

HARASSMENT AND INTIMIDATION (BULLYING) IN MARYLAND PUBLIC SCHOOLS

**A REPORT TO THE MARYLAND GENERAL ASSEMBLY
ON INCIDENTS REPORTED UNDER THE
SAFE SCHOOLS REPORTING ACT OF 2005**

**Presented by the
Maryland State Department of Education**

March 31, 2007

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HARASSMENT AND INTIMIDATION (BULLYING) IN MARYLAND PUBLIC SCHOOLS

INTRODUCTION

The Safe Schools Reporting Act of 2005 became effective on July 1, 2005. The law (Education Article §7-424 of the Annotated Code) required the Maryland State Department of Education (MSDE) to require a county board of education to report incidents of harassment or intimidation against students in public schools under the county board's jurisdiction. Additionally, MSDE was required to create and distribute a "Standard Victim of Harassment or Intimidation Report Form", and to submit a report to the Maryland General Assembly consisting of a summary of the information included in the victim of harassment and intimidation forms filed with the county boards the previous school year. To ensure that the law was implemented according to reporting requirements, the first reporting period of the Safe Schools Reporting Act of 2005 encompassed the first semester of the 2005-2006 school year. The first reporting period for schools and local school systems (LSSs) began on the first day of school in each LSS and continued through the end of the first semester (January 13, 2006) of the 2005-2006 school year. The information contained in the first Report to the General Assembly represented this time period. It was submitted prior to the March 31, 2006 deadline. This second Report to the General Assembly describes the process used by MSDE to carry out the mandates of this law but the reporting period in the second report represents the entire 2005-2006 school year (first and second semesters). Furthermore, the report still provides additional information gathered as a result of the implementation of the law, including LSS practices and procedures employed in order to meet this requirement. Finally, the findings from the LSS reports are detailed, including incident rates, locations and descriptions of the incidents, ages of victims and perpetrators, alleged motives of the perpetrators, investigative methods used, corrective actions taken by schools, number of days missed by victims and perpetrators, and the number of false allegations reported.

PROCESS

In compliance with the law, MSDE was tasked with developing forms that included the elements required by the law. In July, 2005, MSDE assembled a group of stakeholders that included representatives from Carroll, Montgomery, Baltimore, Cecil, and Frederick Counties. Additionally, representatives from the mental health profession participated. The desire of each of the participants was to develop forms that would include the elements required by law, but would not go beyond the law, and thereby would not include questions *that were not required*. With guidance from the Office of the Attorney General, the group worked to reach consensus on forms and procedures that would fulfill the intent of the legislation. Furthermore, a spreadsheet was developed to ensure the accurate and consistent collection of data from all LSSs.

Once the forms were finalized, they were sent to the local superintendents of schools for review and comment. Additionally, draft forms were sent to directors of student

services, school counseling supervisors, and supervisors of safe and drug-free schools for comment. Where possible, and in keeping with the decision to include *only* elements mandated by law, comments and suggestions were incorporated into the forms.

The *Harassment or Intimidation (Bullying) Reporting Form* is a standard form to be used by all public schools, and can not be modified. The form is attached to this report (Appendix I).

The *Harassment Or Intimidation (Bullying) Incident School Investigation Form* was presented to schools and local systems as a template (see Appendix II), but could be changed to align with local school system policies. However, the basic elements on the form must remain in order to complete the spreadsheet, the *Harassment and Intimidation (Bullying) Incident Reporting Instrument* (see Appendix III).

On August 23, 2005, an administrative meeting was held with representatives from each of the twenty-four school systems. The purpose of the meeting was to disseminate the forms and describe the process that would be followed by local schools, local systems, and MSDE. School system representatives were provided with directions and a timeline for the implementation of this law and the submission of data (see Appendix IV). School systems were encouraged to disseminate the forms immediately, and begin the process as quickly as possible. MSDE staff provided ongoing follow-up via other meetings (e.g. with the directors of student services), communications, and reminders.

The process to disseminate the forms was not addressed by the Safe Schools Reporting Act of 2005 and, thus, was not mandated by MSDE. The processes to disseminate forms varied from school to school and included mailing the forms home to parents, sending the forms home with students, placing the forms on school web sites, putting the forms on office countertops, placing the forms in classrooms, or leaving the forms in school counseling offices.

On September 18, 2006, an administrative meeting was held at the MSDE with representatives from each of the twenty-four LSSs to review the law and the reporting process, to address issues or concerns experienced by the LSSs, and to review timelines and reporting requirements of the next iteration of the Safe Schools Reporting Act report to the General Assembly.

A major concern not addressed in the law had to do with the retention of the forms once processed. An Advice of Council dated December 20, 2005 states that the Federal Educational Rights and Privacy Act (FERPA) defines student records as records that are directly related to a student and that are maintained by an educational agency or institution or by a party acting for the agency or institution. The Maryland Student Records System Manual, authorized by COMAR 13A.08.02, essentially mirrors FERPA and states that "Records are information recorded in any way, including but not limited to handwriting, print, computer media, video or audio tape, film, microfilm, or microfiche." Therefore, given the information contained in the harassment and intimidation forms, the Advice of Council was that these forms are student records for

both the victim and the perpetrator. School staffs have expressed serious concerns regarding this issue. An amendment to §7-424 may be required in order to preclude these forms from becoming a part of the student's record. To that end, during the current 2007 General Assembly session, House Bill 383 has been submitted to amend §7-424 to preclude these forms from becoming a part of the student's record. House Bill 383 is due to be heard on March 21, 2007. The results of that hearing are not known at the time of the publication of this document.

FINDINGS

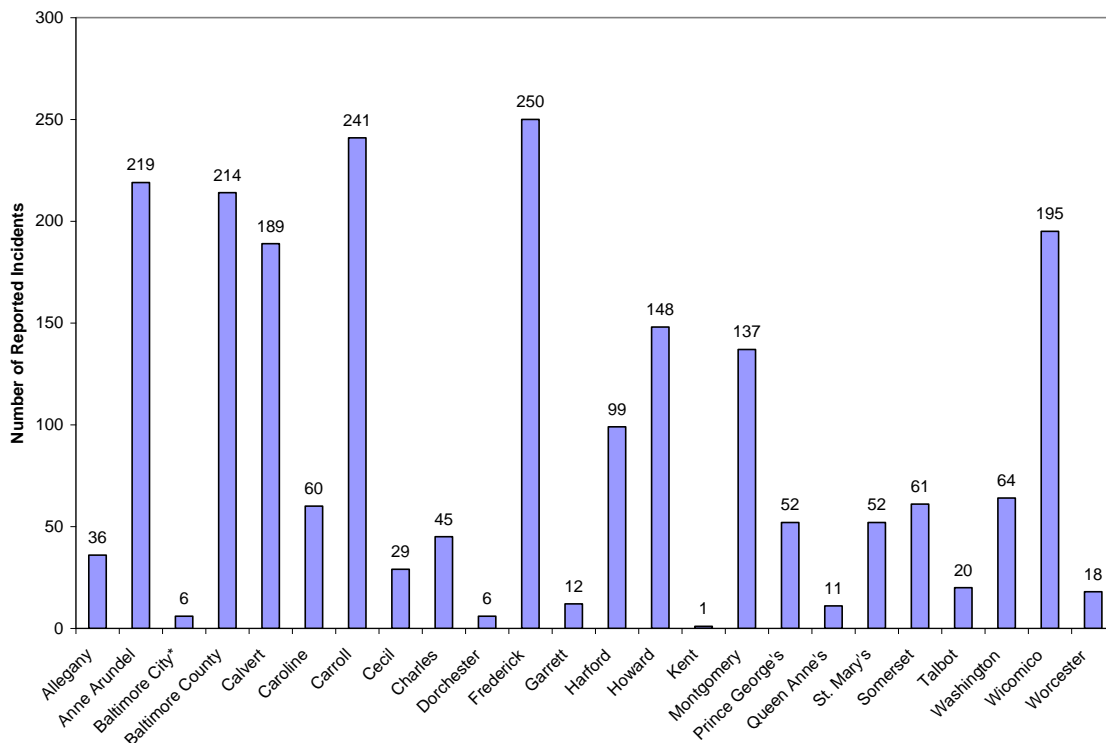
Implementation of the Law by Local School Systems

