

BULLYING, HARASSMENT, OR INTIMIDATION 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**

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TABLE OF CONTENTS

Introduction	Page 1
Process.....	Page 2
Findings.....	Page 4
Implementation of the Law by Local School Systems	Page 4
Incident Rates	Page 4
Locations of the Incidents	Page 8
Descriptions of the Incidents	Page 9
Ages of Victims	Page 10
Ages of Offenders	Page 11
Alleged Offender’s Motives	Page 12
Description of the Investigations	Page 13
Corrective Actions Taken	Page 14
Number of Days Missed From School by Victims	Page 15
Number of Days Missed From School by Offenders	Page 16
Number of False Allegations Reported.....	Page 17
Summary	Page 20

Appendix - Forms

- Bullying, Harassment, or Intimidation Reporting Form
- Bullying, Harassment, or Intimidation Incident School Investigation Form
- Bullying, Harassment, or Intimidation Incident Reporting Instrument
- Directions for Local School Systems

BULLYING, HARASSMENT, OR INTIMIDATION IN MARYLAND PUBLIC SCHOOLS

INTRODUCTION

The Safe Schools Reporting Act of 2005 became effective on July 1, 2005. The law (Education Article §7-424, Annotated Code) required the Maryland State Department of Education (MSDE) to require a county board of education and the Baltimore City Board of School Commissioners to report incidents of harassment or intimidation against students in public schools under the county board's and commission'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 and Baltimore City 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.

The second Report to the General Assembly described the process used by MSDE to carry out the mandates of this law but the reporting period in the second report represented the entire 2005-2006 school year (first and second semesters). The third Report to the General Assembly described the process used by MSDE to carry out the mandates of this law. The reporting period for the third report encompassed the entire 2006-2007 school year (first and second semesters). The fourth Report to the General Assembly described the process used by the MSDE to carry out the mandates of this law. The reporting period for the fourth report encompassed the entire 2007-2008 school year (first and second semesters). The fifth Report to the General Assembly described the process used by MSDE to carry out the mandates of this law. The reporting period for the fifth report encompassed the entire 2008-2009 school year (both semesters).

The sixth Report to the General Assembly still describes the process used by the MSDE to carry out the mandates of this law. The reporting period for this sixth report encompasses the entire 2009-2010 school year (first and second semesters). 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. 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.

The 2008 General Assembly passed three bills which were enacted into law on July 1, 2008 that affected the Safe Schools Reporting Act of 2005. House Bill (HB) 1209 removed the sunset requirement of the original Safe Schools Reporting Act of 2005. The requirements of that law will now remain in effect unless changed by future legislation. HB 1158 added a provision to the original law which permitted school staff members to use the same incident reporting form previously available to only students, parents, or close adult relatives of a student. Lastly, HB 199 required the Maryland State Board of Education to develop a model anti-bullying policy in collaboration with school system representatives by March 31, 2009. The model policy was developed according to the requirements of Education Article §7-424.1, Annotated Code of Maryland and was formally adopted by the Maryland State Board of Education on February 24, 2009. The model policy was forwarded to the twenty-four LSSs in the State and was used by them as a basis for developing their own anti-bullying policies as required by the law. All LSSs submitted copies of their anti-bullying policies to the State Superintendent of Schools on or before July 1, 2009. The law also kept all requirements of the Safe Schools Reporting Act of 2005 while expanding the definition of bullying, harassment, or intimidation and adding a definition for an electronic communication.

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 cannot be modified. Its title was changed to correspond to the requirements of HB 199. Its components and function remain the same. It is now entitled the *Bullying, Harassment, or Intimidation Reporting Form* and includes a section for check-off if used by a school staff member (see Form).

The *Harassment or Intimidation (Bullying) Incident School Investigation Form* was presented to schools and local systems as a template, but could be changed to align with local school system policies. However, the elements on the form needed to remain in order to complete the spreadsheet, the *Harassment and Intimidation (Bullying) Incident Reporting Instrument*. To correspond to HB 199, the investigation form is now entitled the *Bullying, Harassment, or Intimidation Incident School Investigation Form* and includes a section for check-off if used by a school staff member (see Form). The school system reporting instrument is now entitled the *Bullying, Harassment, or Intimidation Incident Reporting Instrument* (see Form).

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 stated 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 had expressed serious concerns regarding this issue. An amendment to Education Article §7-424, Annotated Code of Maryland was submitted during the 2007 General Assembly session. House Bill 383 sought to amend Education Article §7-424 to preclude these forms from becoming part of a student's record. It was felt that the inclusion of these forms in a student's record might become detrimental to a victim or if a harassment/intimidation accusation was determined to be false or to contain incorrect information, then having these forms in a student's record would be unfair to an alleged offender. House Bill 383 was passed by the General Assembly and signed into law by the Governor. These forms are no longer required to be part of a student's record.

On September 6, 2007, an administrative meeting was hosted by MSDE staff at the Howard County Staff Development Center in Columbia, Maryland for representatives from each of the twenty-four LSSs. Attendees reviewed the reporting process, timelines, and the reporting requirements of the March 31, 2008 iteration of the Safe Schools Reporting Act to the General Assembly.

On July 7, 2008, a memorandum was sent by the State Superintendent of Schools to the Superintendents of the 24 local school systems describing the changes to the Safe Schools Reporting Act of 2005 now required by HB 1158 and HB 1209. On August 13, 2008, information about the changes to the Safe Schools Reporting Act of 2005 and copies of the updated forms were provided electronically to the school system personnel responsible for fulfilling the requirements of the Safe Schools Reporting Act in the 24 local school systems. This same information and forms were shared with the Directors of Student Services from the 24 LSSs at an administrative meeting on October 15, 2008.

On July 13, 2009, a memorandum was sent by the State Superintendent of Schools to the Superintendents of the 24 local school systems reminding them of the requirements of the Safe Schools Reporting Act. On July 8, 2009, copies of all updated forms and directions pertaining to the Safe Schools Reporting Act had been sent electronically to the school system personnel responsible for fulfilling the requirements of the Safe Schools Reporting Act in the 24 local school systems. This same information was shared with the Directors of Student Services from the 24 local school systems at an administrative meeting on October 22, 2009.

On May 13, 2010, copies of all updated forms and directions pertaining to the Safe Schools Reporting Act were sent electronically to the school system personnel responsible for fulfilling the requirements of the Safe Schools Reporting Act in the 24 local school systems. On July 1, 2010, a memorandum was sent by the State Superintendent of Schools to the Superintendents of the 24 local school systems reminding them of the requirements of the Safe Schools Reporting Act.

FINDINGS

Implementation of the Law by Local School Systems

The 24 LSSs reported data for the entire 2009-2010 school year. Data from the SEED School of Maryland are included in this report. The SEED School, which opened in August, 2009, is a college preparatory public boarding school that serves underserved students from around the State. The SEED School is located at 200 Font Hill Avenue, Baltimore, Maryland 21223. In this report, the accompanying graphs (Figures 1-11), Tables 1 and 2, and narrative provide a comparison of the reported information for three complete school years. On the graphs, the 2007-2008 school year information is presented in dark blue, the 2008-2009 school year information is presented in light blue, and the 2009-2010 school year information is presented in grey.

Incident Rates

A total of 3,818 incidents were reported for the 2009-2010 school year. This represents a state-wide increase of 2,132 reported incidents from the 2008-2009 school year and a state-wide increase of 2,524 reported incidents from the 2007-2008 school year. The number of reported incidents in each LSS is presented in Figure 1; the rate of reported incidents per 1,000 students relative to 2009-2010 enrollment is shown in Table 1. Twenty-three LSSs/SEED School indicated an increase in the number of reported incidents while two LSSs indicated a decrease. Several LSSs reported significant increases in the number of incidents, notably Baltimore City, Anne Arundel, Baltimore, Carroll, Howard, Montgomery, Prince George's, Talbot, and Wicomico Counties.

Prince George's County reported the most incidents with a total of 488 and a rate of 3.8 incidents per 1,000 enrolled students. Talbot County reported the most incidents relative to enrollment based on the preceding data. Baltimore City and Montgomery County

reported 213 and 295 incidents, respectively, with rates relative to enrollment of 2.6 and 2.1 incidents per 1,000 enrolled students, respectively.

Based on the methods of reporting and the varied means of distributing the reporting form in LSSs, it is speculated that the increase in reported incidents may be attributed to an increase in awareness of bullying and harassment on the part of students, staff and parents. Since the change in the law in 2008, staff members were able to use the same reporting form as students and parents, thereby providing additional information. The 2009-2010 school year was also the first year during which bullying prevention programming was required to be presented by the LSSs to students, staff, and volunteers. It is speculated that the programming further heightened awareness of the issue among the school communities.

