. A copy of this memorandum is attached as Exhibit 1 hereto. The State Board at its meeting of December 7, 2021, approved the *Maryland’s Model Policy to Address Bullying, Harassment, or Intimidation* (“Model Policy”). A copy of the Model Policy is attached as Exhibit 2 hereto.

As a result of MSDE’s recommendations and changes in legislation, Mr. Bernard Hennigan, Executive Director of Student Support Services, Dr. Paula Stanton, Supervisor of Equity and Cultural Proficiency and Title IX Coordinator, Mr. Kenneth Miller, Title IX Compliance Specialist, and Patrick P. Spicer, Esquire, reviewed and revised the contents of the Board’s current Bullying, Cyberbullying, Harassment, or Intimidation of Students policy.

The following revisions to the Bullying, Cyberbullying, Harassment, or Intimidation of Students policy are proposed to bring the Board’s policy in alignment with the December 2021 MSDE Model Policy.

1. New and additional definitions of Bullying, Cyberbullying, Harassment, Intimidation, Reprisal, Retaliation, and Imbalance of Power.
2. Replace “Victim” with “Targeted Student”
3. Inclusion of Procedures Regarding Investigation and Reporting
4. Update of the names and contact information for MSDE staff familiar with reporting and investigation procedures

Superintendent's Recommendation:

For the foregoing reasons, the Superintendent recommends that the Board review for approval at a subsequent Board meeting the proposed revisions to policy 24-0006-000 entitled Bullying, Cyberbullying, Harassment, or Intimidation of Students.

Attachments:

1. Exhibit 1 – Memorandum Dated 12-07-21 from Mr. Mohammed Choudhury
2. Exhibit 2 – Maryland's Model Policy to Address Bullying, Harassment, or Intimidation
3. Current Board Policy 24-0006-000 entitled Bullying, Cyberbullying, Harassment, or Intimidation of Students.
4. Proposed, revised policy 24-0006-000 entitled Bullying, Cyberbullying, Harassment, or Intimidation of Students.



Mohammed Choudhury
State Superintendent of Schools

TO: Members of the State Board of Education

FROM: Mohammed Choudhury

DATE: December 7, 2021

SUBJECT: Bullying, Harassment, and Intimidation Policy Update

PURPOSE

The purpose of this item is to share *Maryland's Model Policy Prohibiting Bullying, Harassment, and Intimidation* update as required under §7-424.1 of the Education Article, Annotated Code of Maryland.

BACKGROUND/HISTORICAL PERSPECTIVE

In July 2008, the Maryland General Assembly directed the Maryland State Board of Education, in consultation with local school systems, to develop and adopt a model policy prohibiting bullying, harassment, and intimidation in schools. *Maryland's Model Policy Prohibiting Bullying, Harassment, and Intimidation* was approved by the State Board in February 2009.

Pursuant to Section 7-424.1 of the Education Article, Annotated Code of Maryland, the Maryland State Department of Education (MSDE) was required to update the Model Policy to expand the term *electronic communication* to include social media communication. The legislation also requires the State Board to update the Model Policy every five years. The MSDE collaborated with local school systems to revise and update the Model Policy. By January 1, 2022, each local school system is required to update their local policy and submit it to the State Superintendent.

EXECUTIVE SUMMARY

After consultation with the local school systems, *Maryland's Model Policy to Address Bullying, Harassment, or Intimidation* has been updated to include expanded definitions of bullying, cyber-bullying, harassment, and intimidation. Along with the updated policy are the updated bullying, harassment or intimidation reporting and investigation forms, which include increased opportunities for local school systems to collect data to support students and streamline administrative investigations.

ACTION

The MSDE requests approval of *Maryland's Model Policy Prohibiting Bullying, Harassment, and Intimidation*, which expands definitions of bullying, cyber-bullying, harassment, and intimidation to provide more specificity for schools when addressing situations of bullying, harassment, or intimidation. The model policy addresses language on the prohibition of bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school, expectations for communication to students, parents, and staff, procedures for reporting acts of bullying, procedures for providing notice of an act of bullying, investigation strategies, and standard consequences and remedial actions. Interventions, prevention, and requirements for professional learning are included in the model policy.

In addition, the MSDE requests an extension for the local school systems to update their model policies to align with *Maryland's Model Policy Prohibiting Bullying, Harassment, and Intimidation* from January 1, 2022, to February 15, 2022.

ATTACHMENT:

Maryland's Model Policy Prohibiting Bullying, Harassment, and Intimidation

Maryland's Model Policy to Address Bullying, Harassment, or Intimidation 2021 Update

Introduction and Background

Maryland's Model Policy to Address Bullying, Harassment, or Intimidation was last updated in 2016. Education Article §7-424.1. b(3) of the Maryland Annotated Code states that by "September 1, 2016, and every 5 years thereafter, the State Board, after consultation with local school systems, shall update the model policy required under paragraph (1) of this subsection."

In March 2021, a bullying prevention outreach was initiated by MSDE to learn more about the bullying prevention landscape across the State to gather feedback from the local school systems in order to update the policy in a way that supports the evolving needs and expectations of the local school systems.

The MSDE developed a set of essential questions related to the model policy and the reporting and investigation forms to include professional development, communication, policies, and procedures related to reporting processes, investigations, and interventions. Each local school system had an opportunity to provide input. The results of the survey were used to help guide revisions to the model policy and the reporting and investigation forms. School systems were also encouraged to share their exemplary practices related to bullying prevention and interventions.

Incorporated into the model policy update was the feedback received from conversations with parents and caregivers who had reached out to the MSDE with questions and concerns. The feedback from the parents and caregivers was shared with the local school systems during individual meetings and suggestions were developed to strengthen the model policy to support increased school to home communication and parental/caregiver outreach specific to reporting, communication, and awareness of the model policy and the accompanying reporting and investigation forms.

Once the model policy and the Bullying, Harassment, and Intimidation Reporting and Investigation Forms were updated, a group of ten educators in roles across the State related to bullying prevention were invited to a meeting to provide further feedback on the model policy and forms.

A review of national research and evidence was also conducted to identify best practices and incorporate those best practices into Maryland's model policy or to validate that steps Maryland is taking to prevent bullying and harassment align with the research and best practices. The result of this work is incorporated into the model policy.

As students return to in-person instruction, it is critical, now more than ever, that school staff and other caring adults are provided the tools needed to support students who have been involved in situations of bullying, harassment, or intimidation. These strategies include increased awareness and knowledge

about the potentially capricious nature of bullying behaviors, best practices for bullying prevention, and the skill set needed to assess the circumstances of a bullying situation to best provide a proper and effective response that mitigates the harm that has been done, reduces the risk of retaliation, and supports all students involved.

