

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, 2008

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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 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 still describes the process used by MSDE to carry out the mandates of this law. The reporting period for the third report encompasses the entire 2006-2007 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. 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 elements on the form needed to 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 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 of the 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, another 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.

FINDINGS

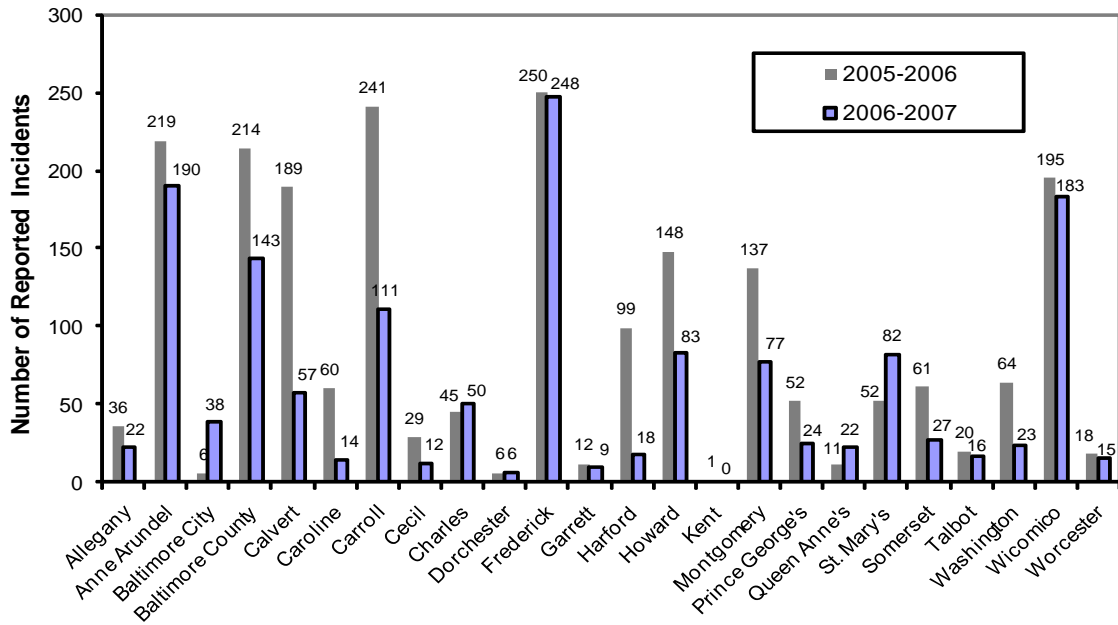
Implementation of the Law by Local School Systems

The 24 LSSs reported data for the entire 2006-2007 school year. In this report, the accompanying graphs (Figure 1-13) and narrative provide a comparison of the reported information for two complete school years. On the graphs, the 2005-2006 school year information is represented in grey, while the 2006-2007 school year information is represented in blue.