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

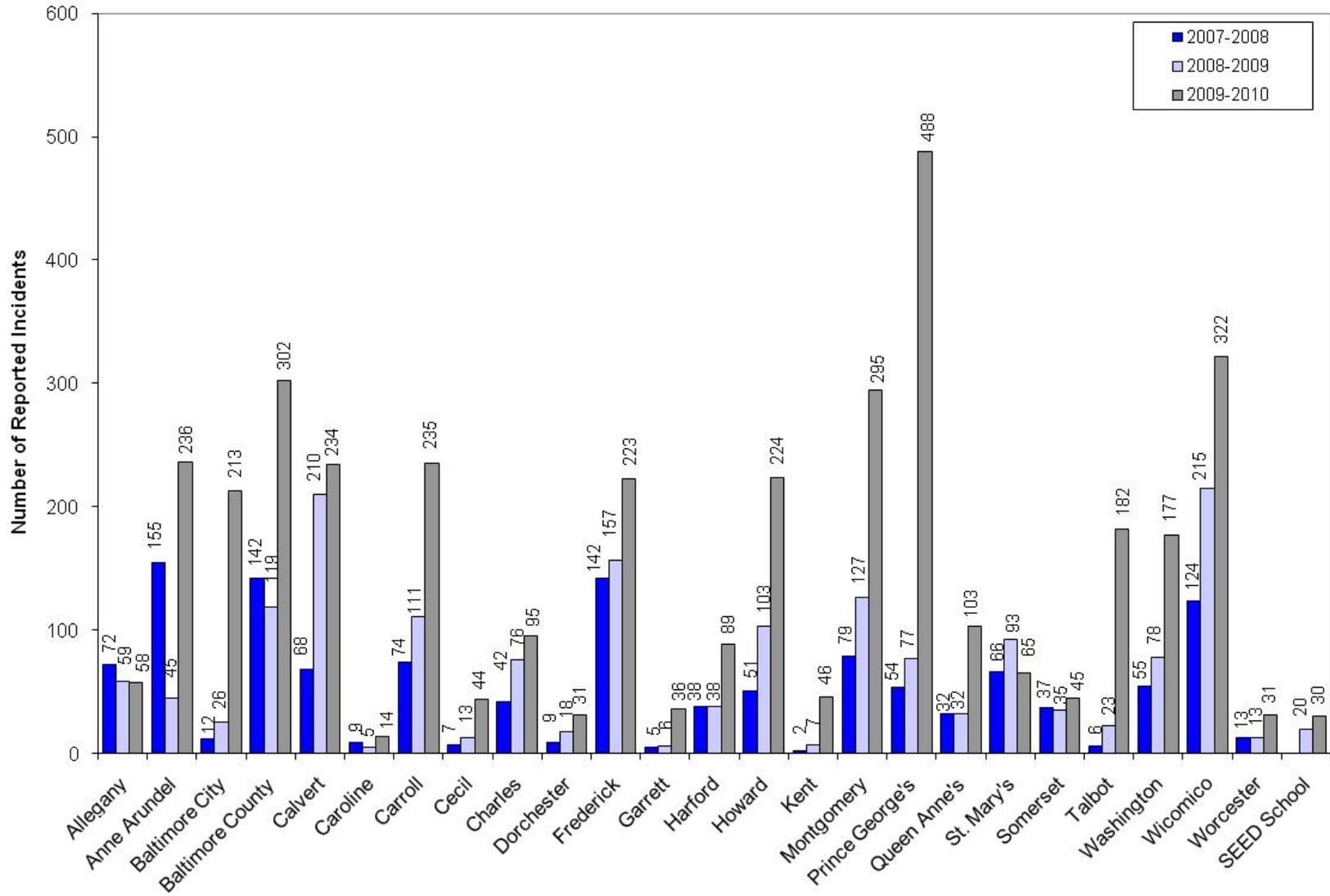


Table 1. Number of Reported Incidents Relative to Enrollment, by Local School System

Number of Reported Incidents Per 1000 Enrolled Students			
School System			
Local School System	School Year		
	2007-2008	2008-2009	2009-2010
Allegany	7.6%	6.4%	6.3%
Anne Arundel	2.1%	0.6%	3.2%
Baltimore City	1.4%	0.3%	2.6%
Baltimore County	1.4%	1.2%	2.9%
Calvert	3.9%	12.3%	13.8%
Caroline	1.6%	0.9%	2.5%
Carroll	2.6%	4.0%	8.5%
Cecil	0.4%	0.8%	2.7%
Charles	1.6%	2.8%	3.6%
Dorchester	1.9%	3.9%	6.7%
Frederick	3.5%	3.9%	5.6%
Garrett	1.1%	1.4%	8.4%
Harford	1.0%	1.0%	2.3%
Howard	1.0%	2.1%	4.4%
Kent	0.9%	3.2%	21.1%
Montgomery	0.6%	0.9%	2.1%
Prince George's	0.4%	0.6%	3.8%
Queen Anne's	4.1%	4.1%	13.2%
St. Mary's	3.9%	5.6%	3.8%
Somerset	12.7%	12.0%	15.5%
Talbot	1.4%	5.2%	40.5%
Washington	2.5%	3.6%	8.1%
Wicomico	8.6%	14.7%	22.0%
Worcester	1.9%	1.9%	4.7%

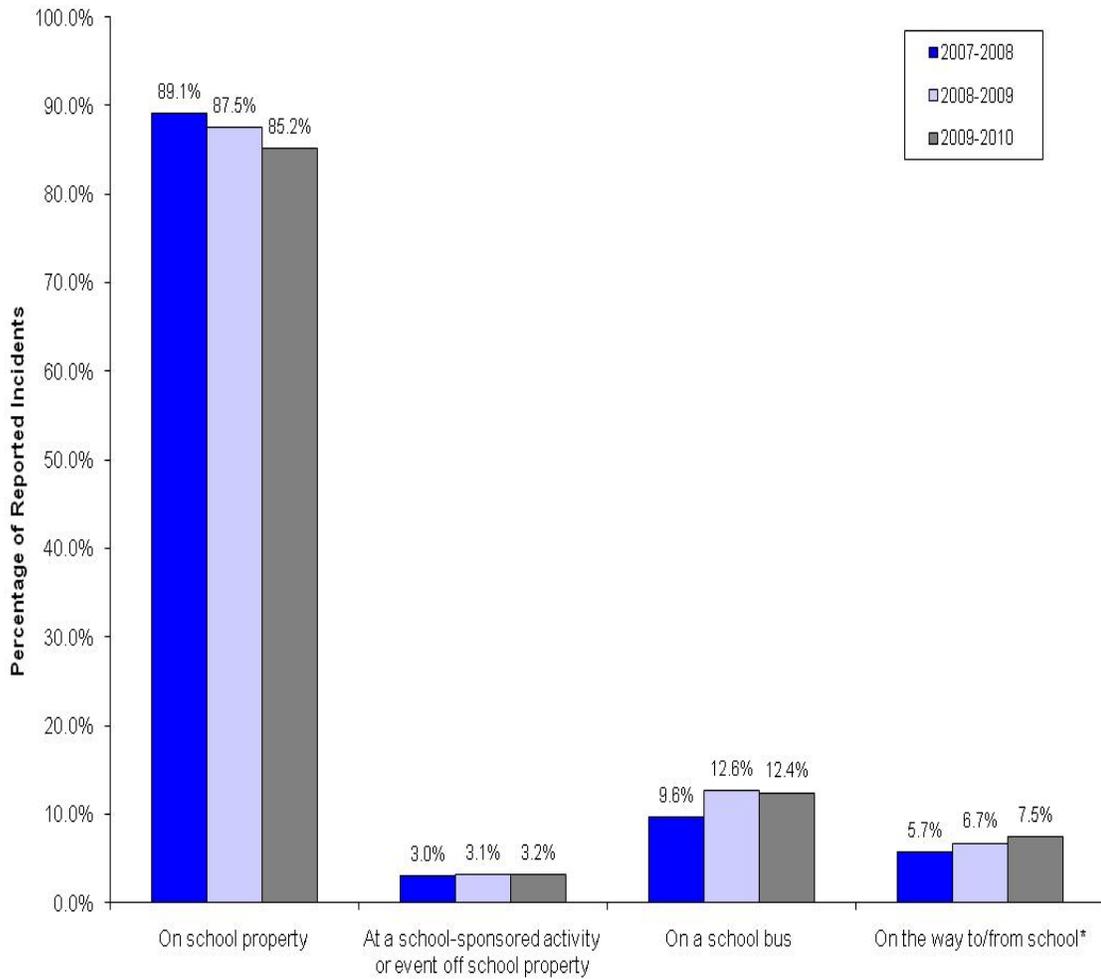
Again, it is important to note that the variation in numbers of reported incidents may largely reflect differences among school systems in levels of awareness on the parts of school staff, parents, and students themselves. School staff with greater understanding of the problems of bullying, and the importance of reporting and investigating incidents, are more likely to be pro-active 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.