Directions for Local School Systems:

The final version of Maryland's Model Policy to Address Bullying, Harassment, or Intimidation, updated for 2021, with the accompanying *Bullying, Harassment, or Intimidation Reporting Form* (Attachment 1) and *Bullying, Harassment, or Intimidation Incident Investigation Form* (Attachment 2) incorporates this work and serves as a model for local school systems. Directions for developing the local school system's policy are incorporated into the State's Model Policy along with model language to be used in the local school systems policy.

In accordance with Section 7-424.1 – of the Education Article in the Annotated Code of Maryland, each local school system needs to update their policy based on Maryland's Model Policy to Address Bullying, Harassment, or Intimidation that prohibits bullying, harassment, or intimidation in all school settings. The local school system may adopt the State policy by incorporating the necessary detail appropriate to the school system. The local school system policy must also be developed in consultation with parents or guardians of students, school employees and administrators, school volunteers, students, and members of the community. For 2022, the update to the local school system policy must be completed by February 15, 2022. A link to the local school system's policy on bullying, harassment, or intimidation should be submitted to the MSDE at that time.

Model Policy

Bullying, Harassment, or Intimidation December 2021

Maryland State Department of Education

A. Purpose

Instructions: The local school system's policy must include a section entitled purpose.

Maryland's Model Policy to Address Bullying, Harassment, or Intimidation, updated for 2021, with the accompanying *Bullying, Harassment, or Intimidation Reporting Form* (Attachment 1) and *Bullying, Harassment, or Intimidation Incident Investigation Form* (Attachment 2) serves as a model for local school systems.

All students have the right to be free from bullying, harassment, or intimidation. The Maryland State Department of Education (MSDE) is committed to providing a safe, productive, and inclusive learning environment. Bullying problems are symptomatic of relationship problems best addressed holistically by students, schools, parents/caregivers, and the entire community. Maryland schools should be places where students are surrounded by caring adults who encourage students to treat others with kindness and empathy, while helping to build a relationship-focused, welcoming, supportive school environment fostering academic and personal growth for every student.

B. Definitions

Instructions: The local school system's policy must include, at a minimum, the following definitions. The local school system may add to the language that is provided.

1. **Bullying** – is unwanted, demeaning behavior among students 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).

2. **Cyberbullying** – is 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 student. It can include sharing personal or private information about someone else causing embarrassment or humiliation.
3. **Harassment** – includes actual or perceived negative actions that offend, ridicule, or demean another student 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, or disability.
4. **Intimidation** – is any communication or action directed against another student that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.

C. Limitations of Liability

Model language: In accordance with the statute, a school employee who reports an act of bullying, 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 section.

D. Procedures

Instructions: The local school system's policy must include a section on procedures that incorporates communication, reports of acts of bullying, provision of notice, investigation of acts of bullying, and standard consequences of acts of bullying. In certain sections, model language that must be included in the school system's policy is noted.

Model language: Bullying, harassment, or intimidation of any person on school property or at school-sponsored functions or by the use of electronic technology at a public school is prohibited in all Maryland schools. Reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation is prohibited in all Maryland Schools.

1. **Communication regarding the availability of the Bullying, Harassment, or Intimidation Reporting Form**
 - a. The *Bullying, Harassment, or Intimidation Reporting Form (Attachment 1)* should be used to report incidents of bullying, harassment, or intimidation. Additional information may be added to the form and steps may be added to the procedures for reporting. School systems are encouraged to develop or refine their own methods for providing

information regarding the availability and use of this form consistent with the policies and procedures of their local boards of education. Local school systems should:

- i. Inform staff about the availability of the *Bullying, Harassment, or Intimidation Reporting Form* for use during opening-of-school meetings and then periodically throughout the school year.
- ii. Inform students about the availability of the *Bullying, Harassment or Intimidation Reporting Form* and its use during orientation sessions in classes during the first week of school.
- iii. Assist students upon request in completing the *Bullying, Harassment, or Intimidation Reporting Form* at school.
- iv. Publish a description of the use and availability of the *Bullying, Harassment, or Intimidation Reporting Form* in the school's student/parent handbook and in its Code of Conduct. Information may also be included in the beginning of the year packets/handbooks for students and parents/caregivers.
- v. Publish a description about the availability of the *Bullying, Harassment or Intimidation Reporting Form* and its use on the local school system's main website, which should include the capability for downloading the form or filling out the form online. Each local school system should have a user-friendly, online platform for students, staff, parents/caregivers, or close adult relative to be able to complete and submit the *Bullying, Harassment, or Intimidation Reporting Form* online.
- vi. Make the *Bullying, Harassment, or Intimidation Reporting Form* available in all schools in the main (front) office, counselor's office, and other locations determined by the local school system.

2. Report of Acts of Bullying, Harassment, or Intimidation

- a. *The Bullying, Harassment, or Intimidation Reporting Form* should be used to report alleged incidents of bullying, harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, on a school bus, on the way to and/or from school, or through electronic communication on or off school property.

The following model procedures for reporting acts of bullying, harassment, or intimidation are presented but by no means limit school systems from implementing other or additional procedures for reporting acts of bullying, harassment, or intimidation. Local school systems are encouraged to develop or refine their own reporting procedures consistent with the policies and procedures of their local boards of education. Local school systems should:

- i. Investigate and intervene, as safety permits, quickly, and appropriately if a student complains that he/she is currently the targeted student of bullying, harassment, or intimidation.
- ii. Provide the student with a practical, safe, private, and age-appropriate way of discussing an incident of bullying, harassment, or intimidation if a student expresses a desire to do so.
- iii. Reduce the barriers that prevent both targeted students and student bystanders

from reporting acts of bullying, harassment, or intimidation. Barriers may include feelings of powerlessness, fear of retaliation, and a lack of trust in the adults in the building.

- iv. Devise ways in which the reporting bullying, harassment, or intimidation reporting forms may be submitted to school administration.
- v. Record information obtained from the *Bullying, Harassment, or Intimidation Reporting Form* for data collection, storage, and submission according to the requirements of the statute.
- vi. Provide summary information the school system obtained from the *Bullying, Harassment, or Intimidation Reporting Form* for individual schools and the school system.
- vii. Information obtained from the *Bullying, Harassment, or Intimidation 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 educational record.