Twenty-three of the 24 LSSs reported data for the entire 2005-2006 school year. Baltimore City reported data for only the second semester of the 2005-2006 school year.

Incident Rates

A total of 2,165 incidents were reported from September 1, 2005 through June 30, 2006. The number of reported incidents in each LSS is presented in Figure 1; the rate of reported incidents per 1,000 students relative to 2005-2006 enrollment is shown in Figure 2.

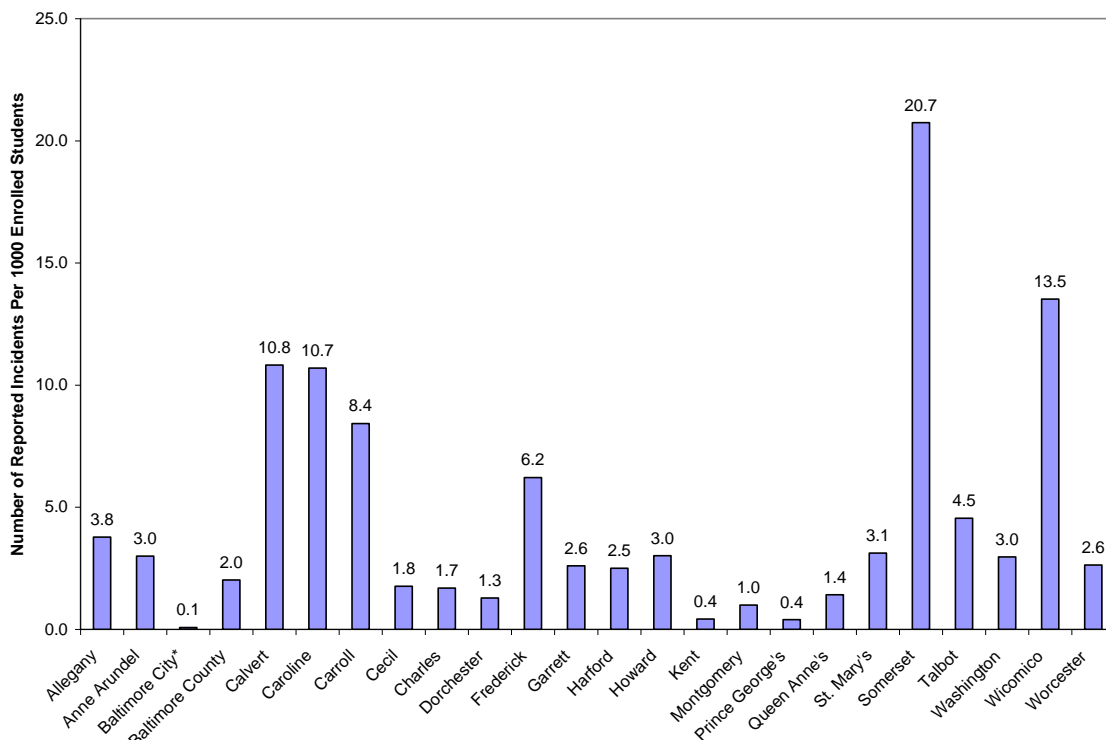
Figure 1. Number of Reported Incidents, By Local School System



* Second semester only

Frederick County reported the most incidents with a total of 250 and a rate of 6.2 incidents per 1,000 enrolled students; however, Somerset County reported the most incidents relative to enrollment with a total number of 61 incidents, representing 20.7 incidents per 1,000 enrolled students. Carroll and Wicomico Counties also had a large number of reports (241 and 195 respectively), with incident rates relative to enrollment of 8.4 and 13.5 incidents per 1,000 enrolled students, respectively. Montgomery and Prince George’s Counties reported 137 and 52 incidents respectively, with rates relative to enrollment of 1.0 and 0.4 incidents per 1,000 enrolled students, respectively.

Figure 2. Number of Reported Incidents Relative to Enrollment, by Local School System



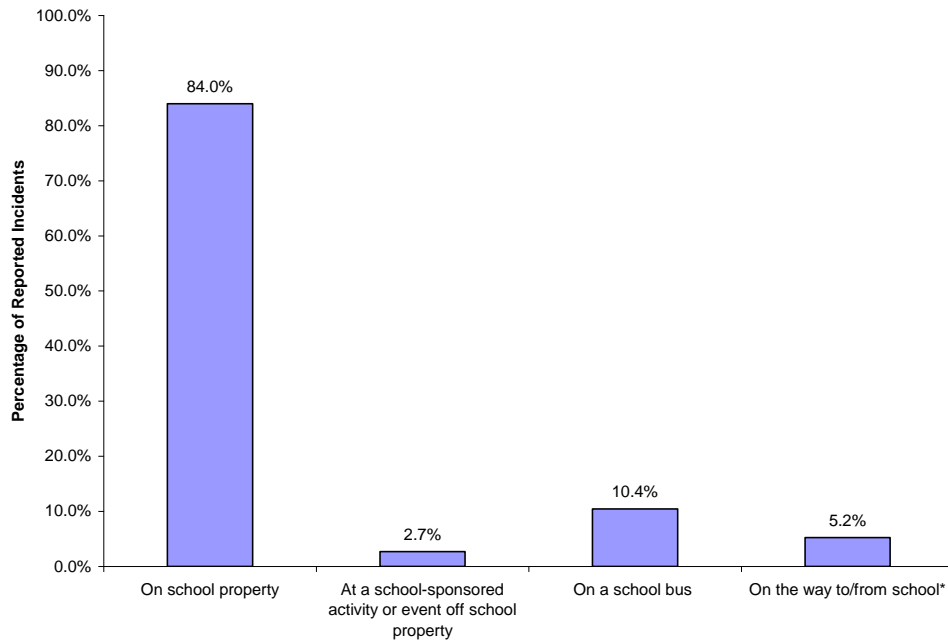
* Second semester only

It is important to note that the variation in numbers of reported incidents may largely reflect differences among school systems in levels of awareness on the parts of school staff, parents, and students themselves. School staff with greater understanding of the problems of bullying, and the importance of reporting and investigating incidents, are more likely to be proactive in disseminating forms and making parents and students aware of the resources available to them. In turn, parents and students who are more aware of the need to report bullying incidents and the assistance that school staff can provide are more likely to report such incidents. Anne Arundel County, Frederick County, and Somerset County have implemented system-wide and school-wide programs on bullying awareness and prevention. It is believed from these results that both students and parents in these systems feel comfortable reporting bullying and harassment, and there are appropriate responses and consequences from school staff.