All school systems have now implemented system-wide and school-wide programs on bullying awareness and prevention. It is believed from these results that students, parents, and staff in the school systems feel comfortable reporting bullying and harassment and knowing there are appropriate responses and consequences from school staff/administration.

Locations of the Incidents

The majority of the incidents occurred on school property (85.2%), with the second largest number (12.4%) occurring on a school bus (see Figure 2). These percentages remain consistent with those from the previous two reports.

Figure 2. Locations of Reported Incidents, Statewide

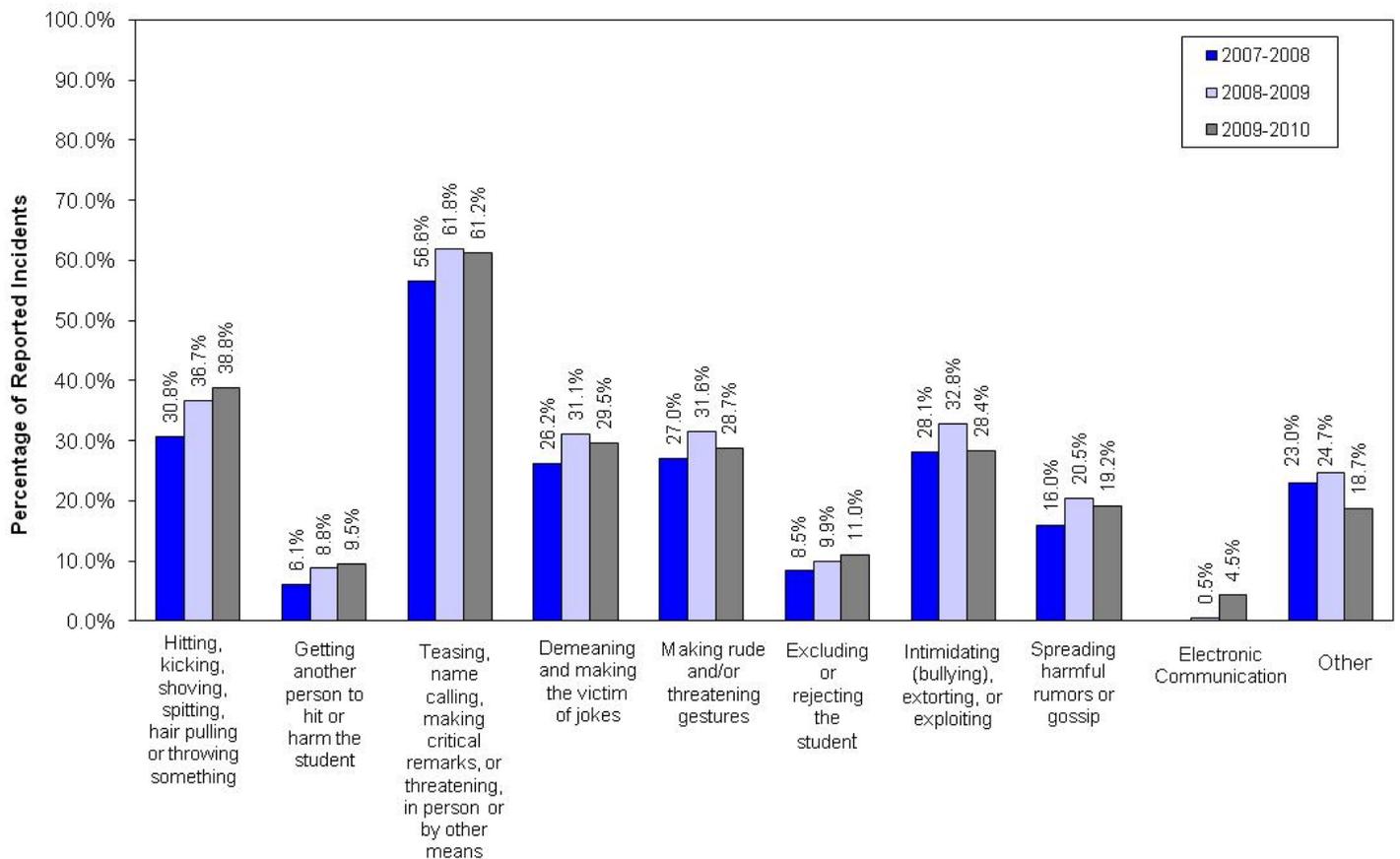


* Collected unless specifically excluded by local board policy. Note: Each incident report could identify more than one location. Therefore, the percentages do not total 100%.

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 Bullying, Harassment, or Intimidation Reporting Form*). The largest number of incidents involved teasing, name-calling, making critical remarks, or threatening (61.2%). In other words, direct verbal bullying/harassment is experienced more than other forms, such as physical bullying, exclusion, gestures, extorting, or spreading rumors. Thirty-eight point eight percent (38.8%) of the incidents involved some form of physical aggression such as hitting, kicking, shoving, spitting, hair-pulling or throwing something (see Figure 3). These percentages remain consistent with those from the previous two reports.

Figure 3. Descriptions of Reported Incidents, Statewide

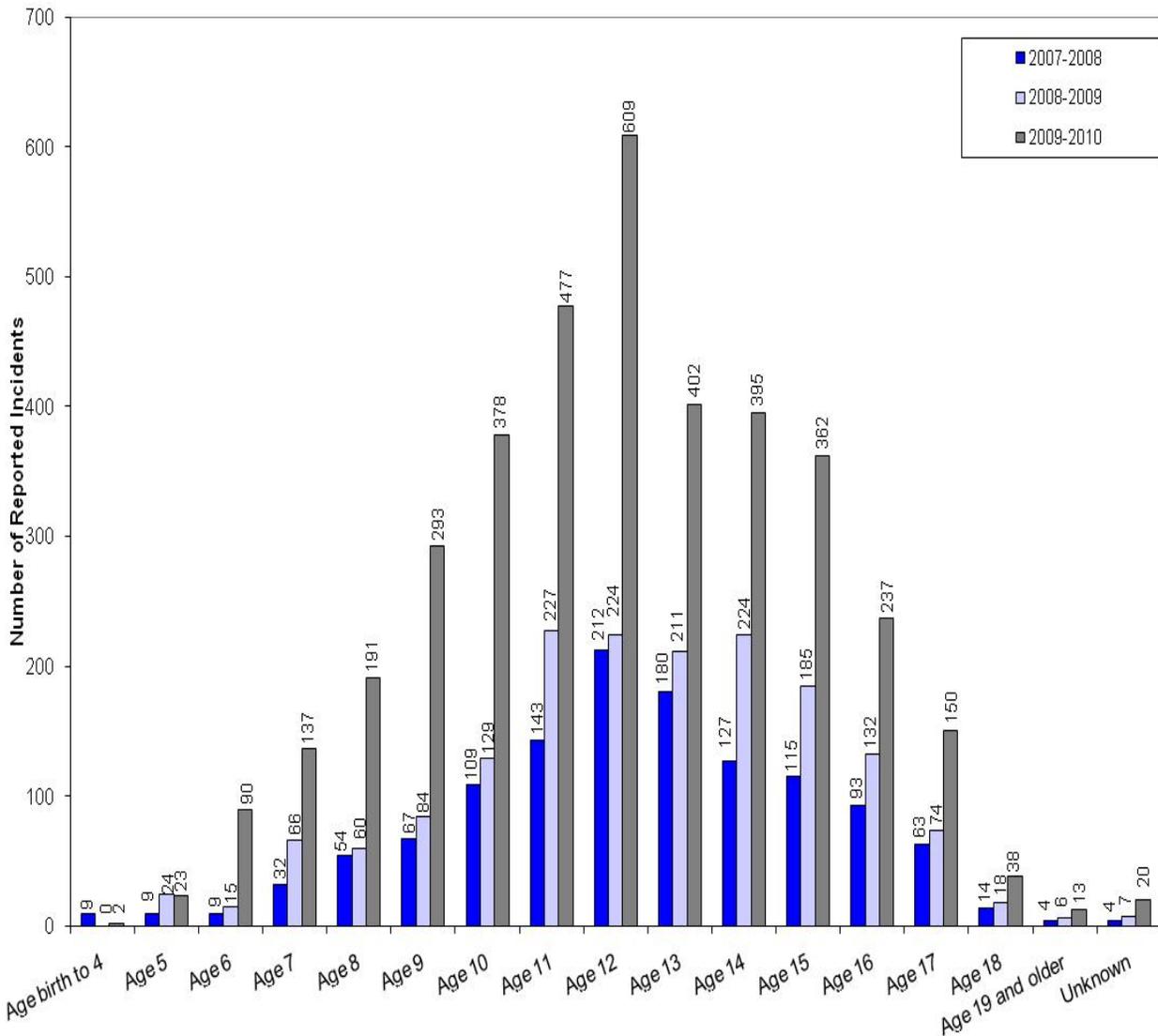


Note: Each incident report could identify more than one description. Therefore, the percentages do not total 100%.