3. Procedures for Providing Notice of an Act of Bullying, Harassment, or Intimidation

- a. The school should take prompt action to provide notice to parents.
 - i. A parent or guardian of the alleged targeted student must be notified, within three business days after the date the act is reported.
 - ii. A parent or guardian of the alleged perpetrator must be notified within five business days after the date the act is reported.

4. Investigation of Acts of Bullying, Harassment, or Intimidation

- a. School administration 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.

The following model procedures for investigating acts of bullying, harassment or intimidation are presented but by no means limit school systems from implementing other or additional investigation procedures. School systems are encouraged to develop or refine their own investigating procedures consistent with the policies and procedures of their local boards of education. Local school systems should:

- i. Utilize the *Bullying, Harassment, or Intimidation Investigation Form* (Attachment 2). The incident must be promptly and appropriately investigated by school administration or the administrative designee, consistent with due process rights, using the *Bullying, Harassment, or Intimidation Incident Investigation Form* within two school days after receipt of a reporting form or as timely as possible for school administration.
- ii. Determine whether bullying, harassment, or intimidation occurred by taking steps to verify who committed the act of bullying, harassment, or intimidation and whether others played a role in perpetuating this act. Other related complaints, if any, should be reviewed in making this determination.
- iii. Establish that neither the targeted student nor witnesses should be promised

- confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or if a hearing may result from the ultimate outcome of the investigation. 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.
- iv. Notify parents of the targeted student and offender of the incident.
 - v. Apply consequences and/or remedial actions consistent with due process rights using the range of listed consequences as a guide. The offender should be informed that retaliation against a targeted student or bystander is strictly prohibited and that further administrative interventions may occur if the activity continues.
 - vi. Create a written record of the bullying, harassment, or intimidation incident and any disciplinary actions taken, as well as the statements of the targeted student witnesses, and offender. Discussions with all parties should be documented as soon as possible after the event. Any material records or evidence will not be discarded while a criminal investigation or prosecution resulting from the incident is ongoing.
 - vii. Conduct separate conferences with the targeted student and offender within two weeks after the investigation to determine whether the bullying, harassment, or intimidation has continued and whether there is a need for further additional interventions or supports. These conferences may occur as part of a counseling intervention. Another follow-up conference or conversation will be held with the targeted student four weeks after the initial follow-up conference to determine if the bullying, harassment, or intimidation has ceased. Local school systems will determine which school system staff will conduct the conference.
 - viii. Be aware that some acts of bullying, harassment, or intimidation could also be delinquent acts. If the acts are delinquent acts, the acts shall be reported promptly to the responsible law enforcement agency in accordance with the Code of Maryland Regulations (COMAR) 13A.08.01.15.

5. **Standard consequences and remedial actions**

- a. Consequences and remedial actions for students committing acts of bullying, harassment, or intimidation, students engaged in reprisal or retaliation, and students who have made false accusations shall be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred. Guidelines on consequences and remedial actions include:
 - i. Avoid using exclusionary discipline measures when addressing bullying behavior and should only be 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. Consequences for disciplinary infractions should be equitably, consistently, and fairly applied after an appropriate and thorough investigation has determined that a bullying offense has occurred.
 - iii. Schools are encouraged to choose rehabilitative interventions that seek to restore relationships and are designed so students have an opportunity to learn from their

mistakes. Schools should assess each bullying situation to determine whether a restorative process is appropriate.

- iv. Schools are encouraged to address bullying behaviors by using culturally responsive, trauma informed, restorative interventions and work with students to problem-solve, repair harm, and restore relationships.
- v. Local school systems are encouraged to develop or refine their own consequences and remedial actions consistent with the policies and procedures of their local boards of education.

E. Interventions and Supports for Students

Instructions: The local school system's policy must provide information about the types of support services available to the students involved in bullying situations including the alleged perpetrator, targeted student, and any bystander. In addition, the local school systems should consider the following best practices:

1. Develop an array of counseling and mental health supports for students involved in bullying situations.
2. Utilize a range of integrated tiered supports, providing universal strategies for all students, targeted supports for both potentially vulnerable students and students exhibiting bullying behaviors, as well as individualized, intensive supports for both the student perpetrator(s) and the targeted student(s).
3. Develop a continuum of culturally responsive social/emotional support for both targeted students and alleged perpetrators, which are integrated with a trauma informed and restorative approach.
4. Provide supports for targeted students that build resilience, increase social connections and peer interaction, reduce the possibility of further episodes of bullying, and that provide a sense of safety and social connection.

F. Prevention and Educational Programs

Instructions: The local school system's policy must include prevention and educational programs that meet the needs of the students in the local school system and individual schools. School systems and schools must develop a schoolwide evidence based educational program with at least annual training for students, staff, volunteers, parents, and caregivers. In addition, the local school systems should consider the following best practices:

1. Design lessons for students on reporting incidents of bullying, harassment, or intimidation and how to support their peers who may be targeted or vulnerable to bullying perpetration.
2. Utilize school-wide evidence-based anti-bullying programs implemented as a part of a system of positive behavioral supports and school improvement efforts at all grade levels. Programs should have an emphasis on developing a positive, safe, and restorative school climate in all buildings where all students feel physically and emotionally safe.

3. Improve school climate with efforts to promote student involvement in anti-bullying efforts, peer support, mutual respect, and a culture which encourages students to report incidents of bullying to adults.
4. Collaborate with families and the community to inform parents about the prevalence, causes, and consequences of bullying, including its central role as a public health hazard, and the means of preventing it.

G. Professional Learning

Instructions: The local school system's policy must include professional learning for faculty and staff which meets the needs of the students in the local school system and individual schools. Development of a training program for teachers and school administrators on the implementation of the model policy with at least annual training is required. In addition, the local school systems should consider the following best practices:

1. Offer professional learning that is job embedded and ongoing during the school year.
2. Develop ongoing job embedded training opportunities for school administrators using evidence-based practices to cover topics such as reporting, investigating, remediating and follow-up with students and families involved in bullying situations.
3. Train teachers and school staff in adopting a multi-tiered, restorative approach to improve school climate and reduce incidents of bullying, harassment, or intimidation.
4. Provide strategies to teachers on the development of a safe, supportive, culturally responsive classroom system, integrating social/emotional learning, trauma informed practices, restorative approaches to help all students feel welcomed, included, and connected.
5. Provide strategies to teachers and school staff to increase awareness and the ability to identify and appropriately respond to bullying behaviors.
6. Provide strategies that increase staff awareness in identifying and supporting students who may be vulnerable to the perpetration of bullying, harassment, or intimidation. This may include students with disabilities, students without social connections, or any student who is perceived as different from their peers.
7. As part of a school-wide effort, share information with staff about the importance of adult visibility, especially during non-instructional activities such as lunch, recess, and hallway transitions. School staff should be reminded to be on the look-out for signs of bullying, harassment, or intimidation in all situations.