Locations of the Incidents

The majority of the incidents occurred on school property (84.0%), with the second largest number (10.4%) occurring on a school bus (see Figure 3).

Figure 3. Locations of Reported Incidents, Statewide



* Collected unless specifically excluded by local board policy.

Note: Each incident report could identify more than one location. Therefore, the percentages do not total 100%.

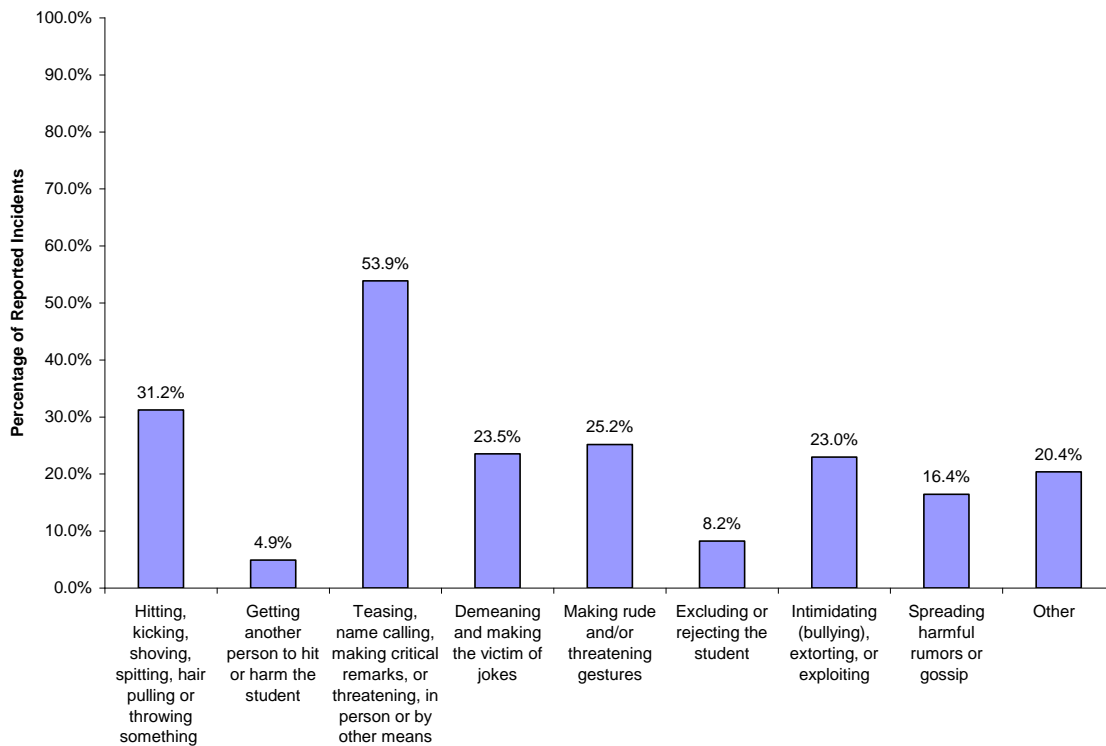
Descriptions of the Incidents

To describe the incident, victims were asked to choose from a list of descriptions which was created from research of the most prevalent forms of bullying (see *Victim of Harassment and Intimidation (Bullying) Form*). By far, the largest number of incidents involved teasing, name calling, making critical remarks, or threatening (53.9%). In other words, direct verbal bullying/harassment is experienced more than other forms, such as physical bullying, exclusion, gestures, extorting, or spreading rumors. Thirty-one point two percent (31.2%) of the incidents were physical, including hitting, kicking, shoving, spitting, hair pulling or throwing something (see Figure 4).

Ages of Victims and Perpetrators

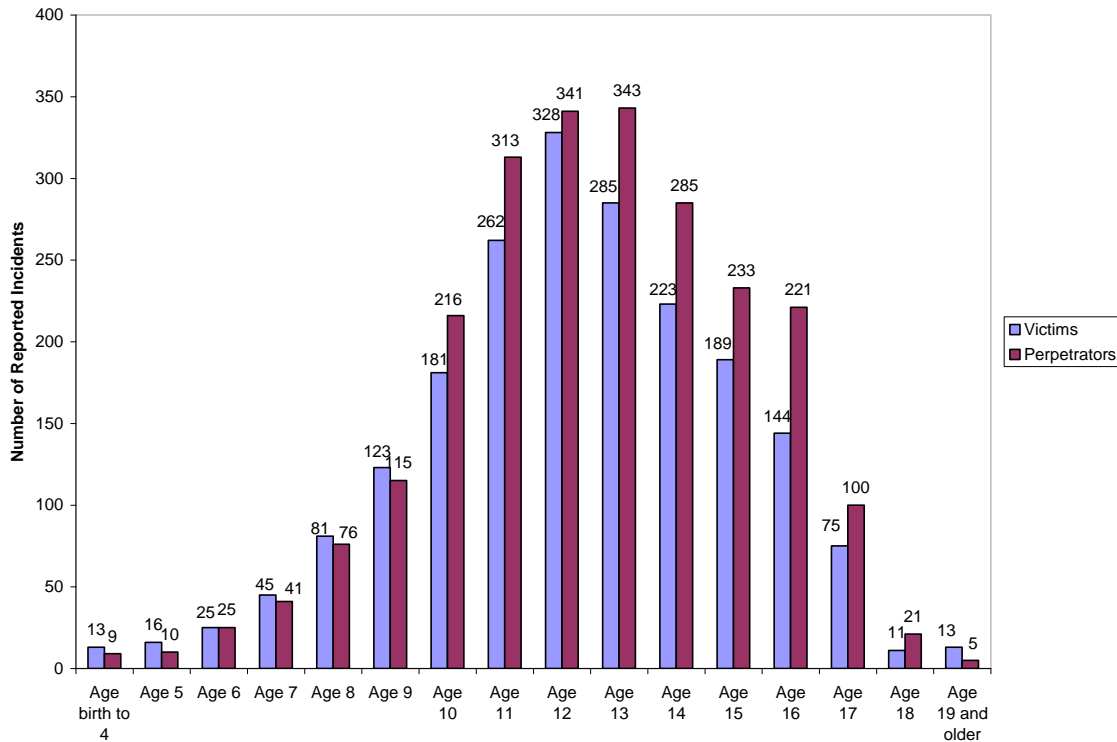
Twelve-year-olds were the most frequent victims of incidents of bullying and harassment (n=328, 16.3%) according to the submitted reports (see Figure 5). The number of victims of bullying and harassment increases through age twelve, and then begins to decrease. The greatest number of incidents were perpetrated by 13-year-olds (n=343, 14.6%). The majority of the victims were between the ages of eleven and fourteen (n=1,098, 54.5%). This is consistent with research that states more bullying and harassment occurs in middle school than in elementary or high school.