Ages of Victims

Twelve year olds were the most frequent victims of incidents of bullying and harassment (n=609, 15.96%) according to the submitted reports (see Figure 4). This represents a change from the March 31, 2010 report where eleven year olds were the most frequent victims of bullying and harassment (n=227, 13.5%). The number of victims of bullying and harassment decreases for each age group from age 12 through age 15 and continues to decline progressively to age 19 and older. This pattern has been largely consistent during the 6 years that this data have been collected. The majority of victims were between the ages of 11 and 13 (n=1,488, 38.97 %). This is consistent with research that indicates that more bullying and harassment occur in middle school than in elementary or high schools. The ages of victims ranges from birth to 4 to age 19 or older.

Figure 4. Ages of Victims, Statewide

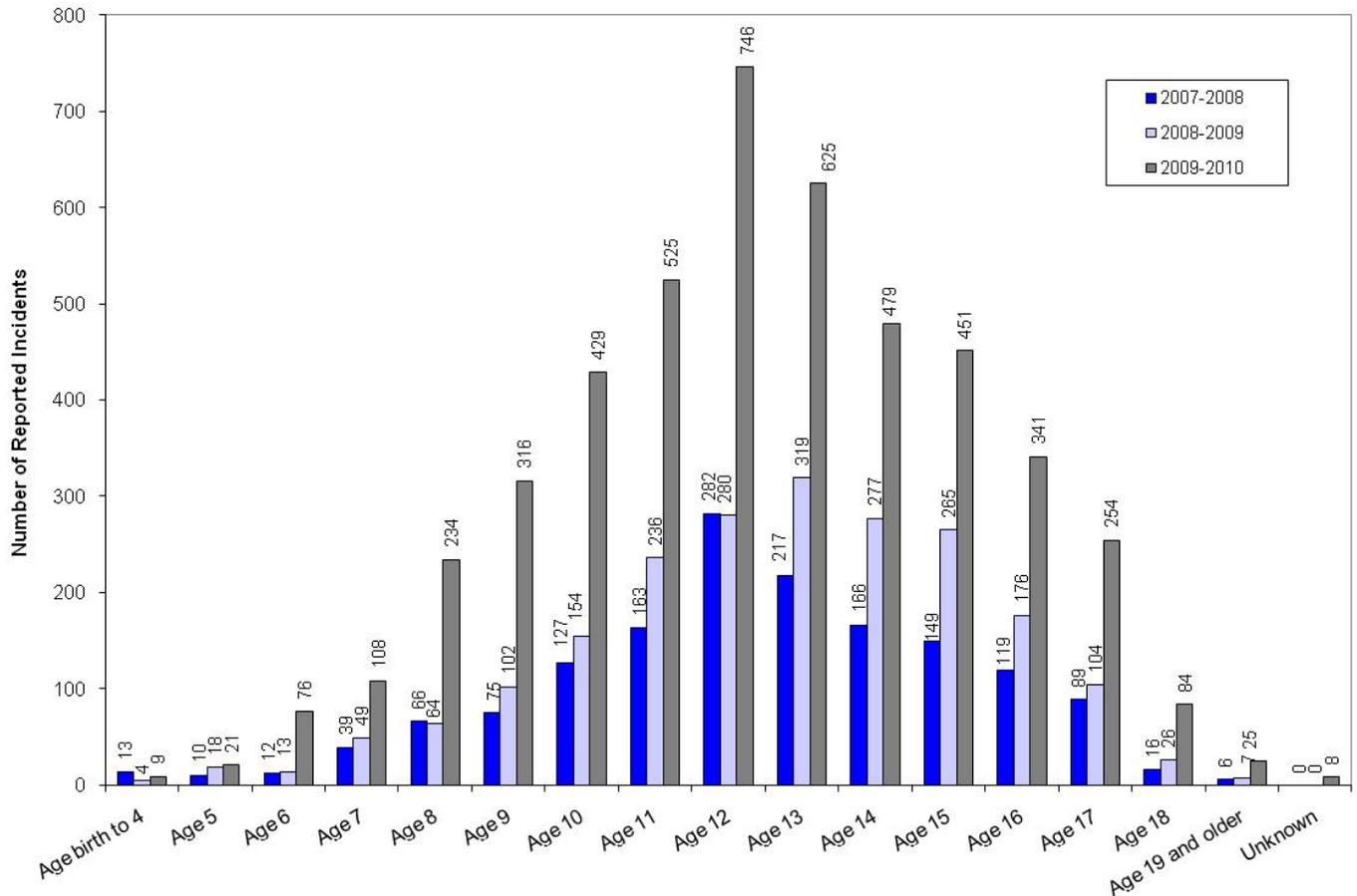


In 2007-2008 there were 4 cases with age unknown; in 2008-2009 there were 7 cases with age unknown; in 2009-2010 there were 20 cases with age unknown.

Ages of Offenders

The greatest number of incidents were perpetrated by 12 year olds (n=746, 19.5%) according to the submitted reports (see Figure 5). This represents a change from the March 31, 2010 report where the greatest number of incidents had been perpetrated by 13 year olds (n=319, 18.9%). Data in the March 31, 2007, 2008, and 2009 reports indicated that the greatest number of incidents had been perpetrated by 12 year olds. The number of offenders for each age group decreases from age 12 through age 19 and older. This is a similar pattern indicated in the 5 previous reports. The majority of offenders were between the ages of 11 and 13 (n=1,896, 49.7%). This age bracket indicates that the majority of bullying occurs at middle school age. The ages of offenders ranged from birth to 4 to age 19 and older.

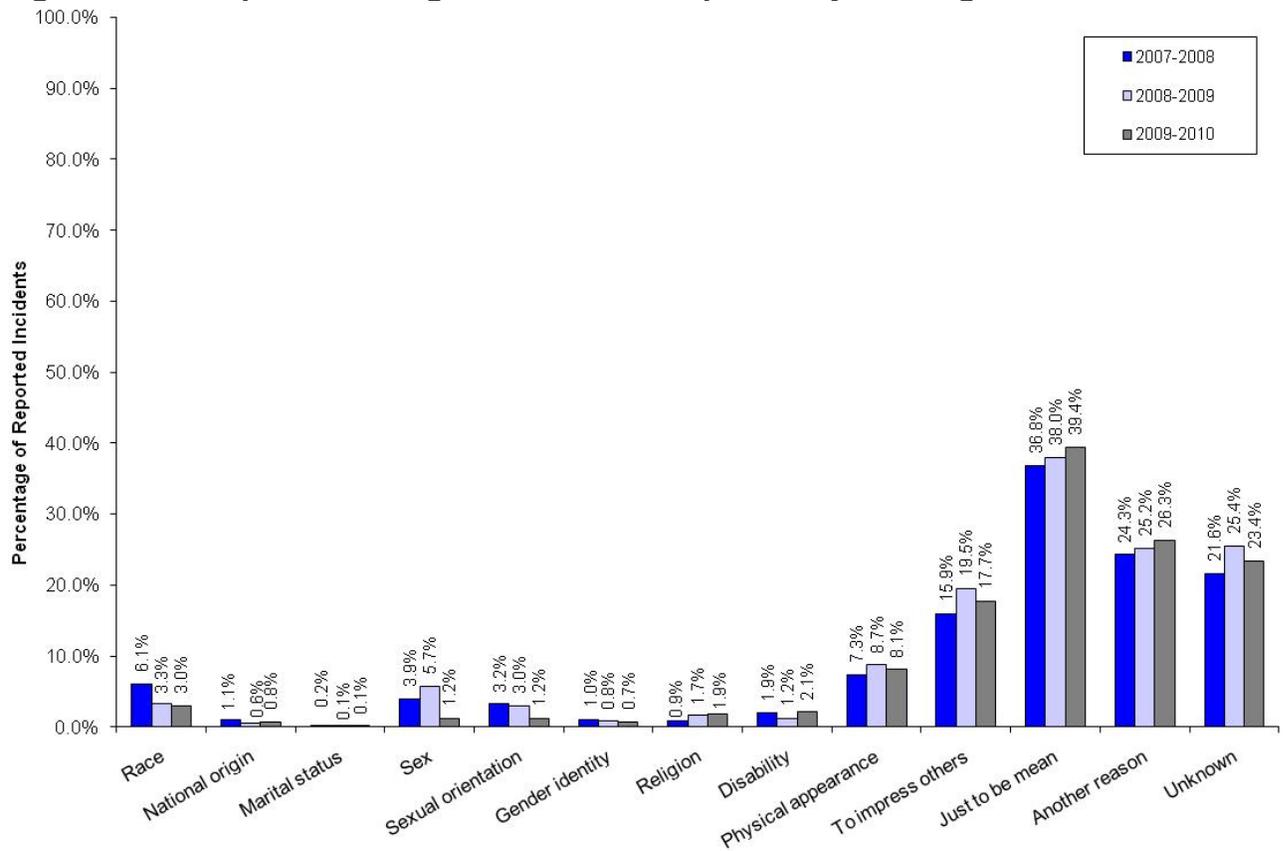
Figure 5. Ages of Alleged Offenders, Statewide