Attachment 1

BULLYING, HARASSMENT, OR INTIMIDATION REPORTING FORM

Directions:

The Bullying, Harassment or Intimidation Reporting Form should be used to report alleged incidents of bullying, harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, on a school bus, on the way to and/or from school, or through electronic communication on or off school property. School staff 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.

If you are a student, the parent/guardian or caregiver of a student, a close adult relative of a student, a school staff member, or a bystander and wish to report an incident of alleged bullying, cyberbullying, harassment, or intimidation, please complete this form and return it to the school principal.

You may contact the school for additional information or assistance at any time. (Bullying, cyberbullying, harassment, and intimidation definitions are provided below.)

Definitions:

Bullying* – is unwanted, demeaning behavior among students that involves a real or perceived power imbalance. The behavior is repeated, or is highly likely to be repeated, over time. In order 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).

Cyberbullying* – is 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 student. It can include sharing personal or private information about someone else causing embarrassment or humiliation.

Harassment – includes actual or perceived negative actions that offend, ridicule, or demean another student 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, or disability.

Intimidation – is any communication or action directed against another student that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.

BULLYING, HARASSMENT, OR INTIMIDATION REPORTING FORM

(PLEASE PRINT ALL INFORMATION)

Today's date: _____ / _____ / _____ School: _____
Month Day Year

PERSON REPORTING INCIDENT Name: _____

Telephone: _____ E-mail: _____

Place an X in the appropriate box: Student Parent/guardian/caregiver of a student Close adult relative of a student
 School staff Bystander

1. Alleged Targeted Student(s)

Name:	Age:	Days absent as a result of the incident: (if known)

2. Alleged Witness(es) (if known)

Name	School: (if known)	Age: (if known)	Student: (Y/N)	Days absent as a result of the incident: (if known)

3. Alleged Offender(s) (if known)

Name	School: (if known)	Age: (if known)	Student: (Y/N)	Days absent as a result of the incident: (if known)

4. On what date(s) did the incident(s) happen?

_____ / _____ / _____ _____ / _____ / _____ _____ / _____ / _____
Month Day Year Month Day Year Month Day Year

5. Place an X next to the statement(s) that best describes what happened (choose all that apply):

- | | |
|--|---|
| <input type="checkbox"/> Any bullying, harassment, or intimidation that involves physical aggression | <input type="checkbox"/> Actions/comments related to the student's academic performance |
| <input type="checkbox"/> Cyberbullying (social media, text messages, etc.) | <input type="checkbox"/> Actions/comments related to the student's perceived sexual orientation |
| <input type="checkbox"/> Getting another person to hit or harm the student | <input type="checkbox"/> Actions/comments related to the student's physical appearance |
| <input type="checkbox"/> Teasing, name-calling, making critical remarks, or threatening the student, in person or by other means | <input type="checkbox"/> Gang related/gang recruitment |
| <input type="checkbox"/> Demeaning or making the student the victim of jokes | <input type="checkbox"/> Human trafficking/prostitution recruitment |
| <input type="checkbox"/> Making rude and/or threatening gestures | <input type="checkbox"/> Gender identity harassment |
| <input type="checkbox"/> Excluding or rejecting the student | <input type="checkbox"/> Racial/ethnic harassment |
| <input type="checkbox"/> Intimidating, extorting, exploiting the student | <input type="checkbox"/> Sexual harassment |
| <input type="checkbox"/> Actions/comments related to the student's disability | <input type="checkbox"/> Actions/comments of a sexual nature |
| <input type="checkbox"/> Other: (Please Specify) _____ | <input type="checkbox"/> An act or threat of retaliation |
| | <input type="checkbox"/> Spreading hurtful rumors or gossip |

6. Where did the incident happen? (Place an X next to the statement(s); choose all that apply)

- On school property (please specify location) _____
- On the way to/from school*
- On a school bus
- Off school property or at a school-sponsored activity or event
- Digital device on school property Digital device off school property During virtual learning
- Other (please specify): _____

*Will be collected unless specifically excluded by local board policy

7. Describe the incident(s), including what the alleged offender(s) said or did.

8. Why do you think the bullying, cyberbullying, harassment, and/or intimidation occurred?

9. Did a physical injury result from this incident? Place an X next to one of the following:

- No Yes, but it did not require medical attention Yes, and it required medical attention

10. If there was a physical injury, do you think there will be permanent effects? Yes No

11. Was the student victim absent from school as a result of the incident? Yes No

If yes, how many days was the student victim absent from school as a result of the incident? _____

12. Did a psychological injury result from this incident? Place an X next to one of the following:

- No Yes, but psychological services have not been sought Yes, and psychological services have been sought

13. Is there any additional information you would like to provide?

Signature: _____ Date: _____

Attachment 2

BULLYING, HARASSMENT OR INTIMIDATION INVESTIGATION FORM

Directions: *The Bullying, Harassment or Intimidation Investigation Form* is a tool for school administration or an administrative designee to investigate reports of bullying, harassment or intimidation that have been documented on a *Bullying, Harassment or Intimidation Form*. School administration or an administrative designee are to utilize the *Bullying, Harassment, or Intimidation Investigation Form* to promptly and appropriately investigate reports of bullying, harassment or intimidation consistent with due process rights, within two school days after receipt of a reporting form or as timely as possible for school administration or administrative designee.

School Personnel Completing Form: _____ Position: _____

Today's date: _____ / _____ / _____ School: _____
 Mon Day Year

Person Reporting Incident (From reporting form)	
Name: _____	
Phone: _____	E-mail: _____
Place an X in the appropriate box:	
<input type="checkbox"/> Student <input type="checkbox"/> Parent/Caregiver <input type="checkbox"/> Close adult relative <input type="checkbox"/> School Staff <input type="checkbox"/> Bystander	

1. Alleged Targeted student(s)

Name	Age	IEP Y/N	Days absent as a result of the incident:

2. Alleged Witnesses

Name	Age: (if known)

3. Alleged Offender(s)

Name	Age:(if known)	School (if known)	Student Y/N	IEP Y/N	Days absent as a result of the incident:

4. Investigative Actions:

a. Interviews Conducted (check all that apply):