Incident Rates

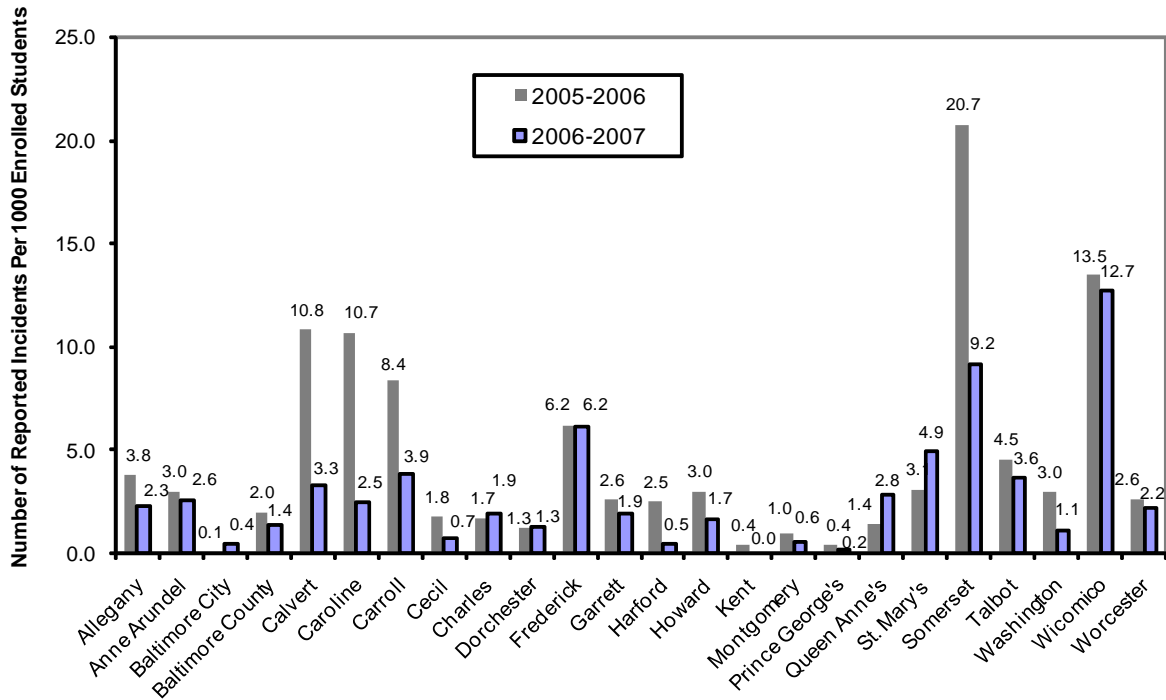
A total of 1,470 incidents were reported for the 2006-2007 school year. This represents a decrease of 695 reported incidents from the 2005-2006 school year. The number of reported incidents in each LSS is presented in Figure 1; the rate of reported incidents per 1,000 students relative to 2006-2007 enrollment is shown in Figure 2. Nineteen LSSs indicated a decrease in the number of reported incidents while four LSSs indicated an increase. One LSS’s number of reported incidents remained the same. Several LSSs reported significant decreases in the number of incidents, notably Baltimore, Calvert, Caroline, Carroll, Harford, Howard, Montgomery, and Somerset Counties. Based on the method of reporting and the varied means of distributing the reporting form in LSSs, it would be somewhat speculative at this time to attempt to determine why there was a decrease in reported incidents.

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



Frederick County reported the most incidents with a total of 248 and a rate of 6.2 incidents per 1,000 enrolled students. Wicomico County reported the most incidents relative to enrollment with a total number of 183 incidents, representing 12.7 incidents per 1,000 enrolled students. Montgomery and Prince George’s Counties reported 77 and 24 incidents, respectively, with rates relative to enrollment of 0.6 and 0.2 incidents per 1,000 enrolled students, respectively.