Alleged Offender’s Motives

The *School Investigation Form* listed motives that were specified in the law and others that were gathered from research as to the reasons why students bully other students. The motives reported are presented in Figure 6. A significant number of reports identified “Another Reason” (26.3%) and “Unknown” (23.4%) as the alleged motives. The motive most frequently cited was “Just To Be Mean” (n=1,503, 39.4%). Almost 18% of the incidents were allegedly perpetrated “To Impress Others” (n=675, 17.7%). Physical appearance (n=308, 8.1%), race (n=114, 3.0%), and disability (n=79, 2.1%) were next, although with much smaller percentages. The remaining incidents were allegedly perpetrated due to religion, sexual orientation, sex, national origin, gender identity, and marital status.

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

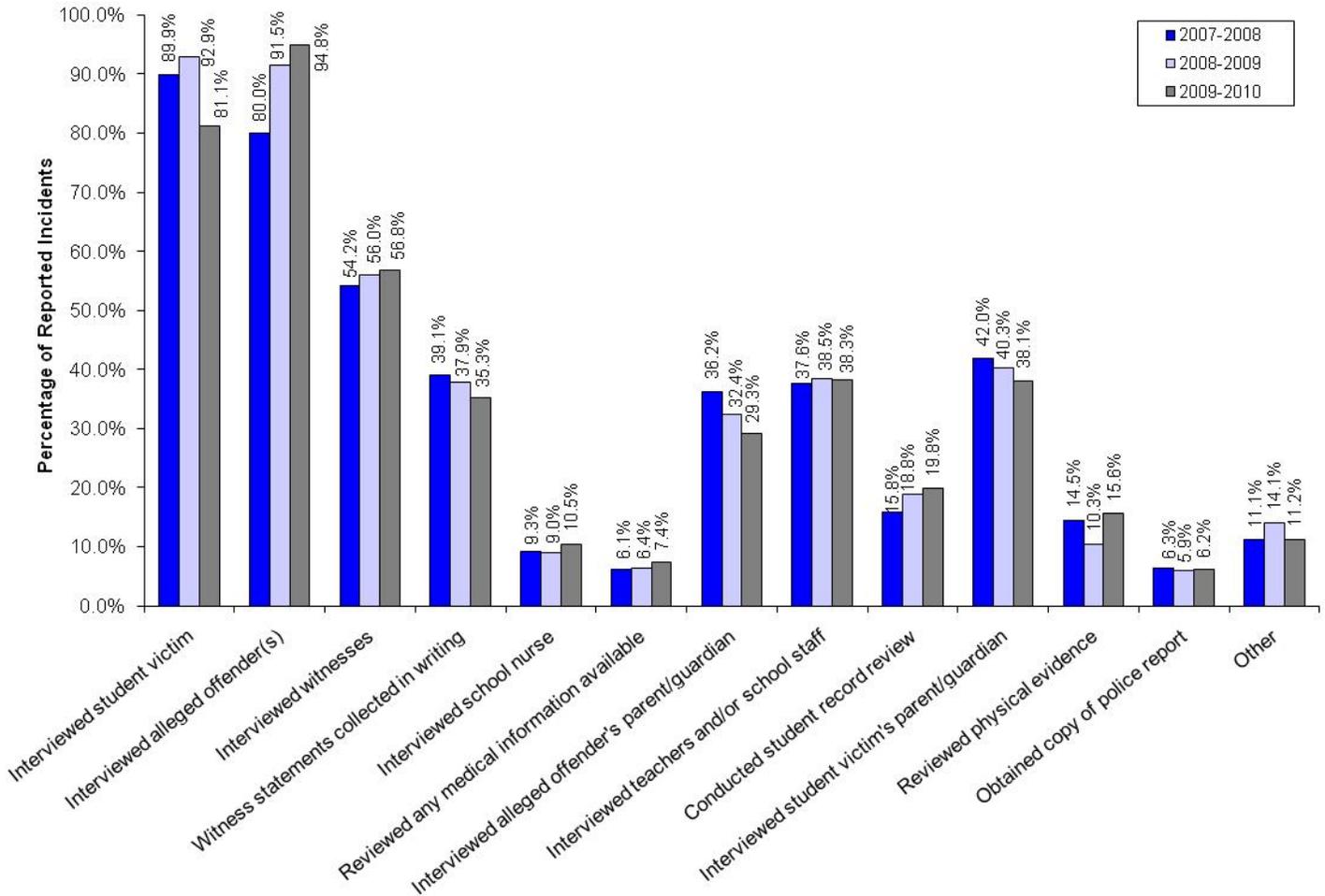


Note: Each school investigation form could identify more than one alleged motive. Therefore, the percentages do not total 100%.

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 alleged offenders (n=3,621, 94.8%), interviews of student victims (n=3,097, 81.1%), interviews of witnesses (n=2,167, 56.8%), interviews of teachers and/or other school staff (n=1,464, 38.3%), interviews of the victim's parents or guardians (n=1,454, 38.1%), review of witnesses' written statements (1,347, 35.3%), and interviews of alleged offender's parents or guardians (n=1,117, 29.3%). Other means were used when necessary (see Figure 7). Information collected for this year's report shows similar percentages in all categories of Investigative Methods in comparison to the March 31, 2010 report. This may be an indication that school administrators are devoting more time to investigating the details of reported bullying and harassment incidents.