Figure 4. Descriptions of Reported Incidents, Statewide



Note: Each incident report could identify more than one description. Therefore, the percentages do not total 100%.

Figure 5. Ages of Victims and Perpetrators, Statewide

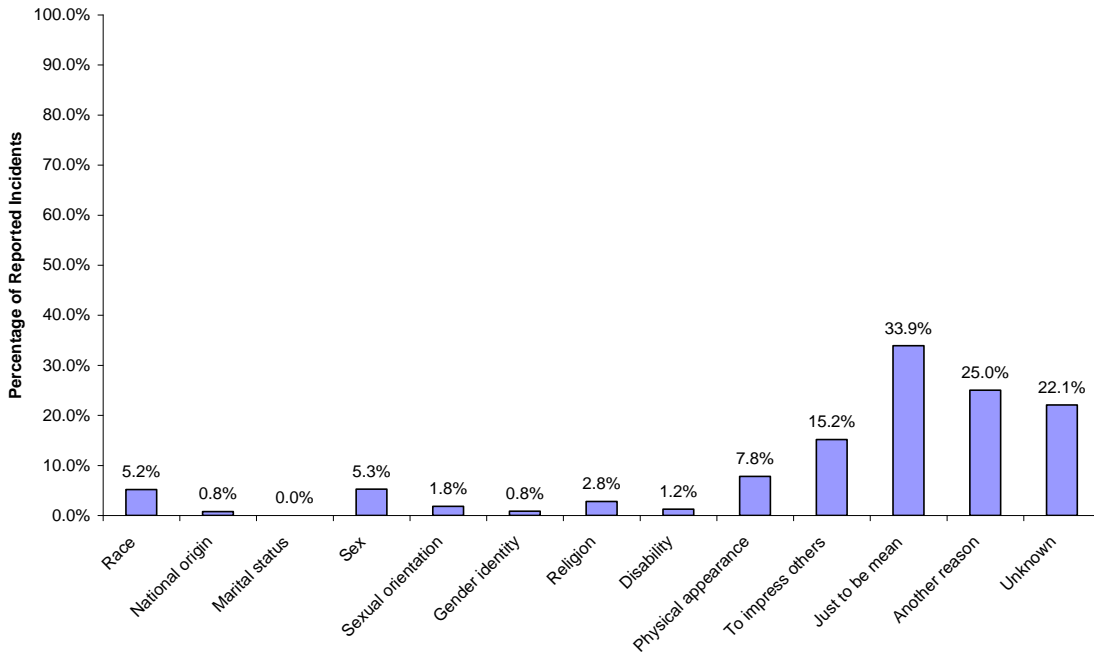


The same is true of the perpetrators. The number of perpetrators grows through age thirteen and then begins to decrease, with the majority of perpetrators at ages eleven, twelve, thirteen and fourteen (n=1,282, 54.5%). However, the ages of both victims and perpetrators ranged from pre-kindergarten (age birth to 4) to age 19 and older.

Alleged Perpetrator’s Motive

The School Investigation Form listed motives that were specified in the law and others that were gathered from research as to the reasons that students bully other students. The motives reported are presented in Figure 6. A significant number of reports identified “Another Reason” (25.0%) and “Unknown” (22.1%) as the alleged motives. The motive most frequently cited was “Just To Be Mean” (n=734, 33.9%). Just over 15% of the incidents were allegedly perpetrated to “Impress Others” (n=328, 15.2%). Physical appearance (n=169, 7.8%), sex (n=114, 5.3%), and race (n=112, 5.2%) were next, although with much smaller percentages. The remaining 161 incidents were allegedly perpetrated due to religion, sexual orientation, disability, gender identity, and national origin.

Figure 6. Description of Alleged Motives as Reported by Investigator, Statewide

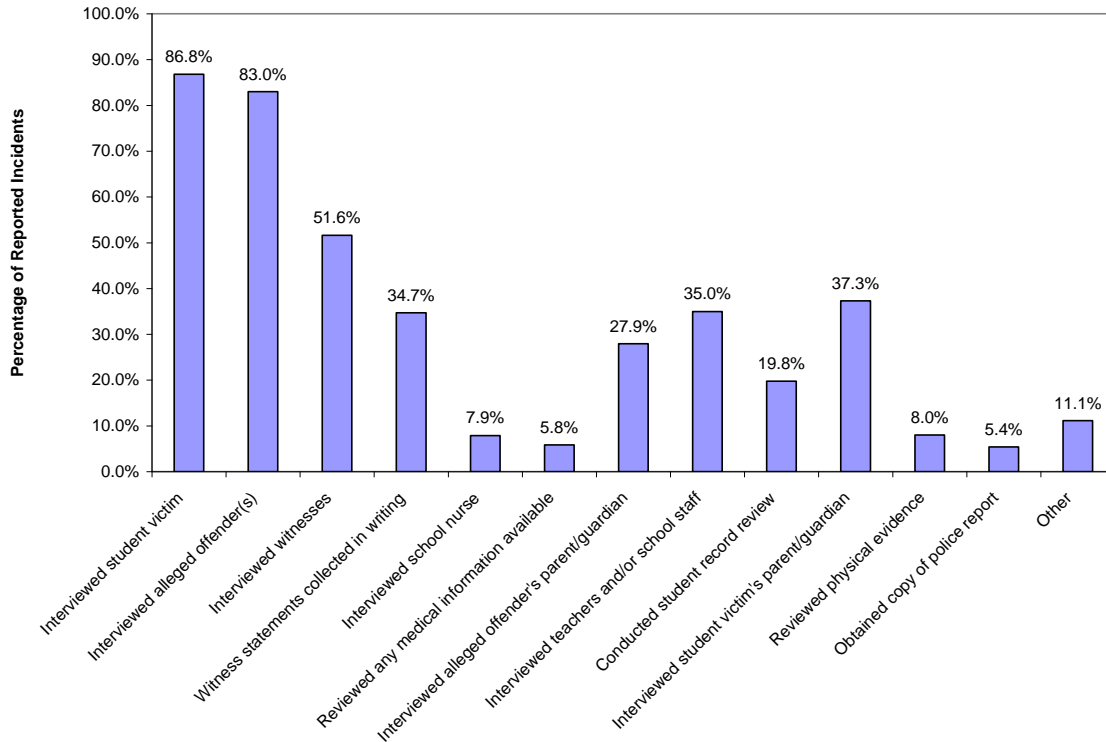


Note: Each school investigation form could identify more than one alleged motive. Therefore, the percentages do not total 100%.