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

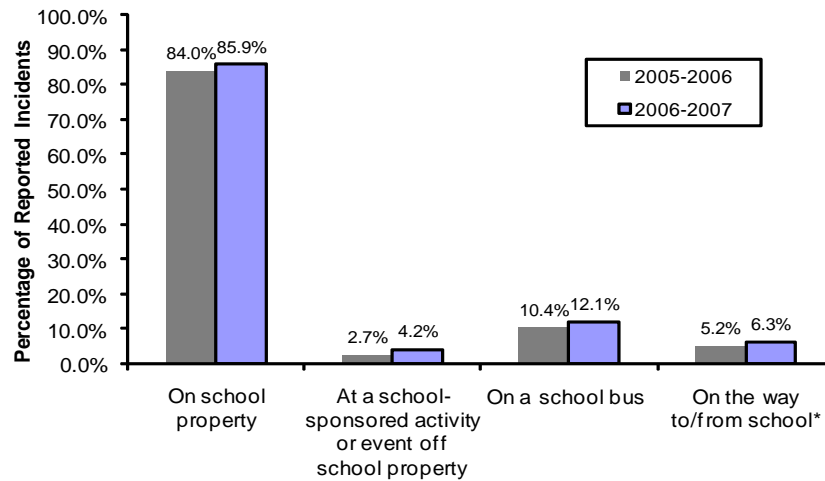


It is important to note that the variation in numbers of reported incidents may largely reflect differences among school systems in levels of awareness on the parts of school staff, parents, and students themselves. School staff with greater understanding of the problems of bullying, and the importance 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. A number of school systems, including Anne Arundel, Frederick, Howard, and Somerset Counties 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 (85.9%), with the second largest number (12.1%) occurring on a school bus (see Figure 3).

Figure 3. Locations of Reported Incidents, Statewide

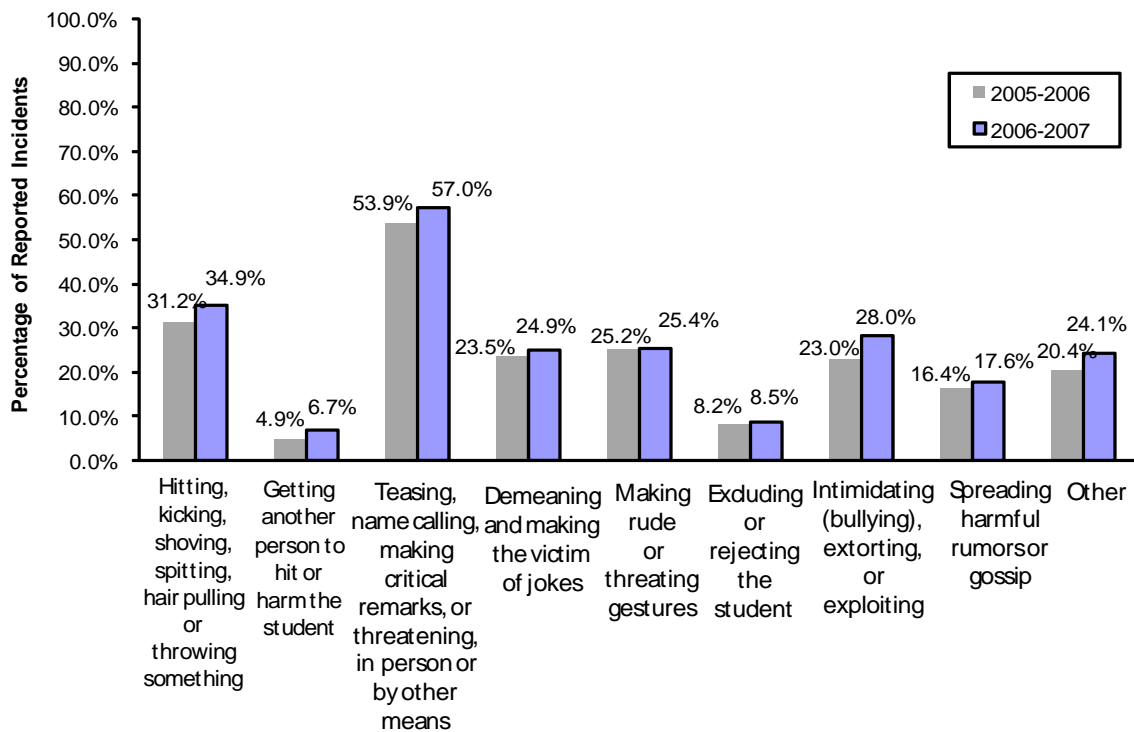


* Collected unless specifically excluded by local board policy. Note: Each incident report could identify more than one location. Therefore, the percentages do not total 100%.

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*). The largest number of incidents involved teasing, name calling, making critical remarks, or threatening (57.0%). In other words, direct verbal bullying/harassment is experienced more than other forms, such as physical bullying, exclusion, gestures, extorting, or spreading rumors. Thirty-four point nine percent (34.9%) of the incidents were physical, including hitting, kicking, shoving, spitting, hair pulling or throwing something (see Figure 4).