- Person Reporting Alleged Incident Alleged Targeted student Alleged Offender Alleged Witnesses
- School Nurse SRO/Law Enforcement Alleged Targeted student's parent/caregiver Alleged Offender's parent/caregiver
- School Staff Previously Investigated and Documented Date ___/___/___
Month Day Year
- Other (specify) _____

b. Relevant Documentation/Evidence Collected/Reviewed (check all that apply):

- Witness Statements Law Enforcement Documentation Medical Records Social Media Sites Video Evidence
- Conducted student record review Other (specify) _____

5. Alleged motive as to why the harassment, intimidation, or bullying occurred (choose all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Because of race/ethnicity | <input type="checkbox"/> Because of sexual orientation | <input type="checkbox"/> Gang related/Gang recruitment |
| <input type="checkbox"/> Because of national origin | <input type="checkbox"/> Because of gender expression | <input type="checkbox"/> Human trafficking/Prostitution recruitment |
| <input type="checkbox"/> Because of religion | <input type="checkbox"/> Because of gender identity | <input type="checkbox"/> Because of another reason (specify) _____ |
| <input type="checkbox"/> Because of sex | <input type="checkbox"/> Because of disability | <input type="checkbox"/> The reason is unknown |
| <input type="checkbox"/> Because of immigration status | <input type="checkbox"/> Because of physical appearance | <input type="checkbox"/> Determined not to be Bullying |
| <input type="checkbox"/> Because of family/parental or marital status | <input type="checkbox"/> To impress others | <input type="checkbox"/> Determined not to be Harassment |
| <input type="checkbox"/> Because of socio-economic status | <input type="checkbox"/> Just to be mean | <input type="checkbox"/> Determined not to be Intimidation |
| | <input type="checkbox"/> Retaliation | |

6. Where was the incident reported to have happened (choose all that apply)

- On School Property: School Cafeteria Classroom Media Center Office Area Hallway/Stairs/Transitions Playground/Campus School Sponsored After School Program Lavatory Locker room/Gym
- On the way to/from school
- On a school bus
- Off school property or at a school-sponsored activity or event Digital Device on School Property
- Digital Device Off School Property Digital Device During Virtual Learning Other: _____

7. Outcome of the Investigation

- It was determined that an incident(s) of bullying, harassment or intimidation has occurred and the appropriate consequences, interventions and supports have been applied based on local school system policies and procedures.
- It was determined **not** to be bullying, harassment or intimidation due to a lack of a preponderance of evidence.
- This has been identified as a false allegation.
- The alleged incident could not be verified as bullying, harassment or intimidation.
- Determined as a conflict or other inappropriate behavior, and did not rise to the level of bullying, harassment or intimidation.

8. Interventions/Supports for Offender(s) (choose all that apply)

- Administrative Conference with student
- Restorative Approach
- Referral to School Counselor or Student Support Team
- Parent-outreach (phone call, email, text message)
- Student/Parent conference
- Detention
- In-school suspension
- Out-of-school suspension
- Behavior contract
- Alternative placement/setting
- Community Service
- Separation from other student to include transfer or change in schedule
- Referral to Law Enforcement
- Consult with IEP Chair
- Other (specify) _____

9. Interventions/Supports for Targeted Student(s) (choose all that apply)

- Plan of Support to include a "go to" adult in the school
- Student/Parent conference
- Referral to Counselor or Therapist
- Parent-outreach (phone call, email, text message)
- School Counseling Supports
- Developed template for safety plan
- Consult with IEP Chair
- Other (specify) _____

10. Did a physical injury result from this incident? Place an X next to one of the following:

- None observed
- Injury observed
- Medical documentation provided

11. Was the student victim absent from school as a result of the incident? Yes No

If yes, how many days was the student victim absent from school as a result of the incident? _____

Signature: _____ Date: _____
(School Administrator or Designee) Month Day Year

Additional Notes: (Please attach any relevant notes or documentation related to the investigation.)

POLICY TITLE: BULLYING, CYBERBULLYING, HARASSMENT OR INTIMIDATION OF STUDENTS		
ADOPTION/EFFECTIVE DATE: June 8, 2009	MOST RECENTLY AMENDED: December 04, 2017	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: EQUITY AND NON-DISCRIMINATION		

I. Purpose

The purposes of this policy are as follows:

1. To set forth the Board's prohibition of bullying, cyberbullying, harassment or intimidation of students in the school environment, any reprisal or any retaliation against individuals who report acts of bullying, cyberbullying, harassment or intimidation or victims, witnesses, or bystanders of same;
2. To provide definitions of specified terms;
3. To set forth consequences and remedial actions for offenders;
4. To establish strategies and approaches for prevention of bullying, harassment or intimidation
5. To direct the Superintendent to establish reporting and investigation procedures.

II. Definitions

A. Bullying, cyberbullying, harassment or intimidation means

1. Intentional conduct including verbal, physical or written conduct, or an intentional electronic communication that:
 - a. Creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities or performance, or with the student's physical or psychological wellbeing and is:
 - 1) Motivated by an actual or perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion,

ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability or disability; or

2) Threatening or seriously intimidating; and

a) Occurs on school property, at a school activity or event, or on a school bus; or

b) Substantially disrupts the orderly operation of a school.

B. **Cyberbullying** means an electronic communication which constitutes bullying, harassment or intimidation.

C. **Electronic communication** means a communication including, but not limited to any form of writing, photograph, audio/video recording, social media message, transmitted by means of an electronic device, including, but not limited to a telephone, cellular phone, computer, tablet, or internet connected device.

D. **Student** means a person registered in Harford County Public Schools (HCPS) and who is receiving educational services.

E. **Reprisal or retaliation** means unlawful acts or acts which violate Board or school policy which are taken against an individual specifically because he/she reported acts of bullying, cyberbullying, harassment or intimidation.

III. Statement of Policy

A. Prohibition

1. Bullying, cyberbullying, harassment or intimidation of any student are prohibited.

2. Reprisal and retaliation against individuals who report acts of bullying, harassment or intimidation are prohibited.

B. Consequences and Remedial Actions

1. Consequences and remedial actions shall be imposed upon persons who violate this policy either by engaging in bullying, harassment or intimidation; who have engaged in reprisal or retaliation; persons who

have found to have made false allegations that this policy has been violated.

2. Such consequences and remedial actions may include, but are not limited to, the following which shall be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred.