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

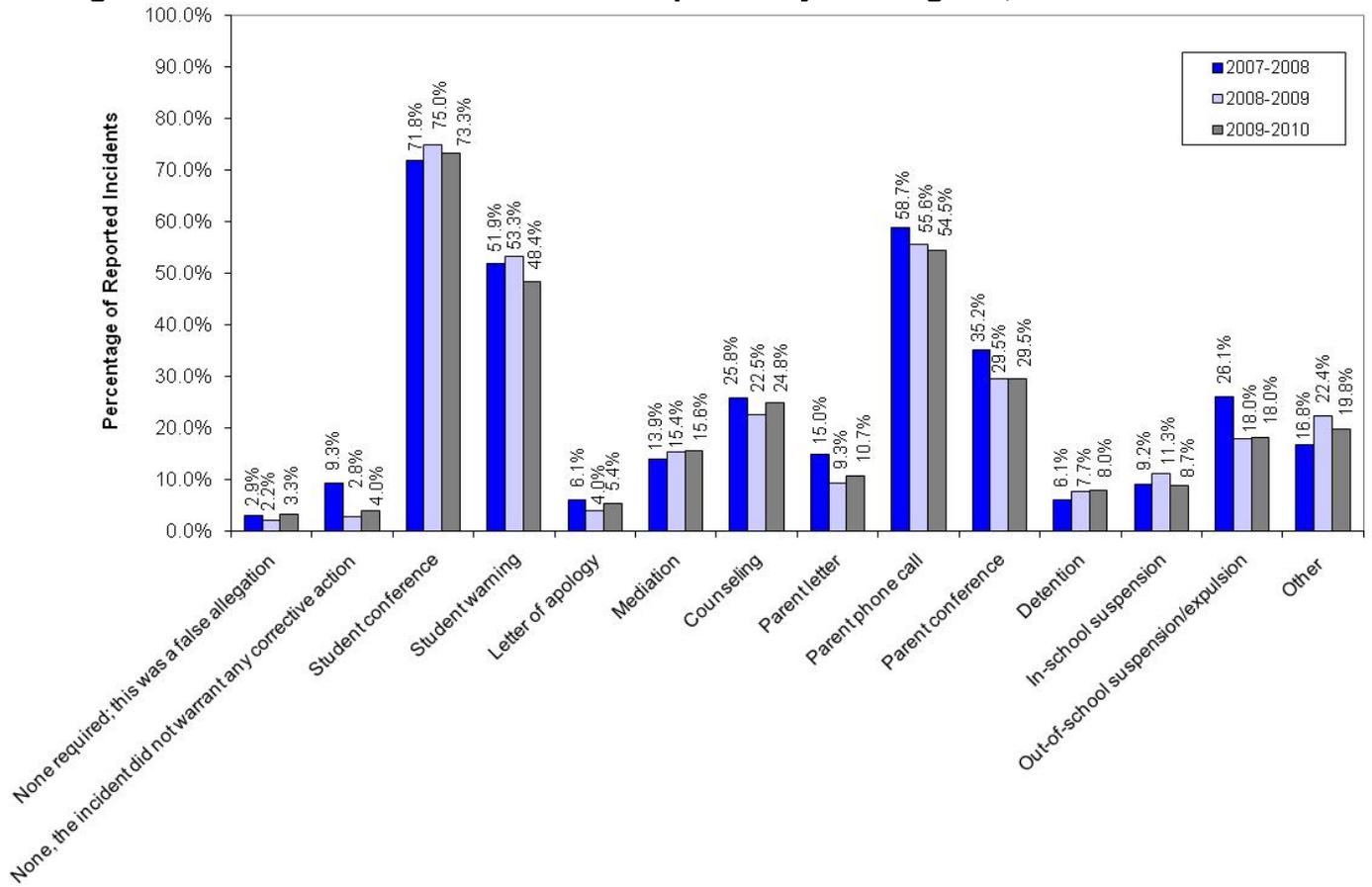


Note: Each school investigation form could identify more than one investigative method. Therefore, the percentages do not total 100%.

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=3,465, 90.8%). Student conferences (n=2,798, 73.3%), parent phone calls (n=2,082, 54.5%), student warnings (n=1,844, 48.4%), and parent conferences (n=1,128, 29.5%) were among the most frequently used corrective actions (see Figure 8). Counseling was also offered in more than twenty percent of the incidents (n=948, 24.8%). 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. Six-hundred eighty-nine (689) incidents (18.0%) resulted in out-of-school suspension or expulsion, demonstrating that the majority of these incidents might not have been reported to the State without this specific reporting requirement.

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

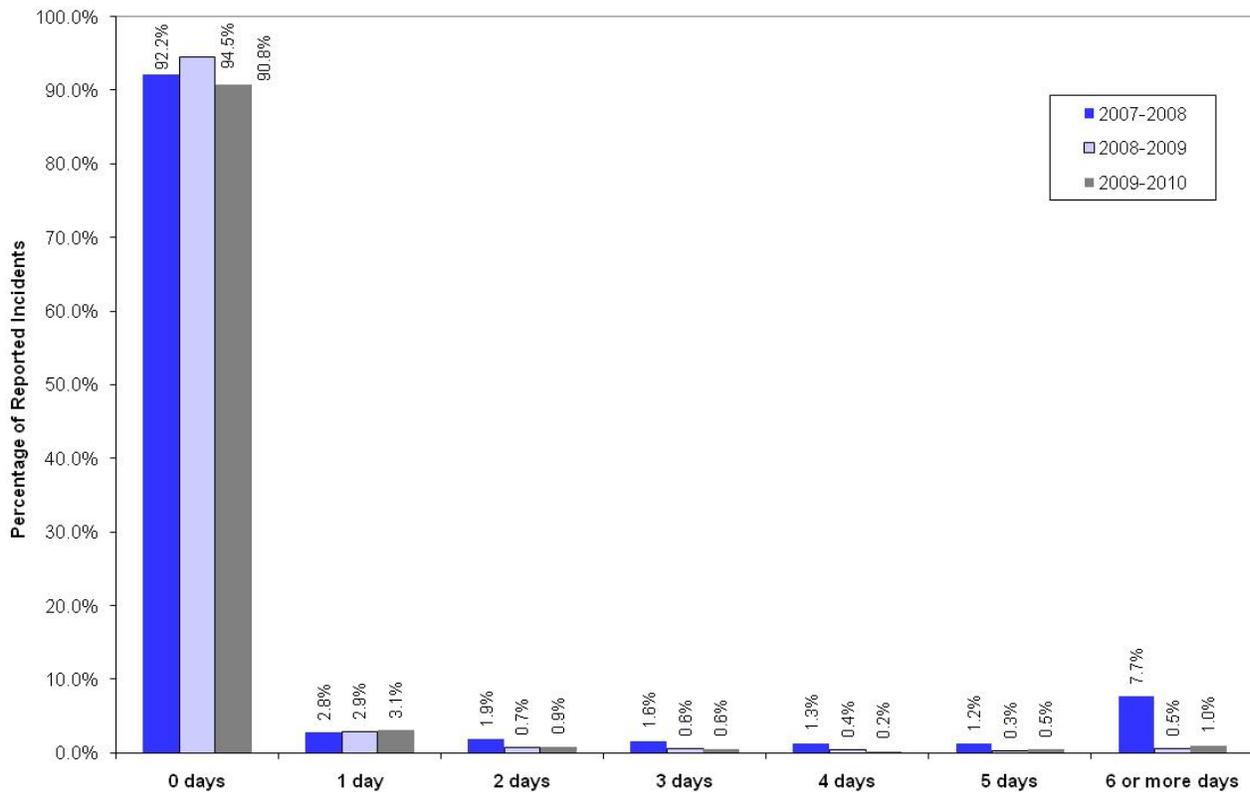


Note: Each school investigation form could identify more than one corrective action. Therefore, the percentages do not total 100%.

Number of Days Missed From School by Victims

Victims did not miss much school as a result of the incidents in the majority of cases. Victims missed school in 237 cases (6.2%), (see Figure 9). It is unknown from the data whether victims missed school due to injury, fear of attending, or other reasons. In comparison to similar data from the two previous reports, 90.8% of the victims did not miss any school. This represents a decrease of 3.7% of victims not missing time from school when compared to the information in the March 31, 2010 report and a decrease of 1.4% of victims not missing time from school when compared to the information in the March 31, 2009 report.

Figure 9. Days Student Victim Was Absent As a Result of the Incident*

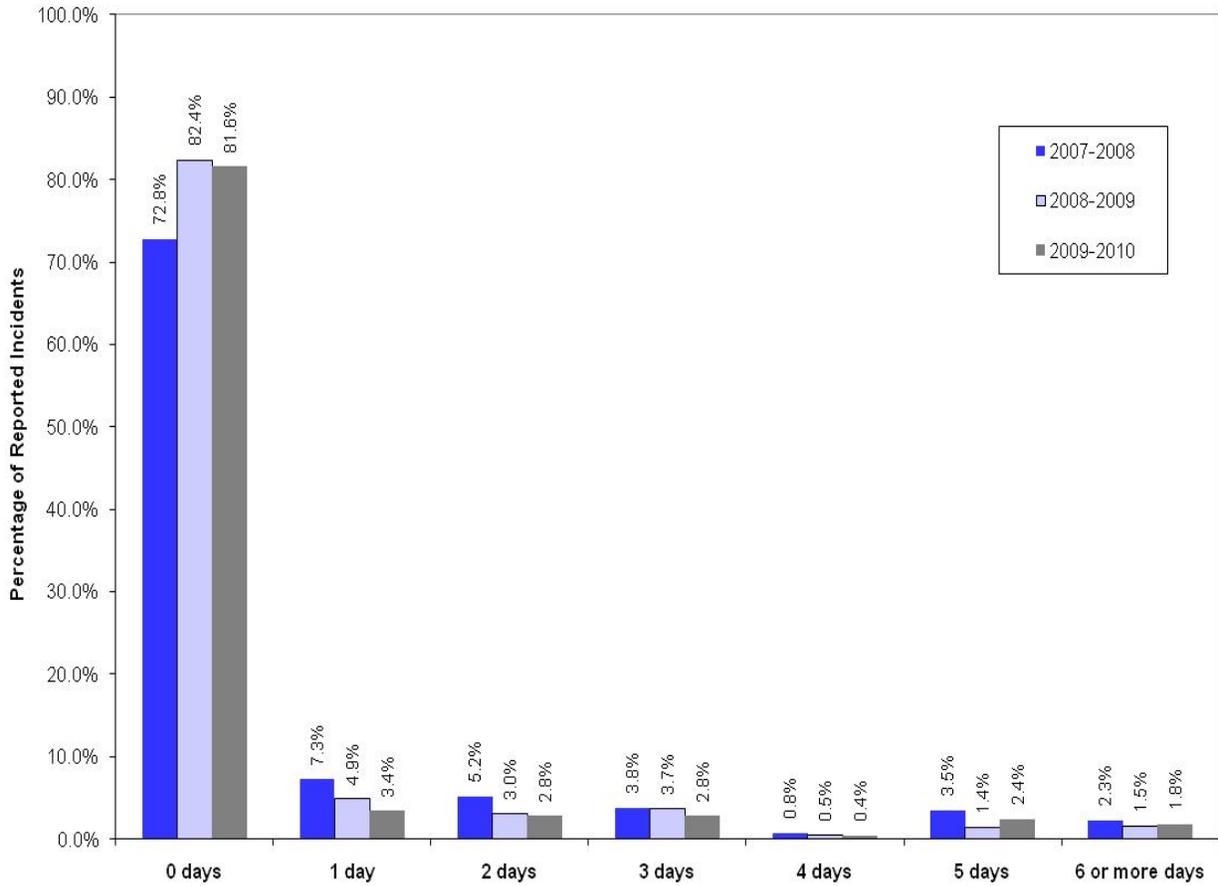


*In 2007-2008 there were 16 cases with days absent unknown; in 2008-2009 there were 2 cases with days absent unknown; in 2009-2010 there were 14 cases with days absent unknown.