Figure 4. Descriptions of Reported Incidents, Statewide

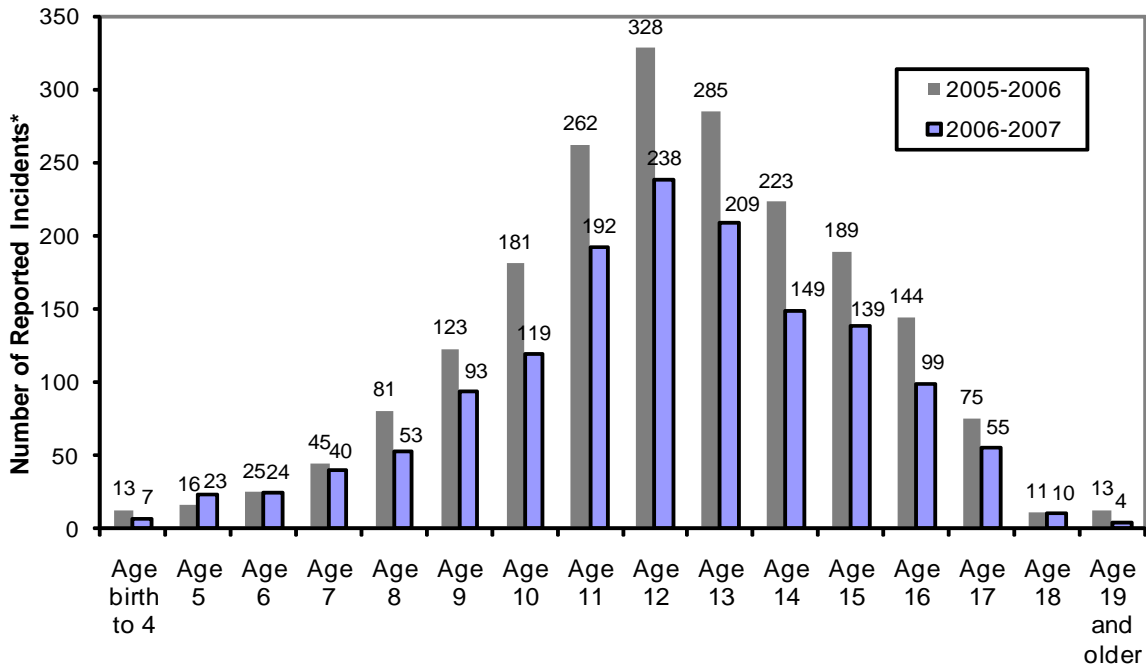


Note: Each incident report could identify more than one description. Therefore, the percentages do not total 100%.

Ages of Victims

Twelve year olds were the most frequent victims of incidents of bullying and harassment (n=238, 22.3%) according to the submitted reports (see Figure 5). The number of victims of bullying and harassment increases through age 12 and then begins to decrease. This pattern has been consistent during the 3 years that this data have been collected. The majority of victims were between the ages of 11 and 14 (n=788, 53.5%). This is consistent with research that states 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 5. Ages of Victims, Statewide