- a. Time out;
- b. Loss of a privilege;
- c. Verbal reprimand;
- d. Notification of a parent;
- e. Detention;
- f. Parent/student conference;
- g. Reassignment of seats in class, cafeteria or bus;
- h. Reassignment of classes;
- i. Reassignment to another mode of transportation or to another school;
- j. Direct supervision
- k. Completion of a letter of acknowledgement of action with apology to the victim, but only after review of staff and not in the case of sexual harassment, intimidation, or a court order prohibiting contact between the victim and the student who has committed the offense;
- l. Restitution or restoration;
- m. Counseling/Education;
- n. Behavioral contract;
- o. Behavioral assessment;
- p. Referral to the school Student Services team;
- q. Referral to a community agency;
- r. Cooperation and participation in a behavioral management program developed in consultation with a mental health professional;
- s. Satisfactory completion of community service;
- t. In-school suspension;
- u. Out-of-school suspension;
- v. Extended suspension;
- w. Referral to law enforcement;
- x. Expulsion.

C. Dissemination of Information

The Superintendent shall disseminate information about the types of support services available to the student offender, victim and any bystanders, and disseminate information regarding the availability and use of the bullying, harassment or intimidation form utilized by HCPS. Such information shall include contact information for the following type of agencies: public or private mental health services; faith-based services; youth development

organizations; Department of Juvenile Services; Department of Social Services; and law enforcement agencies.

D. Prevention

The Superintendent shall ensure that systemwide efforts are taken to provide education and training with regard to bullying, cyberbullying, harassment and intimidation including:

1. Annual professional development for administrators and all staff to increase awareness of the prevalence, causes and consequences of bullying, cyberbullying, harassment and intimidation and to increase the use of evidence-based strategy for preventing bullying.
2. School-wide evidence-based anti-bullying programs implemented as a part of a system of positive behavioral supports and school improvement efforts at all grade levels.
3. School climate improvement efforts in order to promote student involvement in the anti-bullying efforts, peer support, mutual respect and a culture which encourages students to report incidents of bullying to adults.
4. Collaboration with families in the community to inform parents about the prevalence, causes and consequences of bullying/cyberbullying including its central role as a public health hazard and the means of preventing it.
5. Biennial school building specific data collection on the prevalence and characteristics of bullying/cyberbullying which is used to guide local decision making related to surveillance, prevention, intervention and professional development.
6. Professional development for school staff on how to respond appropriately to students who bully/cyberbully, are bullied and are bystanders who report bullying.
7. Education, counseling for students who exhibit bullying behaviors including teaching replacement behaviors, development of empathy, tolerance and sensitivity to diversity.
8. Remedial measures designed to correct or prevent bullying behavior and to protect bullying victims.
9. Support counseling for the victim which shall include protection from retaliation and further episodes of bullying/cyberbullying.
10. A continuum of interventions developed to prevent bullying/cyberbullying by addressing the social, emotional, behavioral and academic needs of students who bully in order to prevent further incidents.

11. Utilizing community health and mental health resources for those students who are unable to stop bullying behaviors, notwithstanding school interventions and for those students involved in bullying/cyberbullying behaviors as perpetrators or victims whose mental or physical health, safety or academic performance has been impacted.

E. Procedures

The Superintendent shall establish procedures for:

1. Reporting acts of bullying, cyberbullying, harassment or intimidation;
2. The prompt investigation of acts of bullying, cyberbullying, harassment or intimidation.

F. The Maryland State Department of Education is familiar with the reporting and investigation procedures of the Harford County Public Schools. Individuals with questions may contact the following MSDE staff:

Charles Buckler
Director of Student Services and Alternative Programs Branch
410-767-0311
(or current Director of Student Services and Alternative Programs Branch)

Dominic M. Romano
School Safety Specialist
410-767-0301
(or current School Safety Specialist)

Board Approval Acknowledged By:



Barbara P. Canavan,
Superintendent

Policy Action Dates		
ACTION	DATE	ACTION DATE
Adopted	06-08-2009	
Amended	07-12-2010	
Amended	12-19-2011	
Amended	12-04-2017	

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Patrick P. Spicer, Esquire	JOB POSITION OF PERSON RESPONSIBLE: General Counsel
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005:	

LEGAL REFERENCES¹

Section 7-424 and 7-424.1 of the Education Article of the Maryland Annotated Code.

¹ All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy.

POLICY TITLE: BULLYING, CYBERBULLYING, HARASSMENT, OR INTIMIDATION OF STUDENTS		
ADOPTION/EFFECTIVE DATE: June 8, 2009	MOST RECENTLY AMENDED: December 04, 2017	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY: EQUITY AND NON-DISCRIMINATION		

I. Purpose

The purposes of this policy are as follows:

- A. To set forth the Board's prohibition of bullying, cyberbullying, harassment, or intimidation of students in the school environment, any reprisal or any retaliation against individuals who report acts of bullying, cyberbullying, harassment or intimidation of **targeted students**, witnesses, or bystanders of same;
- B. To provide definitions of specified terms;
- C. To set forth consequences and remedial actions for offenders;
- D. To establish strategies and approaches for prevention of bullying, harassment, or intimidation
- E. To set forth procedures for the implementation of this policy.

II. Definitions

- A. **Bullying** means unwanted, intentional behavior which is demeaning among students that:
 - 1. Involves a real or perceived power imbalance.
 - 2. Is repeated or is highly likely to be repeated over time.
- B. **Imbalance of Power** means use of physical, emotional, social, or academic power to control, exclude, or harm others.
- C. **Cyberbullying** means bullying which takes place via digital devices including, but not limited to, cell phones, computers, tablets, by means including, but not limited to, texting applications, social media

posts/blogging or gaming, and which allow viewing, participation in, or sharing content.

Cyberbullying includes but is not limited to sharing personal or private information about a person which causes embarrassment or humiliation.

Cyberbullying includes an electronic communication which constitutes bullying, harassment, or intimidation.

- D. **Harassment** means actual or perceived negative actions which offend, ridicule, or demean another student with regard to race, ethnicity, national origin, immigration status, sex, gender orientation, gender identity, gender expression, religion, ancestry, physical attributes, socioeconomic status, physical or mental ability, or disability.
- E. **Intimidation** means any communication or actions directed against another student that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.
- F. **Bullying, cyberbullying, harassment, or intimidation** also means
1. Intentional conduct including verbal, physical or written conduct, or an intentional electronic communication that:
 - a. Creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, or performance, or with the student's physical or psychological wellbeing and is:
 - 1) Motivated by an actual or perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability or disability; or
 - 2) Threatening or seriously intimidating; and
 - a) Occurs on school property, at a school activity or event, or on a school bus; or
 - b) Substantially disrupts the orderly operation of a school.

