

MONTGOMERY COUNTY BOARD OF EDUCATION
Rockville, Maryland

March 9, 2010

MEMORANDUM

To: Members of the Board of Education

From: Shirley Brandman, Chair, Board of Education Policy Committee

Subject: Final Action, Policy JHF, *Bullying, Harassment, or Intimidation*

On October 26, 2009, the Montgomery County Board of Education tentatively adopted Policy JHF, *Bullying, Harassment, or Intimidation*. The tentatively adopted policy was distributed for public comment. Twenty-seven comments were received. Public comments reflected a concern with timelines for investigation, notification of incidents, staff training, accountability, and consequences.

Members of the Board of Education Policy Committee further discussed Policy JHF, *Bullying, Harassment, or Intimidation* on January 26, 2010. The Policy Committee carefully reviewed the public comments and re-examined the Maryland State Model Policy to develop the Committee's final recommendations. Members of the Policy Committee voted to incorporate a number of the suggestions received into the Committee Recommended Draft policy. The Policy Committee's proposed changes to the tentatively adopted policy are reflected in the Committee Recommended Draft, which is included as Attachment A. Public comments are summarized in Attachment B, the original comments are included as Attachment C, and the Draft for Public Comment is included as Attachment D.

Recommended Resolution

WHEREAS, Policy JHF, *Bullying, Harassment, or Intimidation*, sets forth the Board's commitment to maintaining a school environment free from bullying, harassment, or intimidation so that schools are a safe place in which to learn; and

WHEREAS, Policy JHF, *Bullying, Harassment, or Intimidation*, directs the Montgomery County Public Schools (MCPS) to implement a systemwide prevention and intervention program; and

WHEREAS, The draft Policy JHF, *Bullying, Harassment, or Intimidation*, was adopted tentatively by the Montgomery County Board of Education on October 26, 2009, and sent out for public comment; and

WHEREAS, The Montgomery County Board of Education has received the Policy Committee's recommendations; now therefore be it

Resolved, That the Montgomery County Board of Education adopt Policy JHF, *Bullying, Harassment, or Intimidation*, as updated in the attached Committee Recommended Draft.

Present at the table for the discussion are Mr. Stephen M. Zagami, director, Department of Student Services, Office of Special Education and Student Services; and Mrs. Stephanie P. Williams, director, Department of Policy, Records, and Reporting, Office of Shared Accountability.

SB:hp

Attachments

1 Related Entries: **IGT-RA; JFA-RA;**
2 Responsible Office: Special Education and Student Services
3 Related Sources: *Annotated Code of Maryland, Education*
4 *Article, §7-424.1*
5

6 **Bullying, Harassment, or Intimidation**
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8 A. **PURPOSE**
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10 The Montgomery County ~~Public Schools (MCPS)~~ Board of
11 Education (**Board**) is committed to an environment that is
12 free of **bullying, harassment, or intimidation** and ~~bullying~~
13 so that schools are a safe place in which to learn.
14 **Bullying, harassment, or intimidation** is disruptive to
15 learning, **and** can **adversely** affect academic achievement,
16 **emotional well-being**, and ~~can harm the~~ school climate.
17

18 The Board of Education is committed to prohibiting **verbal,**
19 **physical or written (including electronic)** bullying,
20 harassment, or intimidation of any person on school
21 property, **on school buses**, or at school-sponsored
22 functions. ~~or by the use of electronic technology of a public~~
23 ~~school.~~
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25 ~~MCPS~~The Board of Education is further committed to
26 prohibiting reprisal or retaliation against individuals who
27 report acts of bullying, harassment, or intimidation or who
28 are **victimsbullied**, witnesses, bystanders, or others with
29 reliable information about an act of bullying, harassment,
30 or intimidation.
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32 B. ISSUE

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34 ~~Bullying can be physical (hitting, pushing, shoving),~~
35 ~~verbal (being teased, threatened, coerced, made fun of,~~
36 ~~called derogatory names) or relational (spreading rumors,~~
37 ~~being left out or ostracized)~~
38 ~~.~~

39

40 The prevention of bullying, **harassment, or intimidation** as
41 well as **the prevention of** retaliation against individuals
42 who report acts of bullying, **harassment, or intimidation**
43 requires a concerted **schoolwide systemwide** effort to support
44 a ~~whole school bullying program~~ involving prevention and
45 intervention training with students, parents,
46 administration, and school staff. Students who are
47 bullied, and those who bully others, **may** experience a range
48 of significant health, safety, and educational risks.