Description of the Investigations

Investigative methods were developed from a variety of techniques utilized by school administrators when investigating any behavioral infraction. The most frequent investigative methods cited were interviews of student victims (n=1,879, 86.8%), alleged perpetrators (n=1,797, 83.0%), witnesses (n=1,117, 51.6%), the victim's parents or guardians (n=807, 37.3%), and teachers and/or school staff (n=757, 35.0%). Other means were used when necessary (see Figure 7).

Figure 7. Methods Used to Investigate Incident as Reported by Investigator, Statewide



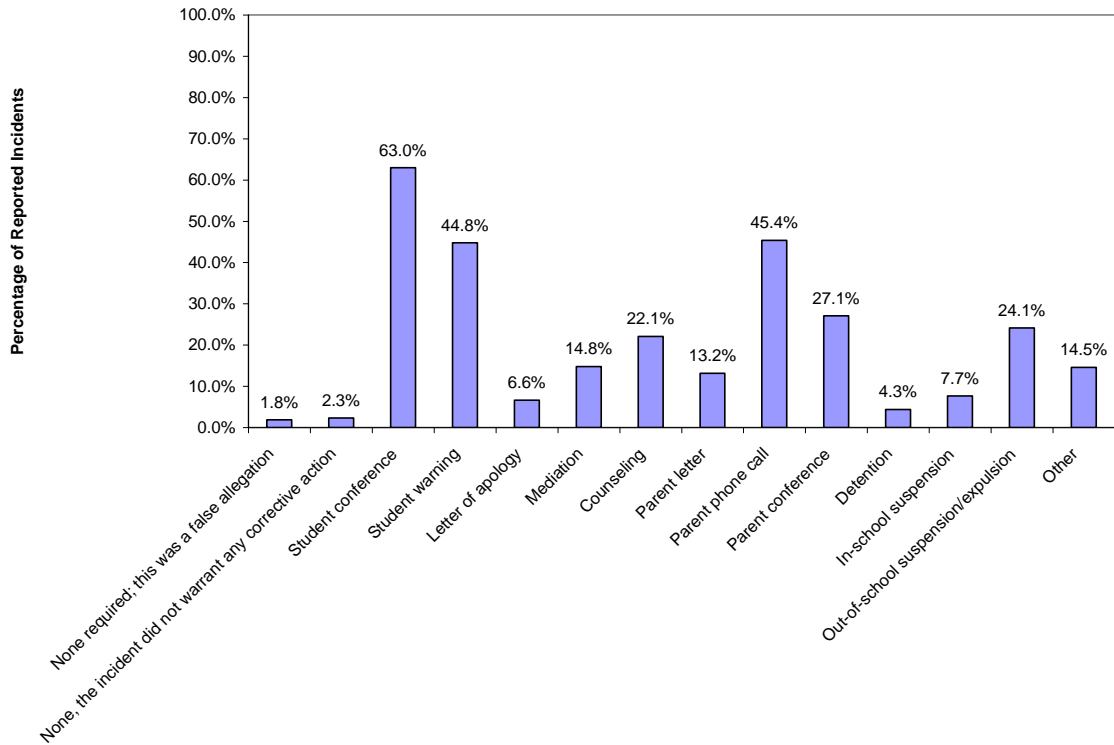
Note: Each school investigation form could identify more than one investigative method. Therefore, the percentages do not total 100%.

Corrective Actions Taken

Corrective action was taken in the vast majority of reported incidents that were not false allegations or that did not warrant corrective action (n=6,223, 99.2%). Student conferences (n=1,363, 63.0%), student warnings (n=969, 44.8%), and parent phone calls (n=982, 45.4%) and conferences (n=586, 27.1%) were among the most frequently used corrective actions (see Figure 8). Fortunately, counseling was also offered in almost one-fourth of the incidents (n=478, 22.1%).

As schools work toward reducing suspensions and providing positive behavioral interventions, student and parent interactions are being looked at as more effective ways to change behaviors. Only 522 incidents (24.1%) resulted in out-of-school suspension or expulsion, demonstrating that the majority of these incidents would not have been reported to the State without this specific reporting requirement.

Figure 8. Corrective Actions Taken as Reported by Investigator, Statewide



Note: Each school investigation form could identify more than one corrective action. Therefore, the percentages do not total 100%.

Number of Days Missed From School

Neither the victims nor the perpetrators missed much school as a result of the incident in the majority of cases: victims missed school in 168 cases (7.7%), perpetrators in 472 cases (21.8%) (see Figure 9). Alleged perpetrators were absent in at least twice as many cases as victims. It is unknown from the data whether the perpetrators missed school due to suspension, injury or other factors or whether the victims missed school due to injury, fear of attending or suspension.

Number of False Allegations Reported

Investigations into some incident reports found them to be false allegations (see Figure 10). There were a total of 40 false allegations reported in sixteen school systems, representing 1.8% of the total. The largest number of false allegations was in Calvert County (n=7, 3.7%).