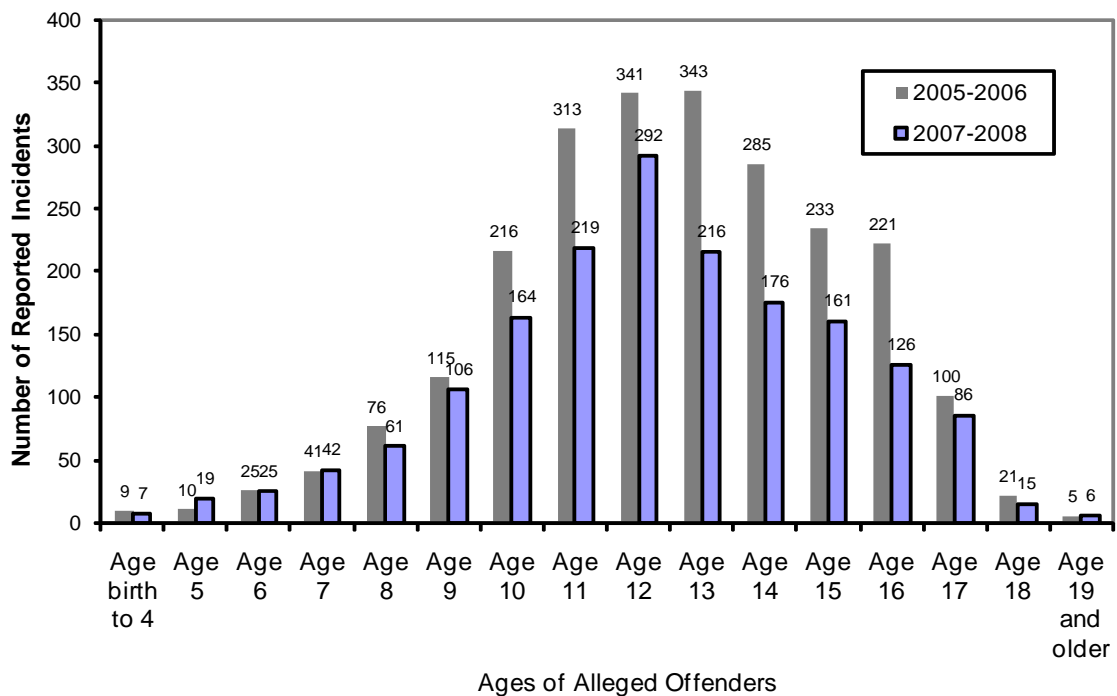
* 16 student victims with ages unknown.

Ages of Student Victims

Ages of Offenders

The greatest number of incidents were perpetrated by 12 year olds (n=292, 17.9%) according to the submitted reports (see Figure 6). This represents a change from reported incidents of the last two years. Data in the March 31, 2006 and March 31, 2007 reports show that the greatest number of incidents had been perpetrated by 13 year olds. The number of offenders increases through age 12 and then begins to decrease at age 13. This represents a difference from the data in the two previous reports, where the number of offenders began to decrease at age 14. The majority of offenders were between the ages of 11 and 13 (n=727, 44.5%). The ages of offenders ranged from birth to 4 to age 19 and older.

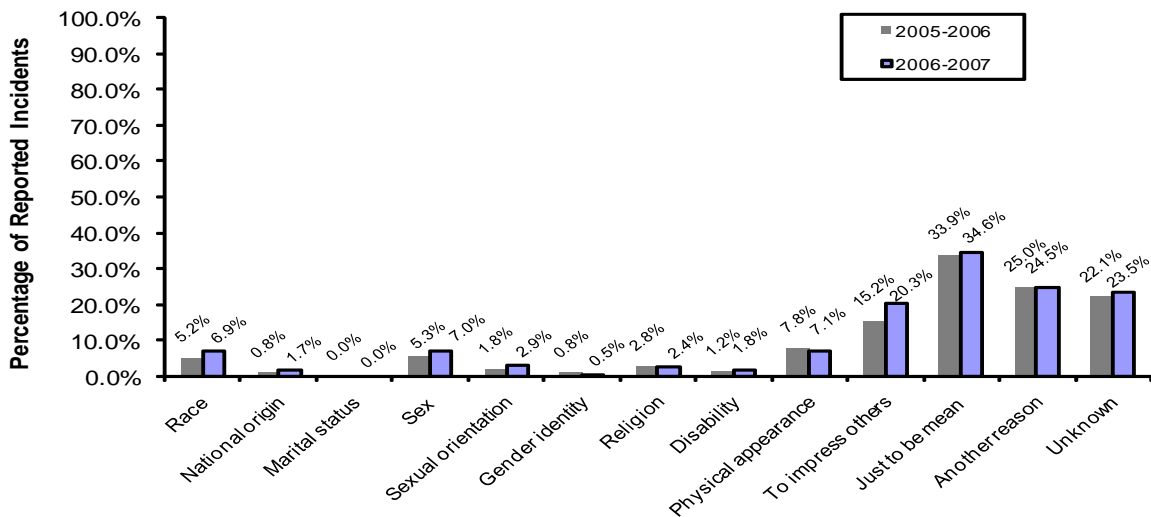
Figure 6. Ages of Alleged Offenders, Statewide