Number of Days Missed From School by Offenders

Offenders did miss more school than victims as a result of the incidents in the majority of cases. Offenders were absent in 524 cases (13.7%) (see Figure 10). It is unknown from the data whether the offenders missed school due to suspensions, injury, or other reasons. This represents a decrease of 0.8% of offenders not missing school when compared to the information in the March 31, 2010 report and an increase of 8.8% of offenders not missing school when compared to the information in the March 31, 2009 report. While data do not indicate specifically, this could be the result of school personnel utilizing means other than suspension or expulsion to deal with offenders.

Figure 10. Absences as a Result of Incident for Offender, Statewide

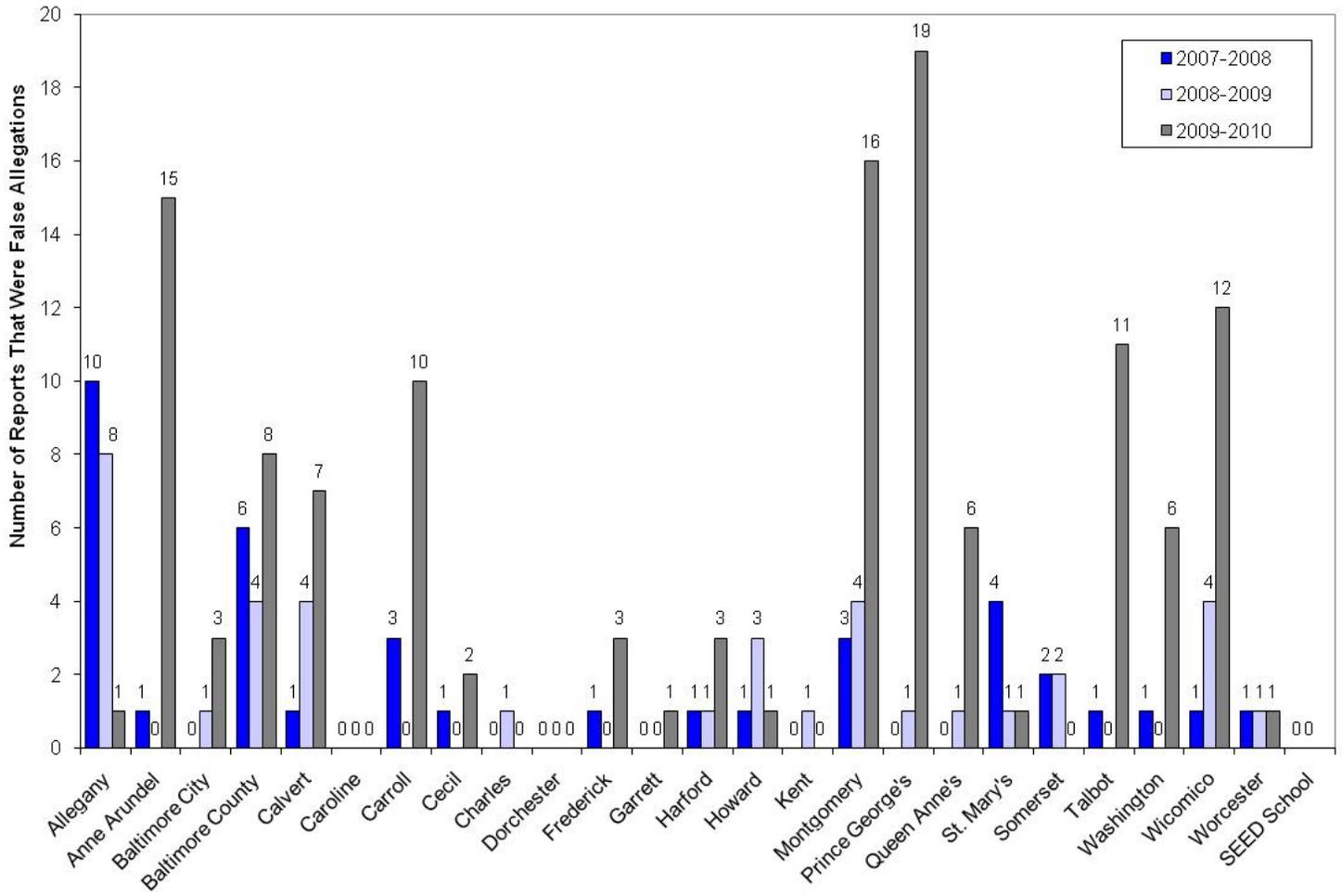


*In 2007-2008, there 22 cases with days absent unknown; in 2008-2009, there were 22 cases with days absent unknown; in 2009-2010, there were 84 cases with days absent unknown.

Number of False Allegations Reported

Investigations into some incident reports found them to be false allegations (see Figure 11 and Table 2). There were a total of 126 false allegations reported in 20 school systems, representing 3.3% of the total. The largest number of false allegations was in Prince George’s County (n=19, 3.9%).

Figure 11. Number of False Allegations, by Local School System



**Table 2. Percentage of Incident Reports That Were False Allegations,
by Local School System**

Percentage of Incident Reports that were False Allegations by Local School System			
Local School System	Year		
	2007-2008	2008-2009	2009-2010
Allegany	13.9%	13.6%	1.7%
Anne Arundel	0.6%	0.0%	6.4%
Baltimore City	0.0%	3.8%	1.4%
Baltimore County	4.2%	3.4%	2.6%
Calvert	1.5%	1.9%	3.0%
Caroline	0.0%	0.0%	0.0%
Carroll	4.1%	0.0%	4.3%
Cecil	14.3%	0.0%	4.5%
Charles	0.0%	1.3%	0.0%
Dorchester	0.0%	0.0%	0.0%
Frederick	0.7%	0.0%	1.3%
Garrett	0.0%	0.0%	2.8%
Harford	2.6%	2.6%	3.4%
Howard	2.0%	2.9%	0.4%
Kent	0.0%	14.3%	0.0%
Montgomery	3.8%	3.1%	5.4%
Prince George's	0.0%	1.3%	3.9%
Queen Anne's	0.0%	3.1%	5.8%
St. Mary's	6.1%	1.1%	1.5%
Somerset	5.4%	5.7%	0.0%
Talbot	16.7%	0.0%	6.0%
Washington	1.8%	0.0%	3.4%
Wicomico	0.8%	1.9%	3.7%
Worcester	7.7%	7.7%	3.2%
SEED School	N/A	0.0%	6.7%

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." The *2007 Maryland Adolescent Survey* of students in grades 6, 8, 10, and 12 indicated that over 80% of the students reported never or rarely feeling unsafe in school. Only 7.2% of those students reported missing some time from school due to feeling unsafe.¹

The *2009 Maryland Youth Risk Behavior Survey* (YRBS) surveyed 1,644 students in grades 9 through 12 in 30 randomly selected Maryland public high schools. The survey revealed that 20.9% of Maryland's high school students had been harassed or bullied on school property during the past 12 months of the survey's administration. This indicated a downward trend of 4.8% from the 2007 survey's results. Twenty-seven point five percent of students (27.5%) reported receiving verbal slurs due to weight, size, or physical appearance. This indicated a downward trend of 1.2% from the 2007 survey's results. Of the surveyed students, almost fifteen percent (15%) reported being teased or called names due to their race or ethnic background, again representing a downward trend of 2.4% from the 2007 survey's results. Other surveyed students (8.9%) indicated they were harassed or bullied during the past 12 months due to perceived sexual orientation, representing a downward trend of 4.1% from the 2007 survey's results.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 bullying, harassment, and intimidation. During the 2009-2010 school year, 3,818 incidents of bullying, harassment, or intimidation were reported in Maryland's public schools using the 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. Over one-third (38.8%) of the reported incidents involved a physical attack. Slightly more than one in five incidents (18.0%) resulted in an out-of-school suspension or expulsion. About one incident in sixteen (6.2%) caused the victim to miss school. The motives behind these incidents varied; over half (57.1%) were committed "just to be mean" and "to impress others," while 716 (17.6%) were motivated by actual or perceived personal characteristics such as physical appearance, sex, race, sexual orientation, religion, disability, national origin, or gender identity.