Figure 9. Absences as a Result of Incident for Victim and Offender, Statewide

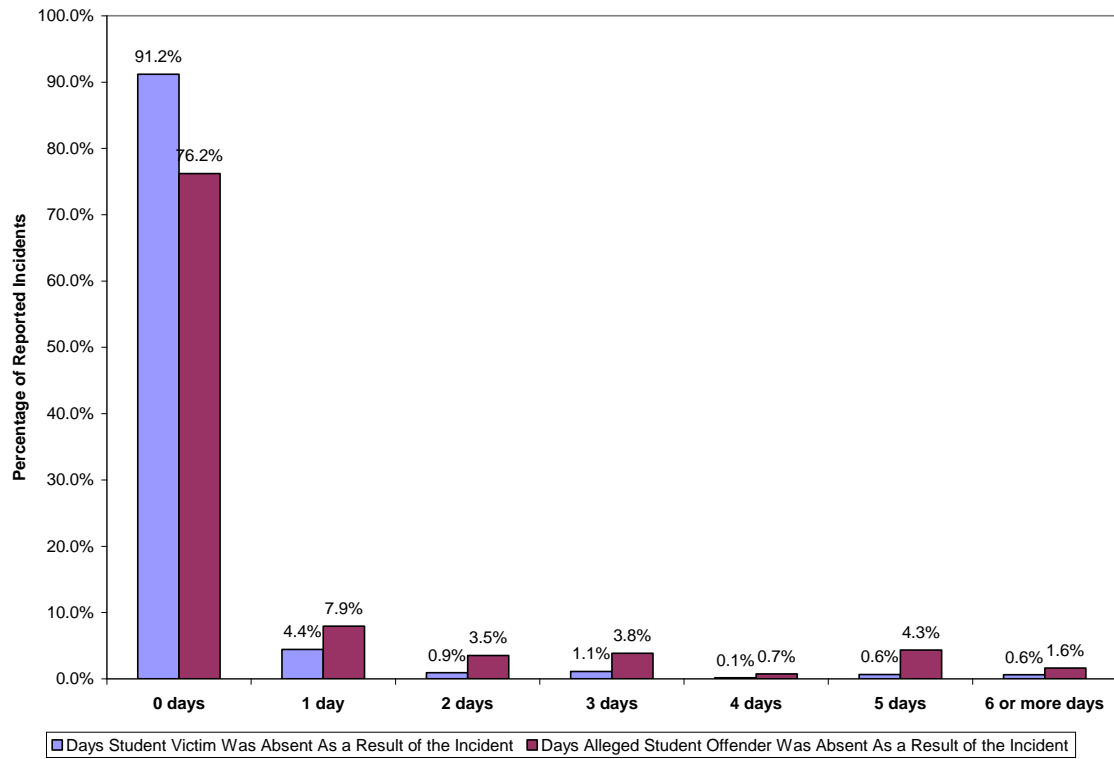
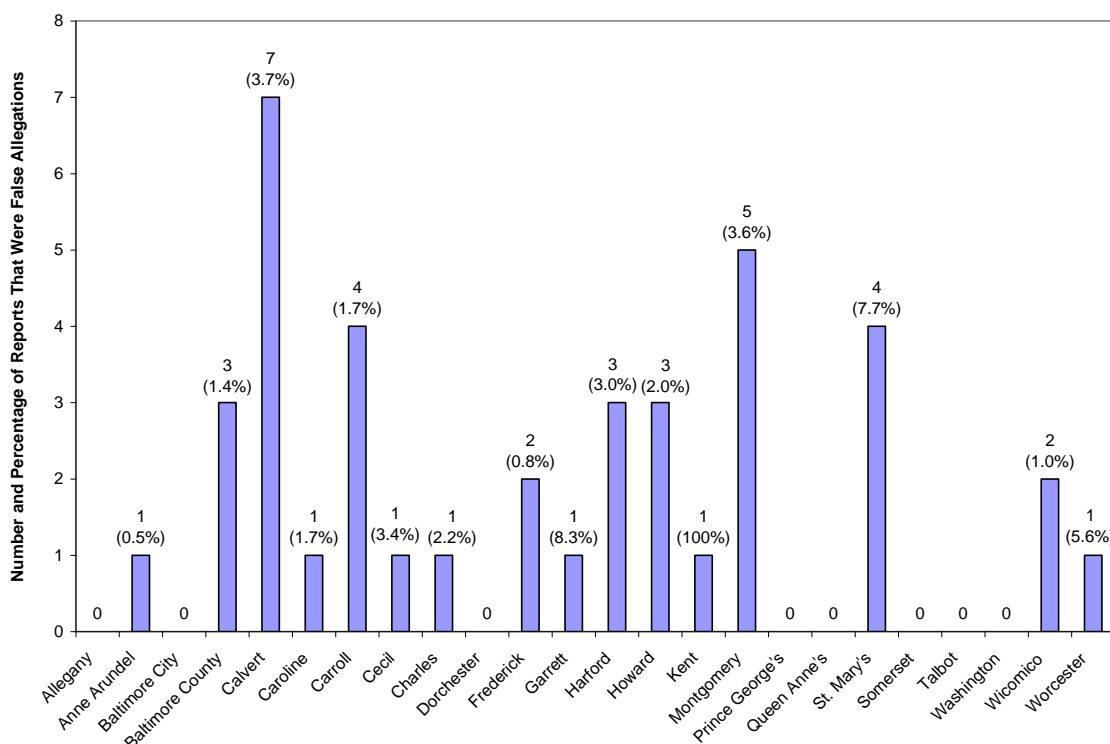


Figure 10. Number of False Allegations, by Local School System



SUMMARY

Goal 4 of Maryland’s educational plan, *Achievement Matters Most*, aims for all schools to be “safe, drug-free, and conducive to learning.” COMAR 13A.01.04, *School Safety*, states, “All students in Maryland’s public schools, without exception and regardless of race, ethnicity, region, religion, gender, sexual orientation, language, socioeconomic status, age, or disability, have the right to educational environments that are safe, appropriate for academic achievement, and free from any form of harassment.” However, the *2004 Maryland Adolescent Survey* of randomly selected students in grades 6, 8, 10, and 12 reported that about one-half of the surveyed students indicated ever feeling unsafe in school. About 10% of those students reported missing some time from school due to feeling unsafe.¹

The *2005 Maryland Youth Risk Behavior Survey (YRBS)* surveyed 1,414 students in grades 9 through 12 in randomly selected Maryland public high schools. The survey revealed that over one-fourth of Maryland’s high school students have been harassed or bullied on school property in the past 12 months (28.4%). A similar portion of students (32.8%) reported receiving verbal slurs due to weight, size, or physical appearance.

¹ *2004 Maryland Adolescent Survey*, Maryland State Department of Education, October 2005. Available online at http://www.marylandpublicschools.org/MSDE/newsroom/special_reports/adolescent_survey.htm.

About one in every thirteen students (7.6%) reported not going to high school at least once in the last thirty days as a result of harassment and other safety concerns.²

While many factors may contribute to a child not feeling safe in school, of great concern to students, parents, school staff, state education administrators, and legislators alike is the occurrence of harassment and intimidation. During the 2005-2006 school year, over two-thousand incidents of harassment or intimidation were reported in Maryland's public schools using the new reporting system mandated by the Safe Schools Reporting Act of 2005. All school systems reported incidents. Most incidents occurred at the middle-school ages. The nature and severity of the incidents varied. Nearly one-third (31.2%) of the reported incidents involved a physical attack. Almost one in four incidents (24.1%) resulted in an out-of-school suspension or expulsion. About one incident in thirteen (7.7%) caused the victim to miss school. The motives behind these incidents varied; almost half (49.1%) were committed "just to be mean" or "to impress others," while 556 (25.7%) were motivated by actual or perceived personal characteristics such as physical appearance, sex, race, religion, sexual orientation, disability, gender identity, national origin, or marital status.

The number of incidents reported thus far in Maryland represents 2.5 reports filed per 1,000 enrolled students. The extent of harassment or intimidation (bullying) in Maryland public schools is likely underreported by these figures, due to the need for victims or parents to take the initiative to file a report. Findings from surveys, where students self-report in a confidential manner, generally demonstrate a higher incidence rate of bullying and harassment. A survey of a nationally representative sample of more than 15,000 middle- and high-school youth, funded by the National Institute of Child Health and Human Development, found that 44.3% of students experienced bullying (either as a victim or a perpetrator) during the spring 1998 term.³

The data presented in this report confirm that bullying and harassment are a problem in Maryland schools. The Maryland Student Records System Manual added an offense code specific to "bullying," beginning in the 2005-2006 school year. The code will reflect the number of students who are suspended as a result of bullying. The data on "corrective actions" in this report show that 24.1% of the reported incidents resulted in the suspension or expulsion of the alleged perpetrators. Therefore, the magnitude of bullying in schools will not be depicted by suspension data alone.

