

STUDENTS: CONDUCT

Bullying, Harassment, or Intimidation

I. Definitions

- A. *Bullying* – [1.] A person is bullied when he/she is exposed to intentional negative actions on the part of one or more students, and whose ability to participate in or benefit from the school’s educational programs or activities is adversely affected. Bullying often occurs repeatedly and over time.
- B. *ELECTRONIC COMMUNICATION* – A COMMUNICATION TRANSMITTED BY MEANS OF AN ELECTRONIC DEVICE, INCLUDING A TELEPHONE, CELLULAR PHONE, COMPUTER, OR PAGER.
- C. [B.] *Harassment* – [1.] A person is harassed when he/she perceives or actually experiences discomfort with identity issues in regard to race, color, national origin, gender, disability, sexual orientation, religion, or other identifying characteristics, and whose ability to participate in or benefit from the school’s educational programs or activities is adversely affected.
- D. [C.] *Intimidation* – [1.] A person is intimidated when he/she is subjected to intentional action that seriously threatens and induces a sense of fear and/or inferiority, and whose ability to participate in or benefit from the school’s educational programs or activities is adversely affected.
[D. *Electronic Communication* – A communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.]
- E. *Retaliation* – [1.] An act of reprisal or getting back at a person for an act he/she has committed.
- F. *SEXUAL HARASSMENT* - UNWANTED AND UNWELCOMED BEHAVIOR OF A SEXUAL NATURE, WHICH INTERFERES WITH A STUDENT’S ABILITY TO LEARN, STUDY, WORK, ACHIEVE, AND PARTICIPATE IN SCHOOL ACTIVITIES.

II. Types of Bullying

- A. Direct Bullying, Harassment, or Intimidation
 - 1. Behaviors such as, but not limited to, physical (hitting, kicking), verbal (name calling, teasing), non-verbal (rejecting, defaming, terrorizing), and sexual (voyeurism, assault).
- B. Indirect Bullying, Harassment, or Intimidation

1. Behaviors such as, but not limited to, physical (getting another person to assault someone), verbal (spreading rumors, gossip), and non-verbal (deliberate exclusion from a group).
- C. Cyber Bullying
1. Harassing, humiliating, intimidating, or threatening others on the Internet or via cellular phones or other technology available to youth (e.g., e-mails, text messaging, Web pages, instant messaging, and other electronically communicated messages).
- D. SEXUAL HARASSMENT
1. INCLUDES, BUT IS NOT LIMITED TO:
 - a. OFFENSIVE LANGUAGE COMMUNICATED VERBALLY OR IN WRITING, INCLUDING ELECTRONIC FORMATS;
 - b. VISUAL HARASSMENT, SUCH AS DISPLAYING SEXUAL PICTURES OR OBJECTS, DEROGATORY POSTERS, PHOTOGRAPHY, CARTOONS, DRAWINGS, CLOTHING OR GESTURES;
 - c. STARING OR LEERING AT PARTS OF THE BODY; COMMENTS, GESTURES, OR JOKES OF A SEXUAL NATURE; OFFENSIVE TOUCHING, INCLUDING GRABBING, PINCHING, OR IMPEDING OR BLOCKING A PERSON'S PHYSICAL MOVEMENT;
 - d. TAUNTING OR RIDICULING SOMEONE BECAUSE OF PERCEIVED OR ACTUAL SEXUAL ORIENTATION;
 - e. ENGAGING IN UNWELCOME SEXUAL CONTACT, INCLUDING ASKING FOR SEXUAL FAVORS.

III. Procedures for Training

- A. The Department of Student Support Services will provide annual training on bullying, harassment, or intimidation for school staff.
- B. The Department of Student Support Services will offer training throughout the year on bullying, harassment, or intimidation reduction strategies.
- C. The Department of Student Support Services will provide the principal or the principal's designee training on using the Intranet on reporting and investigating.
- D. SCHOOL ADMINISTRATORS WILL ANNUALLY ADVISE STUDENTS OF THE BALTIMORE COUNTY PUBLIC SCHOOLS' (BCPS) SEXUAL HARASSMENT PROCEDURE, USING THE *SEXUAL HARASSMENT IN SCHOOLS* (ELEMENTARY OR SECONDARY VERSION) BROCHURES. THE BROCHURES WILL BE

DISTRIBUTED AND DISCUSSED AS PART OF THE *STUDENT HANDBOOK* PRESENTATIONS BY ADMINISTRATORS AT THE BEGINNING OF EACH SCHOOL YEAR.