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 7. A significant number of reports identified “Another Reason” (24.5%) and “Unknown” (23.5%) as the alleged motives. The motive most frequently cited was “Just To Be Mean” (n=509, 34.6%). Just over 20% of the incidents were allegedly perpetrated “To Impress Others” (n=299, 20.3%). Physical appearance (n=105, 7.1%), sex (n=103, 7.0%), and race (n=101, 6.9%) were next, although with much smaller percentages. The remaining 136 incidents were allegedly perpetrated due to sexual orientation, religion, disability, national origin, and gender identity.

Figure 7. Description of Alleged Motives as Reported by Investigator, Statewide

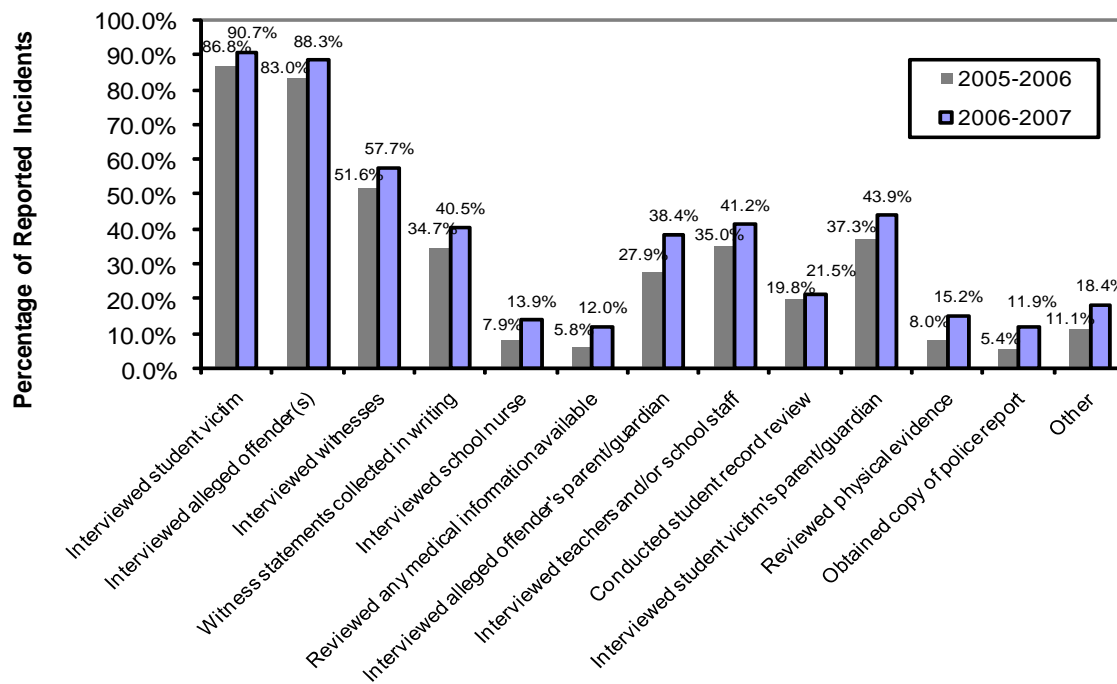


Note: Each school investigation form could identify more than one alleged motive. Therefore, the percentages do not total 100%.