49 ~~**Bullying, harassment, or intimidation means intentional**~~
50 ~~**verbal, physical or written (including electronic) conduct**~~
51 ~~**that creates a hostile environment and substantially**~~
52 ~~**interferes with educational benefits, opportunities or**~~
53 ~~**performance, or with a student's physical or psychological**~~
54 ~~**well-being and is motivated by an actual or perceived**~~
55 ~~**personal characteristic, such as race, national origin,**~~
56 ~~**marital status, sex, sexual orientation, gender identity,**~~
57 ~~**religion or disability, or is threatening or seriously**~~
58 ~~**intimidating.**~~

59

60 ~~**As used in this policy, "bullying, harassment, or**~~
61 ~~**intimidation" means intentional conduct, including verbal,**~~
62 ~~**physical, or written conduct or an intentional electronic**~~

63 communication that creates a hostile educational
64 environment by substantially interfering with a student's
65 educational benefits, opportunities, or performance, or
66 with a student's physical or psychological well-being and
67 is:

- 69 • Motivated by an actual or perceived personal
70 characteristic including race, national origin,
71 marital status, sex, sexual orientation, gender
72 identity, religion, ancestry, physical attributes,
73 socioeconomic status, familial status, or physical or
74 mental ability or disability; or,
- 75 • Threatening or seriously intimidating; and,
- 76 • Occurs on a school property, at a school activity or
77 event, or on a school bus; or,
- 78 • Substantially disrupts the orderly operation of a
79 school.

81 "Electronic Communication" means a communication
82 transmitted by means of an electronic device, including a
83 telephone, cellular phone, computer, or pager.

84
85 ~~1. As used in this policy, bullying, harassment, or~~
86 ~~intimidation means intentional conduct, including~~
87 ~~verbal, physical, or written conduct or an intentional~~
88 ~~electronic communication that creates a hostile~~
89 ~~educational environment by substantially interfering~~
90 ~~with a student's educational benefits, opportunities,~~
91 ~~or performance, or with a student's physical or~~
92 ~~psychological well-being and is:~~

93

94 ~~a) motivated by an actual or a perceived personal~~
95 ~~characteristic including race, national origin,~~
96 ~~marital status, sex, sexual orientation, gender~~
97 ~~identity, religion, ancestry, physical~~
98 ~~attributes, socioeconomic status, familial~~
99 ~~status, or physical or mental ability or~~
100 ~~disability; or~~

101

102 ~~b) threatening or seriously intimidating; and~~

103

104 ~~c) occurs on a school property, at a school activity~~
105 ~~or event, or on a school bus; or~~

106

107 ~~d) substantially disrupts the orderly operation of a~~
108 ~~school.~~

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110 ~~2. Electronic communication means a communication~~
111 ~~transmitted by means of an electronic device,~~
112 ~~including a telephone, cellular phone, computer, or~~
113 ~~pager.~~

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115 DC. POSITION

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117 ~~The system~~**Montgomery County Public Schools (MCPS)** will
118 implement a ~~whole school based~~ program to identify
119 bullying, **harassment, or intimidation**; implement
120 prevention programs that are proven to be effective,
121 intervene when bullying, **harassment, or intimidation**
122 occurs; **implement intervention strategies**; and provide
123 outside referrals if needed. The prohibition of

124 bullying, **harassment, or intimidation** in schools, and
125 reprisal and retaliation against individuals who
126 report acts of bullying, **harassment, or intimidation**,
127 as well as consequences and remedial actions, must be
128 included as a part of a ~~whole-~~ **schoolwide-systemwide**
129 prevention and intervention program. Components of
130 such a program ~~may~~**must** include:

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132
133 1. Prevention, **and** Intervention, ~~Remediation,~~ and
134 ~~Consequences~~

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136 a) **Periodic and ongoing** Professional development
137 for **administrators and staff members** to increase
138 **understanding and** awareness of the prevalence,
139 causes, and consequences of bullying, **harassment,**
140 **or intimidation**, and to increase the use of
141 ~~evidence~~**research-based** strategies, **remedial**
142 **measures, and consequences** for preventing
143 bullying, **harassment, or intimidation.**
144 **Professional development also should include how**
145 **to respond to students who are bullied,** students
146 **who are bullied,** and students who are
147 **bystanders.**

148
149 b) Student involvement in ~~the anti-bullying~~**bullying,**
150 **harassment, or intimidation prevention** efforts,
151 such as programs that foster peer support, mutual
152 respect, sensitivity to diversity and a culture
153 which encourages students to report incidents of
154 bullying to adults.