MSDE is submitting this report in order to provide the Governor and the Maryland General Assembly with the information requested by §7-424. Incidents of harassment and intimidation will continue to be collected this year, and for the next two years. Incidents for the entire 2006-2007 school year will be reported in the next report, to be

² 2005 Maryland Youth Risk Behavior Survey, Maryland State Department of Education, January , 2007. Available online at

http://marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student_services_alt/surveys/

³ Nansel, T. R., Overpeck, M., Pilla, R. S., Ruan, W. J., Simons-Morton, B., & Scheidt, P. (2001). Bullying behaviors among U.S. youth: Prevalence and association with psychosocial adjustment. *JAMA: Journal of the American Medical Association*, 285, 2094-2100.

submitted on March 31, 2008. However, to support this initiative, MSDE will continue to assist LSSs as they develop and implement system-wide and school-wide programs of prevention and intervention to address harassment and intimidation (bullying). It is important that school systems and schools continue to educate students and parents about bullying and harassment, provide resources for bullying prevention, encourage victims to report incidents when they do occur, and follow up with thorough investigations and corrective actions.

Appendix I: Harassment or Intimidation (Bullying) Reporting Form

HARASSMENT OR INTIMIDATION (BULLYING) REPORTING FORM

Directions: Harassment and intimidation (bullying) are serious and will not be tolerated. This is a form to report alleged harassment and intimidation (bullying) that occurred on school property; at a school-sponsored activity or event off school property; on a school bus; or on the way to and/or from school*, in the current school year. If you are a student victim, the parent/guardian of a student victim, or a close adult relative of a student victim, and wish to report an incident of alleged harassment or intimidation (bullying), complete this form and return it to the Principal at the student victim's school. Contact the school for additional information or assistance at any time.

Harassment and intimidation (bullying) means conduct, including verbal conduct, 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 motivated by an actual or a perceived personal characteristic such as race, national origin, marital status, sex, sexual orientation, gender identity, religion or disability, or is threatening or seriously intimidating.

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

School: _____

School System: _____

PERSON REPORTING INCIDENT Name: _____

Telephone: _____ E-mail: _____

Place an **X** in the appropriate box: Student Parent/guardian Close adult relative

1. Name of student victim: _____ Age: _____
(Please print)

2. Name(s) of alleged offender(s) (If known): <small>(Please print)</small>	Age	School <small>(if known)</small>	Is he/she a student?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

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

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

4. Where did the incident happen (choose all that apply)?

On school property At a school-sponsored activity or event off school property
 On a school bus On the way to/from school*

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

Hitting, kicking, shoving, spitting, hair pulling, or throwing something
 Getting another person to hit or harm the student
 Teasing, name-calling, making critical remarks, or threatening, in person or by other means
 Demeaning and making the victim of jokes
 Making rude and/or threatening gestures
 Excluding or rejecting the student
 Intimidating (bullying), extorting, or exploiting
 Spreading harmful rumors or gossip
 Other (specify) _____

*Will be collected unless specifically excluded by local board policy

Appendix I: Harassment or Intimidation (Bullying) Reporting Form

6. What did the alleged offender(s) say or do? _____

(Attach a separate sheet if necessary)

7. Why did the harassment or intimidation (bullying) occur? _____

(Attach a separate sheet if necessary)

8. 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

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

10. 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? _____

11. 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

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

(Attach a separate sheet if necessary)

Signature: _____ Date: _____

Appendix II: Harassment Or Intimidation (Bullying) Incident School Investigation Form

HARASSMENT OR INTIMIDATION (BULLYING) INCIDENT SCHOOL INVESTIGATION FORM

School Personnel Completing Form: _____ Position: _____

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

School System: _____

Person Reporting Incident (From reporting form) Name: _____

Telephone: _____ E-mail: _____

Place an **X** in the appropriate box: Student Parent/guardian Close adult relative

1. Name of student victim: _____ Age: _____ Days absent as a result of the incident: _____
(Please print)

2. Name(s) of alleged offender(s) (If known):	Age	School	Is he/she a student?	Days absent due to incident
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

(Please print)

Total number of alleged offenders: _____

INVESTIGATION

3. What actions were taken to investigate this incident? (choose all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Interviewed student victim
<input type="checkbox"/> Interviewed alleged offender(s)
<input type="checkbox"/> Interviewed witnesses
<input type="checkbox"/> Witness statements collected in writing
<input type="checkbox"/> Interviewed school nurse
<input type="checkbox"/> Reviewed any medical information available
<input type="checkbox"/> Interviewed teachers and/or school staff | <input type="checkbox"/> Interviewed student victim's parent/guardian
<input type="checkbox"/> Interviewed alleged offender's parent/guardian
<input type="checkbox"/> Examined physical evidence
<input type="checkbox"/> Conducted student record review
<input type="checkbox"/> Obtained copy of police report
<input type="checkbox"/> Other (specify) _____ |
|--|--|

4. Why did the harassment or intimidation (bullying) occur (alleged motives)? (choose all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Because of race
<input type="checkbox"/> Because of national origin
<input type="checkbox"/> Because of marital status
<input type="checkbox"/> Because of sex
<input type="checkbox"/> Because of sexual orientation
<input type="checkbox"/> Because of gender identity
<input type="checkbox"/> Because of religion | <input type="checkbox"/> Because of disability
<input type="checkbox"/> Because of physical appearance
<input type="checkbox"/> To impress others
<input type="checkbox"/> Just to be mean
<input type="checkbox"/> Because of another reason (specify) _____
<input type="checkbox"/> The reason is unknown |
|---|---|

Appendix II: Harassment Or Intimidation (Bullying) Incident School Investigation Form

5. What corrective actions were taken in this case (choose all that apply)?

- None were required, this was a false allegation
- None, the incident did not warrant any corrective action
- Student conference
- Student warning
- Letter of apology
- Mediation
- Counseling
- Parent letter
- Parent phone call
- Parent conference
- Detention
- In-school suspension
- Out-of-school suspension/expulsion
- Other (specify) _____

6. Additional pertinent information gained during the interview : _____

(Attach a separate sheet if necessary)

7. Investigator notes: _____

(Attach a separate sheet if necessary)

Signature: _____ **Date:** _____

Appendix III: Harassment and Intimidation (Bullying) Incident Reporting Instrument

Maryland State Department of Education in accordance with the Safe Schools Reporting Act of 2005

Harassment and Intimidation (Bullying) Incident Reporting Instrument Reporting Period: 2005-2006 School Year

Instructions: Enter the total number of responses in each category. Because some items are "mark all that apply," totals may exceed the total number of reports filed. Enter responses in bordered, highlighted cells.

