

# REGULATION MONTGOMERY COUNTY PUBLIC SCHOOLS

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**Related Entries:** ABA-RB, ACA, ACF, ACF-RA, ACH, COC-RA, GAA, GKA-RA, JHF, JHF-RA  
**Responsible Office:** Chief Operating Officer

## Workplace Bullying

### I. PURPOSE

To affirm Montgomery County Public Schools' (MCPS) commitment to an organizational culture of respect.

To establish procedures to implement Montgomery County Board of Education Policy ACH, *Workplace Bullying*, which sets forth a framework for preventing, intervening, and correcting workplace bullying with processes to prevent, identify, report, investigate, and resolve instances of bullying, with corrective actions, as needed.

### II. BACKGROUND

The Board considers workplace bullying to be unacceptable and will not tolerate it under any circumstances. Any bullying is behavior inconsistent with the *Culture of Respect Compact*<sup>1</sup> and diverts organizational energy from the core values of the Board. Employees are expected to conduct themselves in such a way to contribute to an atmosphere of understanding, respect, and positive interaction among all individuals and groups.

### III. DEFINITION

*Workplace bullying* means repeated, deliberate, hurtful mistreatment, either direct or indirect, whether verbal, physical or otherwise, conducted by one or more employees against another employee or employees, and that is

- A. Motivated by any individual's actual or perceived personal characteristic as defined in Board of Education Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*; or
- B. Otherwise threatening or intimidating; and that occurs at the workplace and/or in the course of employment.

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<sup>1</sup> *Culture of Respect Compact among Montgomery County Public Schools, Montgomery County Education Association, Service Employees International Union Local 500, and the Montgomery County Association of Administrators and Principals* (referred to hereafter as the *Culture of Respect Compact*)

- C. Is sufficiently severe or pervasive so as to alter the conditions of the individual's working environment.

These behaviors may occur in person or via any means of communication, including electronic communication, whether the conduct or communication occurs on or off MCPS property.

Workplace bullying is not limited to supervisor-to-subordinate conduct and may include peer-to-peer or subordinate-to-supervisor conduct. Examples of workplace bullying may include acts of humiliation, intimidation, or sabotage of work performance. Workplace bullying may adversely impact an individual's physical or psychological well-being, or work performance and advancement opportunities.

#### IV. PROCEDURES

##### A. Awareness and Prevention

1. MCPS will increase awareness of the prevalence, causes, and consequences of workplace bullying, harassment, or intimidation. Prevention strategies and informational activities reinforce expectations for professional and collegial conduct in support of the MCPS *Employee Code of Conduct* and the *Culture of Respect Compact*.
2. MCPS will distribute materials to inform employees and the public about identifying, preventing, intervening, and correcting workplace bullying.
3. Workplace bullying prevention information, professional development and training will be incorporated into systemwide training on workplace conduct, and will include identifying, preventing, intervening, and correcting workplace bullying. Applicable laws and policies regarding workplace bullying will be readily available.
4. Additional guidance will be provided by the Office of Human Resources and Development (OHRD) and the Office of Employee Engagement and Labor Relations (OEELR), as needed.
5. Employees are encouraged to seek guidance, support, and/or assistance in addressing matters related to workplace bullying through OEELR.

##### B. Reporting

1. Consistent with the Informal Process provided in MCPS Regulation GKA-RA, *Administrative Complaint*, any MCPS employee who believes that they have been subjected to workplace bullying, or any bystander who witnesses workplace bullying, should report the incident(s) promptly to their

supervisor or other appropriate worksite administrator. The OEELR Department of Compliance and Investigations (DCI) will develop guidance for staff and supervisors, as needed, to address reporting, investigation, and follow-up procedures specific to workplace bullying.

2. If the subject of the complaint is the complainant's supervisor or is in a position of authority in relation to the complainant, the employee may submit the complaint to DCI. The report should be made using the administrative complaint process set forth in MCPS Regulation GKA-RA, *Administrative Complaint*.
3. Any complaint not resolved at the local level should be reported to DCI, using the administrative complaint process set forth in MCPS Regulation GKA-RA, *Administrative Complaint*.
4. Intimidation, harassment, or reprisals/retaliation towards an MCPS employee who reports workplace bullying and/or participates in an investigation of workplace bullying, is prohibited.
5. In accordance with the MCPS *Employee Code of Conduct*, consequences may be implemented for employees who engage in reprisal or retaliation, and/or employees found to have made intentional false accusations.

C. Corrective action

Corrective and progressive discipline will be determined consistent with the MCPS *Employee Code of Conduct* and applicable collective bargaining agreements or MCPS regulations.

D. Non-employee bullying

1. Employees are expected to conduct themselves in a professional and helpful manner with members of the public. However, all employees are entitled to civility in all their interactions in the workplace.
2. Employees are encouraged to notify their supervisors when interactions with members of the public rise to the level of workplace bullying. Supervisors are expected to support their employees and assist in seeking resolution of matters that rise to the level of workplace bullying with persons who are not MCPS employees. Supervisors may contact the Office of School Support and Improvement or Office of the Chief Operating Officer for additional support in handling matters involving interaction with non-employees.

3. MCPS informs employees about Maryland law as it relates to workplace bullying, and MCPS also provides guidance and resources for incidents involving non-employees, which may occur in person or via any means of communication, including electronic communication, whether the conduct or communication occurs on or off MCPS property.
4. Procedures found in Maryland law, MCPS Regulation ABA-RB, *School Visitors*, and MCPS Regulation COC-RA, *Trespassing or Willful Disturbance on MCPS Property*, may be utilized if necessary to address workplace bullying matters with persons who are not MCPS employees.

E. Other Remedies

Nothing contained herein shall preclude or limit any right, remedy, or cause of action provided under any other Board policy, MCPS regulation, or any local, state or federal law or regulation. Nor does it modify or limit the Board and superintendent of school's full rights, authority, and discretion in the discharge of their duties and responsibility to control, supervise, and manage MCPS under applicable law, rules and procedures.

**Related Sources:** *Culture of Respect Compact; Montgomery County Public Schools Employee Code of Conduct; Annotated Code of Maryland, Education Article, §6-901 through §6-906, and §26-101*

**Regulation History:** New regulation June 29, 2016, non-substantive revisions July 24, 2017.