IV. Procedures for Reporting by Schools

- A. The principal or the principal’s designee will make the state victim reporting form, *Bullying, Harassment, or Intimidation Reporting Form*, available in all schools, notifying students, school staff, and parents/guardians of its availability at the school.
- B. The Department of Student Support Services will make the state victim reporting form, *Bullying, Harassment, or Intimidation Reporting Form*, available electronically from the BCPS [Baltimore County Public Schools’ (BCPS)] Web site.
- C. The principal or the principal’s designee will include the state victim reporting form, *Bullying, Harassment, or Intimidation Reporting Form*, in the beginning of the year school packets for students and their parents/guardians.
- D. The principal or the principal’s designee will discuss the *MARYLAND STATE DEPARTMENT OF EDUCATION’S BULLYING, HARASSMENT OR INTIMIDATION REPORTING FORM* [state victim report form] with students as part of the *Student Handbook* presentation.
- E. The principal or the principal’s designee will provide a secure location where a student may submit a completed *Bullying, Harassment, or Intimidation Reporting Form* if the student feels uncomfortable submitting the reporting form in person.

V. Procedures for Investigating

- A. The principal or the principal’s designee will investigate all victim reports filed by the students, parents/guardians, close relatives, or school staff and complete the entry of the victim report and the investigation report located on the Intranet within fourteen (14) school days after receipt of a reporting form.
- B. The principal or the principal’s designee will notify parents/guardians in writing of the victim(s) and offender(s) involved in the incident, as appropriate. See letters in PS 125, *Report and Complaint Procedures: Sexual Discrimination and/or Harassment, Discrimination and/or Harassment based on Race, National Origin, Disability, and/or Religion*.
- C. The principal or the principal’s designee will notify parents/guardians in writing the resolution of the case in compliance with PS 125, *Report and*

Complaint Procedures: Sexual Discrimination and/or Harassment, Discrimination and/or Harassment based on Race, National Origin, Disability, and/or Religion.

- D. The principal or the principal's designee will apply consequences and/or remedial actions as deemed appropriate.

VI. Prevention, Consequences, and Remedial Actions

- A. Prevention and intervention support and resources that address bullying, harassment, or intimidation are outlined in Board of Education Policy and Superintendent's Rule 5510.
- B. 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 should be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred.
- C. Bullying, harassment, or intimidation of any person on school property, or on a school bus, or at a school-sponsored activity, or by the use of electronic technology at a public school will result in consequences consistent with Policy 5550.

Legal ReferenceS: 20 U.S.C. §1681 (TITLE IX OF THE FEDERAL EDUCATION AMENDMENTS (1974))
ANNOTATED CODE OF MARYLAND, EDUCATION ARTICLE §7-424, REPORTING INCIDENTS OF HARASSMENT OR INTIMIDATION AGAINST STUDENTS.
Annotated Code of Maryland, Education Article §7-424.1, MODEL POLICY PROHIBITING BULLYING, HARASSMENT AND INTIMIDATION.
COMAR 13A.01.04.03, *SCHOOL SAFETY.*

Related Policies: BOARD OF EDUCATION POLICY 5000, *CONDUCT*
Board of Education Policy 5510, *Positive Behavior*
Board of Education Policy 5550, *Disruptive Behavior*
BOARD OF EDUCATION POLICY 5600, *STUDENTS' RESPONSIBILITIES AND RIGHTS*
BOARD OF EDUCATION POLICY 5560, *SUSPENSIONS, ASSIGNMENT TO ALTERNATIVE PROGRAMS, OR EXPULSION*

Rule
APPROVED [Adopted]: 07/14/09
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Superintendent of Schools