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=1,334, 90.7%), alleged offenders (n=1,298, 88.3%), witnesses (n=848, 57.7%), the victim's parents or guardians (n=645, 43.9%), and teachers and/or other school staff (n=606, 41.2%). Other means were used when necessary (see Figure 8). Information collected for this year's report shows an increase in all categories of Investigative Methods in comparison to the March 31, 2007 report. This may be an indication that school administrators are devoting more time to investigating the details of reported bullying and harassment incidents.

Figure 8. Methods Used to Investigate Incident as Reported by Investigator, Statewide



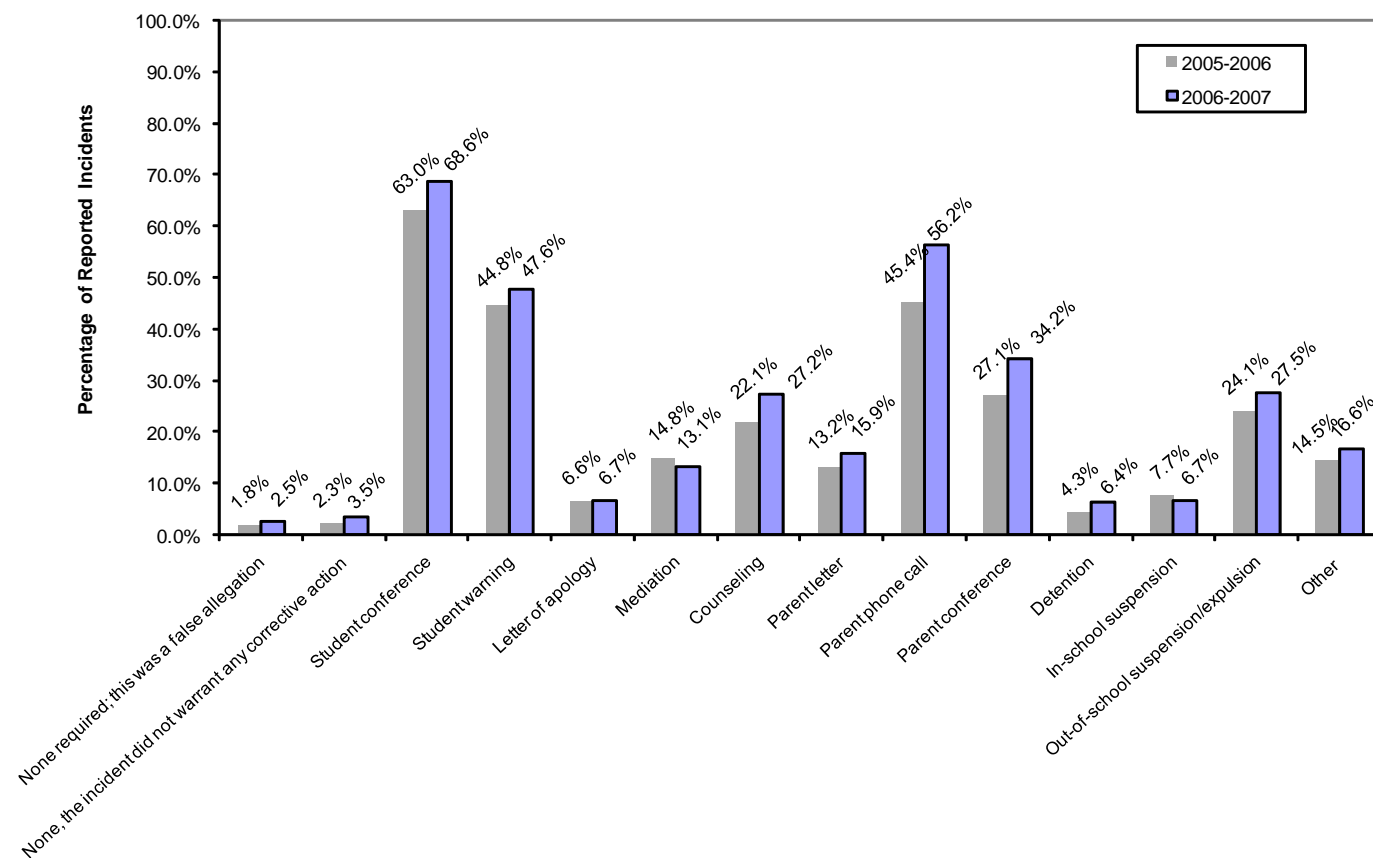
Note: Each school investigation form could identify more than one investigative method. Therefore, the percentages do not total 100%.

