

POLICY

BOARD OF EDUCATION OF MONTGOMERY COUNTY

Related Entries: ACA, IGT-RA, JFA-RA, JHF-RA
Responsible Office: Chief Academic Officer

Bullying, Harassment, or Intimidation

A. PURPOSE

The Montgomery County Board of Education is committed to an environment that is free of bullying, harassment, or intimidation so that schools are a safe place in which to learn. Bullying, harassment, or intimidation is disruptive to learning and can adversely affect academic achievement, emotional well-being, and school climate.

The Board is committed to prohibiting verbal, physical, or written (including electronic) bullying, harassment, or intimidation of any person on school property, on school buses, or at school-sponsored functions.

The Board is further committed to prohibiting reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation or who are bullied, witnesses, bystanders, or others with reliable information about an act of bullying, harassment, or intimidation.

B. ISSUE

1. The prevention of bullying, harassment, or intimidation as well as the prevention of retaliation against individuals who report acts of bullying, harassment, or intimidation requires a systemwide effort involving prevention and intervention training with students, administration, and school staff. Students who are bullied, and those who bully others, may experience a range of significant health, safety, and educational risks.
2. For the purposes of this policy and in accordance with Maryland law, the following definitions are used:
 - a) “*Bullying, harassment, or intimidation*” means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication that creates a hostile educational environment by substantially interfering with a student’s educational benefits, opportunities,

or performance, or with a student’s physical or psychological well-being and is:

- (1) Either—Motivated by an individual’s actual or perceived personal characteristic as defined in Board Policy ACA, *Nondiscrimination, Equity, and Cultural Proficiency*; or,
 - (a) Sexual in nature, including descriptions or depictions of a student with the student’s intimate parts exposed or while engaged in an act of sexual contact; or,
 - (b) Threatening or seriously intimidating; and,
 - (2) Either—
 - (a) Occurs on a 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* is a form of bullying, harassment, and intimidation. “Cyberbullying” means a communication transmitted by means of an electronic device and includes the use of social media sites. Cyberbullying shall include any future applications that fall under “electronic communication.”
- c) “*Electronic communication*” means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or tablet.
- d) *Intimate parts*, as defined in Annotated Code of Maryland, Education Article, §7-424, means the naked genitals, pubic area, buttocks, or female nipple.
- e) *Sexual contact*, as defined in Annotated Code of Maryland, Education Article, §7-424, means sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal, whether between persons of the same or opposite sex.

As used in this policy, bullying may include but not be limited to physical (hitting, pushing, shoving), verbal (being teased, threatened, coerced, made fun of, called derogatory names) or relational (spreading rumors, being left out or ostracized).

C. POSITION

Montgomery County Public Schools (MCPS) will implement a program to identify bullying, harassment, or intimidation; implement prevention programs that are proven to be effective, intervene when bullying, harassment, or intimidation occurs; implement intervention strategies; and provide outside referrals if needed. The prohibition of bullying, harassment, or intimidation in schools, and reprisal and retaliation against individuals who report acts of bullying, harassment, or intimidation, as well as consequences and remedial actions, must be included as a part of a systemwide prevention and intervention program. Components of such a program must include:

1. Prevention and Intervention

- a) Annual professional development for administrators and staff members to increase understanding and awareness of the prevalence, causes, and consequences of bullying, harassment, or intimidation, and to increase the use of research-based strategies, remedial measures, and consequences for preventing bullying, harassment, or intimidation. Professional development also should include how to respond to students who are bullied, students who bully, and students who are bystanders.
- b) Student involvement in bullying, harassment, or intimidation prevention efforts, such as programs that foster peer support, mutual respect, sensitivity to diversity and culture which encourage students to report incidents of bullying to adults.
- c) Communication and interaction with families and the community to inform parents/guardians about the prevalence, causes, and consequences of bullying, harassment, or intimidation and strategies for supporting their children.
- d) Collaboration with community health and mental health resources to communicate that bullying, harassment, or intimidation is a public health hazard and that health resources are available to students who are bullied, students who bully, and students who are bystanders.
- e) A range of interventions developed to prevent bullying, harassment, or intimidation while ensuring the safety of students who are bullied.

2. Consequences and Remedial Actions

Consequences and remedial actions for persons committing acts of bullying, harassment, or intimidation; for persons engaged in reprisal or retaliation; and for persons found to have made false accusations of bullying should be consistently

and fairly applied in accordance with MCPS Regulation JFA-RA, *Student Rights and Responsibilities*.

3. Procedures for Reporting Acts of Bullying, Harassment, or Intimidation
 - a) The system shall provide to schools procedures that are convenient, safe, private, and age-appropriate for reporting acts of bullying, harassment, or intimidation.
 - b) Students, staff, and parents/guardians shall be informed of the reporting procedures at each school, including the availability of MCPS Form 230-35, *Bullying, Harassment, or Intimidation Reporting Form*.
 - c) Reporting of bullying, harassment, or intimidation incidents shall be encouraged and supported by MCPS. MCPS shall communicate a clear message that reporting will lead to help for students who are bullied, students who bully, and students who are bystanders.

4. Procedures for the Prompt Investigation of Acts of Bullying, Harassment, or Intimidation.
 - a) The principal or designee shall promptly conduct an adequate, reliable and impartial investigation, including the opportunity for the parties to present evidence, into all reports of bullying, harassment, or intimidation. Upon completing the investigation, the principal or designee shall implement remedial measures and consequences as appropriate and take steps to prevent the recurrence of bullying, harassment, or intimidation or correct its discriminatory effects on the student who was bullied and others, if necessary.
 - b) School administrators shall promptly notify parents/guardians of students involved in a bullying incident.
 - c) After the investigation has concluded, staff members will conduct individual and private conferences with both the student who was bullied and the student who bullied to determine if the bullying, harassment, or intimidation has continued.

5. Support Services to be Made Available to the Student Who is Bullied, the Student Who Bullies, and Bystanders

If a student expresses a desire to discuss an incident of bullying, harassment, or intimidation with a staff member, the staff member will make an effort to provide the student with a practical, safe, private, and age-appropriate way of doing so.

The system shall maintain and make readily available to students and families a list of support services that are available to students who are bullied, students who bully, and students who are bystanders within both the schools and the community.

D. DESIRED OUTCOME

Schools will provide prevention and intervention strategies, as well as consequences and support, to create an educational environment that is free of bullying, harassment, or intimidation.

E. IMPLEMENTATION STRATEGIES

1. The superintendent of schools will develop regulations for implementing this policy that specify the name and contact information of the Maryland State Department Education employee who is familiar with the reporting and investigating procedures in MCPS; procedures for reporting and investigating incidents of bullying, harassment, or intimidation, including notice to parents/guardians, and law enforcement, as applicable; support provided for students who are bullied, students who bully, and students who are bystanders; consequences or remedial actions; the process for publicizing those procedures; and monitoring data on occurrences.
2. The superintendent of schools will develop educational and professional development programs for students and staff in the effort to implement this policy and prevent bullying, harassment, or intimidation in schools.
3. All regulations developed in support of Board-adopted policies shall be sent to the Board as items of information.

F. REVIEW AND REPORTING

This policy will be reviewed in accordance with the Board policy review process.

Related Source: *Annotated Code of Maryland*, Education Article, §7-303.1, §7-424, §7424.1

Policy History: New policy adopted by Resolution No. 132-10, March 9, 2010; amended by Resolution No. 489-16, November 15, 2016; technical amendments by Resolution No. 319-17, June 26, 2017; technical amendments by Resolution No. 351-18, June 25, 2018.