- G. **Student** means a person registered in Harford County Public Schools (HCPS) and who is receiving educational services from HCPS.
- H. **Reprisal or Retaliation** means:
1. Unfavorable differential treatment of a person because that person has opposed any act or practice that is unlawful under the policy or any law applicable to discrimination or has made a charge, testified, assisted, or participated in an investigation, proceeding, or other matter pursuant to this policy or any law applicable to bullying, harassment, or intimidation; or
 2. Threatening, coercing, intimidating, or interfering with any person because that person has opposed any act or practice which is unlawful under this policy or any law applicable to bullying, harassment, or intimidation or has made a charge, testified, assisted, or participated in an investigation, proceeding, or other matter pursuant to this policy or any law applicable to bullying, harassment, or intimidation.

III. Statement of Policy

A. Prohibition

1. Bullying, cyberbullying, harassment or intimidation of any student are prohibited.
2. Reprisal and retaliation against individuals who report acts of bullying, harassment or intimidation is prohibited.

B. Limitation of Liability

1. A school employee who reports an act of bullying, harassment, or intimidation under the Education Article, Annotated Code of Maryland, Section 7-424.1 in accordance with this policy is not civilly liable for any act or omission in reporting or failing to report an act of bullying, harassment, or intimidation.

C. Consequences and Remedial Actions

1. Consequences and remedial actions shall be imposed upon persons who violate this policy either by engaging in bullying, harassment, or intimidation; who have engaged in reprisal or retaliation; persons who have found to have made false allegations that this policy has been violated.

2. Such consequences and remedial actions may include, but are not limited to, the following which shall be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred.
 - a. Time out;
 - b. Loss of a privilege;
 - c. Verbal reprimand;
 - d. Notification of a parent;
 - e. Detention;
 - f. Parent/student conference;
 - g. Reassignment of seats in class, cafeteria, or bus;
 - h. Reassignment of classes;
 - i. Reassignment to another mode of transportation or to another school;
 - j. Direct supervision
 - k. Completion of a letter of acknowledgement of action with apology to the **targeted student**, but only after review of staff and not in the case of sexual harassment, intimidation, or a court order prohibiting contact between the **targeted student** and the student who has committed the offense;
 - l. Restitution or restoration;
 - m. Counseling/Education;
 - n. Behavioral contract;
 - o. Behavioral assessment;
 - p. Referral to the school Student Services team;
 - q. Referral to a community agency;
 - r. Cooperation and participation in a behavioral management program developed in consultation with a mental health professional;
 - s. Satisfactory completion of community service;
 - t. In-school suspension;
 - u. Out-of-school suspension;
 - v. Extended suspension;
 - w. Referral to law enforcement;
 - x. Expulsion.

D. Dissemination of Information

The Superintendent shall disseminate information about the types of support services available to the student offender, **targeted student**, and any bystanders, and disseminate information regarding the availability and use of the bullying, harassment or intimidation form utilized by HCPS. Such information shall include contact information for the following type of agencies: public or private mental health services; faith-based services;

youth development organizations; Department of Juvenile Services; Department of Social Services; and law enforcement agencies.

E. Prevention

The Superintendent shall ensure that systemwide efforts are taken to provide education and training with regard to bullying, cyberbullying, harassment, and intimidation including:

1. Annual professional development for administrators and all staff to increase awareness of the prevalence, causes and consequences of bullying, cyberbullying, harassment, and intimidation and to increase the use of evidence-based strategy for preventing bullying.
2. School-wide evidence-based anti-bullying programs implemented as a part of a system of positive behavioral supports and school improvement efforts at all grade levels.
3. School climate improvement efforts in order to promote student involvement in the anti-bullying efforts, peer support, mutual respect and a culture which encourages students to report incidents of bullying to adults.
4. Collaboration with families in the community to inform parents about the prevalence, causes and consequences of bullying/cyberbullying including its central role as a public health hazard and the means of preventing it.
5. Biennial school building specific data collection on the prevalence and characteristics of bullying/cyberbullying which is used to guide local decision making related to surveillance, prevention, intervention, and professional development.
6. Professional development for school staff on how to respond appropriately to students who bully/cyberbully, are bullied and are bystanders who report bullying.
7. Education, counseling for students who exhibit bullying behaviors including teaching replacement behaviors, development of empathy, tolerance, and sensitivity to diversity.
8. Remedial measures designed to correct or prevent bullying behavior and to protect **targeted students**.

9. Support counseling for the targeted student which shall include protection from retaliation and further episodes of bullying/cyberbullying.
 10. A continuum of interventions developed to prevent bullying/cyberbullying by addressing the social, emotional, behavioral, and academic needs of students who bully in order to prevent further incidents.
 11. Utilizing community health and mental health resources for those students who are unable to stop bullying behaviors, notwithstanding school interventions and for those students involved in bullying/cyberbullying behaviors as perpetrators or targeted student whose mental or physical health, safety or academic performance has been impacted.
- F. Procedures
1. Investigation
 - a. The principal and/or the principals' designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt and thorough investigation of all written and oral complaints of suspected harassment, cyberbullying, intimidation, or bullying.
 - b. Upon receiving a written or oral report of alleged bullying, cyberbullying, harassment, or intimidation, a school administrator shall promptly contact the targeted student and if the targeted student is under age 18, the targeted student's parent or guardian confidentially. This contact must occur within two days, excluding weekends, absent extenuating circumstances. The administrator shall also notify the principal of any school involved report, and if an employee is the targeted person or alleged offender, the Title IX Coordinator.
 - c. When contacting the targeted student, and, if applicable, the targeted student's parent or guardian, the school administrator shall do all of the following during the contact and shall document the same:

- i) Offer interventions and supports;
 - ii) Consider the targeted student's wishes with respect to interventions and supports;
 - iii) explain that interventions and supports are available during or after the investigation of the report; and
 - iv) explain the process for investigating bullying, cyberbullying, harassment, or intimidation;
 - v) Explain whether there has been an investigation and determination that bullying, harassment, or intimidation occurred;
 - vi) Explain that disciplinary measures cannot be shared with anyone other than the offender and the offender's parent/guardian;
 - vii) Offer the targeted student the opportunity to complete the Bullying, Cyberbullying, Harassment, or Intimidation Form or complete the form during the interview with the targeted student.
 - viii) Open an investigation and use the Investigative Bullying, Cyberbullying, Harassment, or Intimidation Incident Investigation Form to document the investigative process.
- d. During an investigation, an administrator shall do all of the following.
- i) Document the name of the person completing the form, the date, and the school;
 - ii) Document the name of the person reporting the incident;
 - iii) Document the name and age of the targeted student and any days absent as a result of the incident;
 - iv) Document the name(s) and ages of the alleged offenders and any days absent due to this incident;
 - v) Document whether the targeted student has an IEP;
 - vi) Document whether the alleged offender has an IEP;
 - vii) Document investigative actions that may include the following.
 - a) Interview the targeted student
 - b) Interview the alleged offender(s)
 - c) Interview alleged witnesses;
 - d) Witness statements collected in writing;
 - e) Interview the school nurse;
 - f) Review any medical information available;
 - g) Interview teachers and/or school staff;