¹ *2007 Maryland Adolescent Survey*, Maryland State Department of Education, October, 2008. Available online at http://www.marylandpublicschools.org/MSDE/newsrom/special_reports/adolescent_survey.htm.

² *2009 Maryland Youth Risk Behavior Survey*, Maryland State Department of Education, September 2010. Available online at http://marylandpublicschools.org/MSDE/divisions/studentschoolssvcs/student_services_alt/surveys/

The number of incidents reported in Maryland represents 4.5 reports filed per 1,000 enrolled students. The extent of bullying, harassment, or intimidation in Maryland public schools may likely be underreported by these figures but as bullying prevention programs continue to be implemented in the LSSs and awareness is raised, the number of reported incidents may well increase as they have for the 2009-2010 school year.

Findings from the national publication, *Indicators of School Crime and Safety: 2010 Report*, showed that during the 2007-2008 school year, 25% of the responding public schools reported that bullying was a daily or weekly problem. Ten percent (10%) of students ages 12-18 reported that hate-related words had been used against them at school and 35% reported seeing hate-related graffiti at school during the school year. In 2007, about 32% of students ages 12-18 reported having been bullied at school during the school year. Of these students, 21% said that they had experienced bullying that consisted of being made fun of; 18% reported being the subject of rumors; 11% said that they were pushed, shoved, tripped, or spit on; 6% said that they were threatened with harm; 5% said that they were excluded from activities on purpose; 4% said that someone tried to make them do things they did not want to do and that their property was destroyed on purpose.

Of the students in 2007 who reported being bullied during the school year, 79% said that they were bullied inside the school; 23% said that they were bullied outside on school grounds; 8% said they were bullied on the school bus, and 4% said they were bullied somewhere else. Of these students who had been bullied, 63% said that they had been bullied once or twice during the school year, 21% had experienced bullying once or twice a month, 10% reported being bullied once or twice a week, and 7% said that they had been bullied almost daily. Thirty-six percent (36%) of students who were bullied notified a teacher or another adult at school about the event(s).

In 2007, about 4% of students reported having been cyber-bullied on or off school property during the school year. Two percent (2%) of students said that they had experienced cyber-bullying that consisted of another student posting hurtful information about them on the internet. Two percent (2%) of students reported unwanted contact, including being threatened or insulted, via instant messaging by another student during the school year. Of the students in 2007 who reported cyber-bullying during the school year, 73% said that it had occurred once or twice during that period; 21% said it had occurred once or twice a month and 5% said it had occurred once or twice a week. Thirty percent (30%) of students who were cyber-bullied at school notified a teacher or other adult at school about the event(s). Student reports of bullying and cyber-bullying varied by student characteristics. A greater percentage of female than male students reported being bullied at school and cyber-bullied anywhere during the school year. In 2007, 33% of female students reported being bullied at school compared to 30% of male students. Five percent (5%) of female students reported being cyber-bullied anywhere compared to 2% of male students. A higher percentage of White students (34%) reported being bullied at school in 2007 than Hispanic students (27%). In addition, a higher percentage of White students (34%) reported being bullied at school than Asian students (18%).

This report is annually produced by the National Center for Education Statistics (NCES), the Institute of Education Sciences (IES), in the U.S. Department of Education, and the Bureau of Justice Statistics (BJS), in the U.S. Department of Justice. It presents the most recent data available on school crime and safety which are based on information drawn from a variety of sources, including national surveys of students, teachers, and principals.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 reflects the number of students who are suspended as a result of bullying. The data on “corrective actions” in this report show that 18% 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 Education Articles §7-424 and §7-424.1, Annotated Code of Maryland. Incidents of harassment and intimidation will continue to be collected this year and indefinitely. Incidents for the entire 2010-2011 school year will be reported in the next report, to be submitted on March 31, 2012. 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 bullying, harassment, or intimidation. It is important that school systems and schools continue to educate students and parents about bullying, harassment, and intimidation and to provide resources for bullying prevention, encourage victims to report incidents when they do occur, and follow up with thorough investigations, corrective actions, and remediation.

³ *Indicators of School Crime and Safety: 2010*, U.S. Department of Education NCES 2011-002, U.S. Department of Justice, Office of Justice Programs NCJ 230812.

BULLYING, HARASSMENT, OR INTIMIDATION REPORTING FORM

Directions: Bullying, harassment, or intimidation are serious and will not be tolerated. This is a form to report alleged bullying, harassment, or intimidation 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, a close adult relative of a student victim, or a school staff member and wish to report an incident of alleged bullying, harassment, or intimidation, 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.

Bullying, harassment, or intimidation means intentional conduct, including verbal, physical, or written conduct, or an intentional electronic communication, that: (I) 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. motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attribute, socioeconomic status, familial status or physical or mental ability or disability; 2. threatening or seriously intimidating; and (II) 1. occurs on school property, at a school activity or event, or on a school bus; or 2. substantially disrupts the orderly operation of a school. Electronic communication means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

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 School Staff Student Witness/Bystander

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

2. Name(s) of alleged offender(s) (If known): (Please print)	Age	School (if known)	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):

- Any bullying, harassment, or intimidation that involved physical aggression
 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

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: _____

BULLYING, HARASSMENT, OR INTIMIDATION INCIDENT SCHOOL INVESTIGATION FORM

School Personnel Completing Form: _____ Position: _____

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

School: _____

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 School Staff Student Witness/Bystander

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

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

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: _____

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	

I Investigative Methods:	Number of Incidents
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 Corrective Actions:	Number of Incidents
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.

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 bullying, harassment, or intimidation 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 *Bullying, Harassment, or Intimidation Reporting 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 *Bullying, Harassment or Intimidation Reporting Form* to LSSs. Each LSS will make this form available to students, parents or guardians of students, close relatives of students, and school staff members.
- Students, parents or guardians of students, and close relatives of students will return the completed *Bullying, Harassment, or Intimidation 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 *Bullying, Harassment, or Intimidation Investigation Form* is being provided. LSSs may modify this form, however, the elements on this form are required to complete the *Bullying, Harassment, or Intimidation Incident Reporting Instrument*.
- **LSSs will need information from the *Bullying, Harassment, or Intimidation Reporting Form* as well as information obtained from the investigation in order to complete the *Bullying, Harassment, or Intimidation Incident Reporting Instrument* (Excel spreadsheet). The *Bullying, Harassment, or Intimidation Incident Reporting Instrument* must be submitted to Dominic Romano at MSDE (dromano@msde.state.md.us) as an attachment by email by December 3, 2010.**
- A hard copy of the *Bullying, Harassment, or Intimidation Incident Reporting Instrument* must be mailed by December 3, 2010 with the "Certification of Superintendent's Signature" to:

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

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 (Dominic Romano- see first page for directions)	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 (Dominic Romano- see first page for directions)	January 31, 2008	School Year 2006-2007
MSDE	Submit report to Maryland General Assembly	March 31, 2008	School Year 2006-2007
LSS	Submit <i>Bullying, Harassment, or Intimidation Incident Reporting Instrument</i> to MSDE (Dominic Romano- see first page for directions)	December 5, 2008	School Year 2007-2008
MSDE	Submit report to Maryland General Assembly	March 31, 2009	School Year 2007-2008
LSS	Submit <i>Bullying, Harassment, or Intimidation Incident Reporting Instrument</i> to MSDE (Dominic Romano- see first page for directions)	December 4, 2009	School Year 2008-2009
MSDE	Submit report to Maryland General Assembly	March 31, 2010	School Year 2008-2009

***This law will remain in effect unless changed by legislation. Subsequent reporting periods will be for entire school years. Reports to the General Assembly will be submitted by March 31 of each calendar year.**

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

Bullying, harassment, or intimidation means conduct, including verbal, physical, or written conduct or an intentional electronic communication, that (I) 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. motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion ancestry, physical attribute, socioeconomic status, familial status, or physical or mental ability or disability; or 2. threatening or seriously intimidating; and (II) 1. occurs on school property, at a school activity or event, or on a school bus; or 2. substantially disrupts the orderly operation of a school. Electronic communication means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

If you need additional information, please contact Dominic Romano, Specialist, School Safety, at (410) 767-0301, or email dromano@msde.state.md.us.



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