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- c) Communication and interaction with families and the community to inform parents 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 ~~both bullies~~ **students who are bullied**, **students who bullied** ~~and victims~~, 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** ~~victims~~ **bullied.**

2. Consequences and Remedial Actions

~~Standard—e~~Consequences and remedial actions for persons committing acts of bullying, harassment, or intimidation; ~~and~~ 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*.

185 3. Procedures for Reporting Acts of Bullying, Harassment,
186 or Intimidation

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188 a) The system shall provide to schools procedures
189 that are ~~practical~~**convenient**, safe, private, and
190 age-appropriate for ~~providing written~~ **reportings**
191 ~~of~~ acts of bullying, harassment, or intimidation.

192
193 b) Students, staff, and parents ~~should~~ **shall** be
194 informed of the reporting procedures at each
195 school, including the availability of MCPS Form
196 230-35: *Bullying, Harassment, or Intimidation*
197 *Reporting*.

198
199 c) Reporting of bullying, **harassment, or**
200 **intimidation** incidents ~~should~~ **shall** be encouraged
201 **and supported by MCPS.** ~~and can lead to~~
202 ~~interventions that can help~~MCPS **should shall**
203 **communicate a clear message that reporting will**
204 **lead to help for students who are bullied,**
205 **students who are bullied,** ~~both the victim and~~
206 ~~the bully and~~ **students who are bystanders.**

207
208 4. Procedures for the Prompt Investigation of Acts of
209 Bullying, Harassment, or Intimidation.

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211 a) The principal or designee shall promptly
212 investigate all reports of bullying, harassment,
213 or intimidation ~~and determine whether such has~~
214 ~~occurred as defined by this policy and~~

215 apply ~~implement~~ remedial measures and consequences
216 as appropriate.

217
218 **b) School administrators shall promptly notify**
219 **parents of students involved in a bullying**
220 **incident.**

221
222 ~~bc)~~ After the investigation has concluded, ~~S~~staff
223 **members** will conduct **individual and private**
224 conferences with both the ~~victim~~ and ~~the~~
225 ~~bully~~ **student who was bullied and the student who**
226 **bullied** to determine if the bullying, harassment,
227 or intimidation has continued.

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229 5. Support Services to be Made Available to the Student
230 **Who is Bullied**~~ed~~, ~~Victim, Witnesses~~ **the Student Who is**
231 **Bullied**~~ed~~, and ~~Any~~ Bystanders

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

238
239 The system shall maintain and make readily available
240 to students and families a list of support services
241 that are available to ~~bullies and victims~~ **students who**
242 **are bullied**~~ed~~, **students who are bullied**, and **students**
243 **who are bystanders** within both the schools and the
244 community.

245

246 ~~ED.~~ DESIRED OUTCOME

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248 Schools ~~that will~~ provide prevention and intervention
249 strategies, as well as consequences and support, ~~to both~~
250 ~~bullies and victims~~ **students who bully, students who are**
251 **bullied, and students who are bystanders** to create an
252 educational environment that is free of **bullying,**
253 harassment, ~~or bullying and intimidation.~~

254

255 ~~FE.~~ IMPLEMENTATION STRATEGIES

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257 1. The superintendent of schools will develop regulations
258 for implementing this policy that specify **the name and**
259 **contact information of the Maryland State Department**
260 **Education employee who is familiar with the reporting**
261 **and investigating procedures in MCPS;** procedures for
262 reporting and investigating incidents of bullying,
263 harassment, or intimidation; **support provided for**
264 **students who are bullied, students who bullied, and**
265 **students who are bystanders; consequences or remedial**
266 **actions;** and the process for publicizing those
267 procedures.

268

269 2. The superintendent of schools will develop
270 educational and professional development programs for
271 students, **and** staff, ~~volunteers, and parents~~ in the
272 effort to implement this policy and prevent bullying,
273 harassment, and intimidation in schools.

274

275 3. All regulations developed in support of ~~BØE~~ **Board-**
276 adopted policies shall be sent to the ~~BØE~~ **Board** as
277 items of information.

278

279 **GF.** REVIEW AND REPORTING

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281 This policy will be reviewed in accordance with the **Board**
282 ~~Øof Education~~ policy review process.

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284 Policy History: **New policy.**

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