Local School System:

--

Indicate the number of persons of each age

R.I **Ages:**

- Age birth to 4
- Age 5
- Age 6
- Age 7
- Age 8
- Age 9
- Age 10
- Age 11
- Age 12
- Age 13
- Age 14
- Age 15
- Age 16
- Age 17
- Age 18
- Age 19 and older

Number of Student Victims	Number of Alleged Student Offenders in Student Victim's School	Number of Alleged Student Offenders Not in Student Victim's School	Alleged Offenders Who are Not Students

R **Location of the Incident:**

Number of Incidents

- On school property
- At a school-sponsored activity or event off school property
- On a school bus
- On the way to/from school**

**Will be collected unless specifically excluded by local board policy

R **Description of the Incident:**

Number of Incidents

- Hitting, kicking, shoving, spitting, hair pulling or throwing something
- Getting another person to hit or harm the student
- Teasing, name calling, making critical remarks, or threatening, in person or by other means
- Demeaning and making the victim of jokes
- Making rude and/or threatening gestures.
- Excluding or rejecting the student
- Intimidating (bullying), extorting, or exploiting
- Spreading harmful rumors or gossip
- Other

Appendix III: Harassment and Intimidation (Bullying) Incident Reporting Instrument

I	<u>Alleged Motives:</u>	<u>Number of Incidents</u>
	Race	
	National origin	
	Marital status	
	Sex	
	Sexual orientation	
	Gender identity	
	Religion	
	Disability	
	Physical appearance	
	To impress others	
	Just to be mean	
	Another reason	
	Unknown	

R,I	<u>Days Student Victim Was Absent As a Result of the Incident</u>	<u>Number of Incidents</u>
	0 days	
	1 day	
	2 days	
	3 days	
	4 days	
	5 days	
	6 days	
	7 days	
	8 days	
	9 days	
	10 days	
	More than 10 days	

I	<u>Days Alleged Student Offender Was Absent As a Result of the Incident</u>	<u>Number of Incidents</u>
	0 days	
	1 day	
	2 days	
	3 days	
	4 days	
	5 days	
	6 days	
	7 days	
	8 days	
	9 days	
	10 days	
	More than 10 days	

Appendix III: Harassment and Intimidation (Bullying) Incident Reporting Instrument

I	<u>Investigative Methods:</u>	<u>Number of Incidents</u>
	Interviewed student victim	
	Interviewed alleged offender(s)	
	Interviewed witnesses	
	Witness statements collected in writing	
	Interviewed school nurse	
	Reviewed any medical information available	
	Interviewed alleged offender's parent/guardian	
	Interviewed teachers and/or school staff	
	Conducted student record review	
	Interviewed student victim's parent/guardian	
	Reviewed physical evidence	
	Obtained copy of police report	
	Other	
I	<u>Corrective Actions:</u>	<u>Number of Incidents</u>
	None required; this was a false allegation	
	None, the incident did not warrant any corrective action	
	Student conference	
	Student warning	
	Letter of apology	
	Mediation	
	Counseling	
	Parent letter	
	Parent phone call	
	Parent conference	
	Detention	
	In-school suspension	
	Out-of-school suspension/expulsion	
	Other	
	<u>Total Local School System Number of Incident Reports Filed:</u>	

Thank you for your assistance in submitting this data.

Key:

R = Information is on the Harassment or Intimidation (Bullying) Reporting Form.

I = Information is on the Harassment or Intimidation (Bullying) Incident School Investigation Form.

Appendix IV: Directions for Local School Systems

Safe Schools Reporting Act of 2005 Implementation Instructions for Local School Systems

The **Safe Schools Reporting Act of 2005** mandates the Maryland State Department of Education (MSDE) to require county boards of education to report incidents of harassment or intimidation (bullying) against students attending a public school under the jurisdiction of the county board. The law further specifies procedures for reporting these acts, including specific guidelines for a *Harassment and Intimidation (Bullying)* form. Additionally, the law requires MSDE to report to the Maryland General Assembly the following:

- A description of the act constituting the harassment or intimidation (bullying);
- The age of the victim and alleged perpetrator;
- The allegation of the alleged perpetrator's motive;
- A description of the investigation of the complaint and any corrective action taken by the appropriate school authorities;
- The number of days a student is absent from school, if any, as a result of the incident; and
- The number of false allegations reported.

Each local school system (LSS) is required to designate a staff person who will be responsible for implementing this law within the system. LSSs will establish procedures for collecting, compiling and reporting information to MSDE. The following procedures are defined by the law:

- MSDE is providing a copy of the standard *Harassment or Intimidation (Bullying) Form* to LSSs. Each LSS will make this form available to students, parents or guardians of students, and close relatives of students.
- Students, parents or guardians of students, and close relatives of students will return the completed *Harassment or Intimidation (Bullying) Form* to the principal of the student victim's school.
- An investigation of the alleged incident will occur in accordance with LSS policies.
- A sample *Harassment or Intimidation (Bullying) Investigation Form* is being provided. LSSs may modify this form, however, the elements on this form are required to complete the *Harassment and Intimidation (Bullying) Incident Reporting Instrument*.
- **LSSs will need information from the *Harassment or Intimidation (Bullying)* form as well as information obtained from the investigation in order to complete the *Harassment and Intimidation (Bullying) Incident Reporting Instrument* (Excel spreadsheet). The *Harassment and Intimidation (Bullying) Incident Reporting Instrument* must be submitted to Alicia Mezu at MSDE (amezu@msde.state.md.us) as an attachment by email by January 31, 2007.**
- A hard copy of the *Harassment and Intimidation (Bullying) Incident Reporting Instrument* must be mailed by January 31, 2007 with the "Certification of Superintendent's Signature" to:

**Alicia Mezu
Maryland State Department of Education
Division of Student and School Services
200 West Baltimore Street
Baltimore, MD 21201**

Appendix IV: Directions for Local School Systems

Who is Responsible	What is Needed	Date	Reporting Period
LSS	Make <i>Harassment and Intimidation (Bullying)</i> forms available to students and parents/guardians and close adult relatives	Starting September, 2005 through June 2009	NA
Local Schools	Report alleged incidents and results of investigation to LSS	TBD by LSS	NA
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE	January 31, 2006	September, 2005 through January 13, 2006
MSDE	Submit report to Maryland General Assembly	March 31, 2006	September, 2005 through January 13, 2006
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE	January 31, 2007	School Year 2005-2006
MSDE	Submit report to Maryland General Assembly	March 31, 2007	School Year 2005-2006
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE	January 31, 2008	School Year 2006-2007
MSDE	Submit report to Maryland General Assembly	March 31, 2008	School Year 2006-2007
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE	January 31, 2009	School Year 2007-2008
MSDE	Submit report to Maryland General Assembly	March 31, 2009	School Year 2007-2008
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE	January 31, 2010	School Year 2008-2009
MSDE	Submit report to Maryland General Assembly	March 31, 2010	School Year 2008-2009

This law will remain in effect for four years during which these reports will be due.

The following definition of harassment and intimidation (bullying) is included on the *Harassment or Intimidation (Bullying)* form to guide students and parents when completing this form, and to guide LSS staff when investigating incidents.

Harassment and intimidation (bullying) means conduct, including verbal conduct, 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 motivated by an actual or a perceived personal characteristic such as race, national origin, marital status, sex, sexual orientation, gender identity, religion or disability, or is threatening or seriously intimidating.

If you need additional information, please contact Alicia Mezu, Specialist, HIV/AIDS Prevention, at (410) 767-0353, or email amezu@msde.state.md.us.



**Division of Student and School Services
Maryland State Department of Education
200 W. Baltimore Street
Baltimore, Maryland 21201**