- h) Interview the target student's parent/guardian;
 - i) Interview the alleged offender's parent/guardian;
 - j) Examine physical evidence;
 - k) Conduct student record review;
 - l) Obtain a copy of police report; and
 - m) Document other measures taken to investigate the incident
- viii) Document the alleged motive as to why the bullying, cyberbullying, harassment, or intimidation occurred including.
- a) Race/ethnicity;
 - b) National origin;
 - c) Religion;
 - d) Sex;
 - e) Family or parental marital status;
 - f) Socioeconomic status;
 - g) Sexual orientation;
 - h) Gender expression;
 - i) Gender Identity;
 - j) Disability;
 - k) Physical appearance;
 - l) To impress others;
 - m) To be mean;
 - n) Retaliation;
 - o) Gang related/gang recruitment;
 - p) Human trafficking/prostitution;
 - q) Another reason; and/or
 - r) Unknown reason
- ix) Document interventions/supports for targeted students and alleged offenders
- a) Documenting instances when none were required due to false allegation or determination that no bullying, harassment, or intimidation occurred;
 - b) Documenting when the incident did not warrant corrective action and the reason;
 - c) Administrative conference;
 - d) Restorative learning experience processes, and interventions and conference with the Supervisor of Equity and Cultural Proficiency/Title IX Coordinator, Teacher Specialist for the Office of Equity and Cultural Proficiency, or school designee;
 - e) Student/Parent Conference;

- f) Letter of apology;
- g) Mediation;
- h) Referral to school counselor or Student Support Team;
- i) Referral to Counselor or therapist;
- j) Parent letter;
- k) Behavior contract;
- l) Plan of support to include a “go to” adult in the school;
- m) Community service;
- n) Meeting with Resource Officer;
- o) Developed template for safety plan;
- p) Separation of student to include transfer or change in schedule; and
- q) Consult with IEP Chair
- x) Document corrective actions, consequences, and/or disciplinary measures that were taken, including:
 - a) Detention;
 - b) In-school suspension;
 - c) Out of school suspension;
 - d) Alternative placement/setting; and,
 - e) Referral to law enforcement;
 - f) Other appropriate disciplinary measures.
- xi) Document where the incident was reported to have happened.
- xii) Document additional pertinent information gained during the interview.
- xiii) Document any other investigator notes.
- xiv) Document the outcome of the investigation.
 - a) Written statements from the targeted student and any witness statements shall be attached to the report.
 - b) Neither targeted student nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or if a hearing may result from the ultimate outcome of the investigation. Efforts should be made to increase the confidence and trust of the targeted student and any witnesses. They shall be informed that any information discussed and recorded will be confined to a “need to know” status.
 - c) School administrators or the administrative designee shall promptly notify parents of the

- targeted student and alleged offender of the incident.
- xv) During notification to the parents of an alleged offender, the school administrator or administrative designee shall.
 - a) Include identification of the allegations and an explanation of the process for investigating bullying, cyberbullying, harassment, or intimidation.
 - b) Offer interventions and supports before, during, or after the investigation as appropriate or necessary.
 - e) School administrators or the administrative designee shall apply consequences and/or remedial actions consistent with due process rights from the range of listed interventions/restorative approaches and discipline. Interventions/restorative practices, and discipline shall be determined on an individual basis and do not need to begin at the lowest level. The offender shall be informed that retaliation against a targeted student or bystander is strictly prohibited and that graduating consequences will occur if the activity continues.
 - f) Student Support Services personnel shall conduct separate conferences with the targeted student and offender 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. These conferences may occur as part of the counseling intervention. Another follow-up conference or conversation shall 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.
 - g) The administrator/designee should be aware that some acts of bullying, cyberbullying, harassment, or intimidation could also be delinquent acts. If they are delinquent acts, they promptly shall be reported to the responsible law enforcement agency according to the Code of Maryland Regulations (“COMAR”) 13A.08.01.15.
 - h) Acts that constitute alleged sexual harassment must be reported immediately to the Title IX Coordinator.

2. Reporting
 - a. All reports must be written using the Bullying, Cyberbullying, Harassment, or Intimidation Reporting Form. All submissions of the Bullying, Cyberbullying, Harassment, or Intimidation Reporting Form are received by the school principal, assistant principals, the Office of Equity and Cultural Proficiency, and Office of Student Support Services. They must then be promptly and appropriately investigated by school administrators or the administrative designee consistent with due process rights, using the Bullying, Cyberbullying, Harassment, or Intimidation Incident Investigation Form within two school days after receipt of a reporting form.

- G. The Maryland State Department of Education is familiar with the reporting and investigation procedures of the Harford County Public Schools. Individuals with questions may contact the following MSDE staff:

Mr. Walter Sallee
Director of Student Services and Strategic Planning
410-767-1407
(or current Director of Student Services and Strategic Planning)

Mr. Brad Engel
School Climate Initiatives Specialist
410-767-0306
(or current School Climate Initiatives Specialist)

Board Approval Acknowledged By:

Sean W. Bulson, Ed.D.
Superintendent

Policy Action Dates					
ACTION	DATE	ACTION	DATE	ACTION	DATE
Adopted	06-08-2009				
Amended	07-12-2010				
Amended	12-19-2011				
Amended	12-04-2017				

Responsibility for Policy Maintenance & References	
LAST EDITOR/DRAFTER NAME: Patrick P. Spicer, Esquire	JOB POSITION OF LAST EDITOR/DRAFTER: General Counsel
PERSON RESPONSIBLE: Patrick P. Spicer, Esquire	JOB POSITION OF PERSON RESPONSIBLE: General Counsel
DESIGNEE NAME:	JOB POSITION OF DESIGNEE:
POLICY NUMBER PRIOR TO NOVEMBER 1, 2005:	

LEGAL REFERENCES¹

Section 7-424 and 7-424.1 of the Education Article of the Maryland Annotated Code.

¹ All references are to specific federal or Maryland statutes or regulations. References are provided for convenience and informational purposes only and are not to be considered as exhaustive or as precluding Harford County Public Schools from relying upon any other statutes or regulations in support of a policy or procedure.