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=4,800, 98.2%). Student conferences (n=1,008, 68.6%), student warnings (n=699, 47.6%), and parent phone calls (n=826, 56.2%) and conferences (n=503, 34.2%) were among the most frequently used corrective actions (see Figure 9). Fortunately, counseling was also offered in more than one-fourth of the incidents (n=400, 27.2%).

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 404 incidents (27.5%) 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 9. Corrective Actions Taken as Reported by Investigator, Statewide

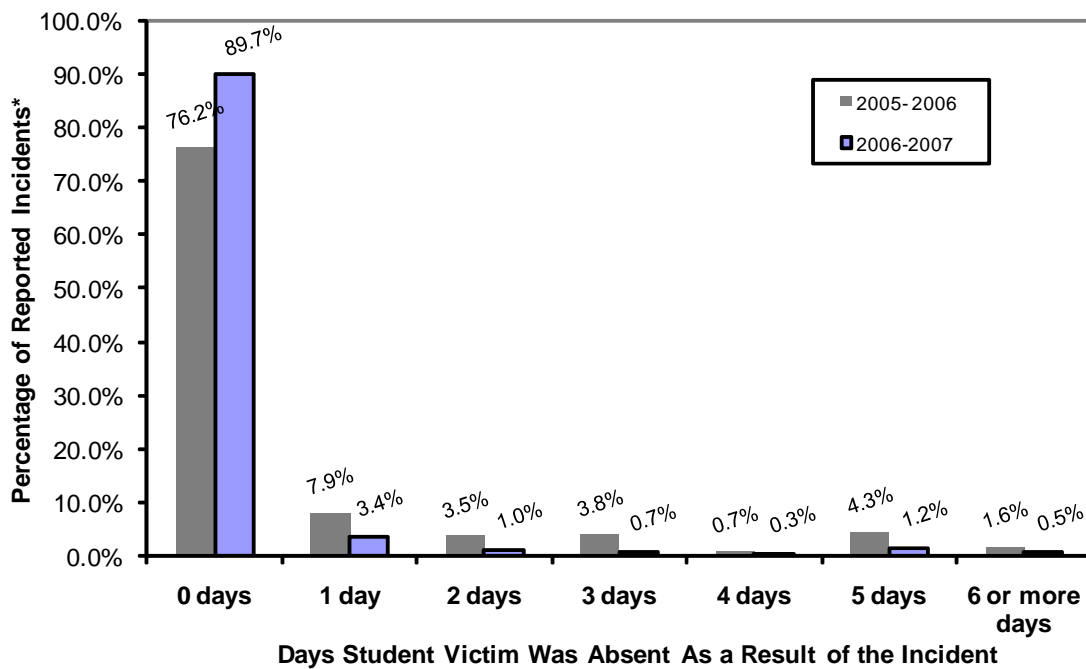


Note: Each school investigation form could identify more than one corrective action. Therefore, the percentages do not total 100%.

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 110 cases (7.1%) (see Figure 10). It is unknown from the data whether victims missed school due to injury, fear of attending, or other reasons. In all instances of absence, victims' school attendance was higher in comparison to the same information in the March 31, 2007 report.

Figure 10. Days Students Victim Was Absent As a Result of the Incident

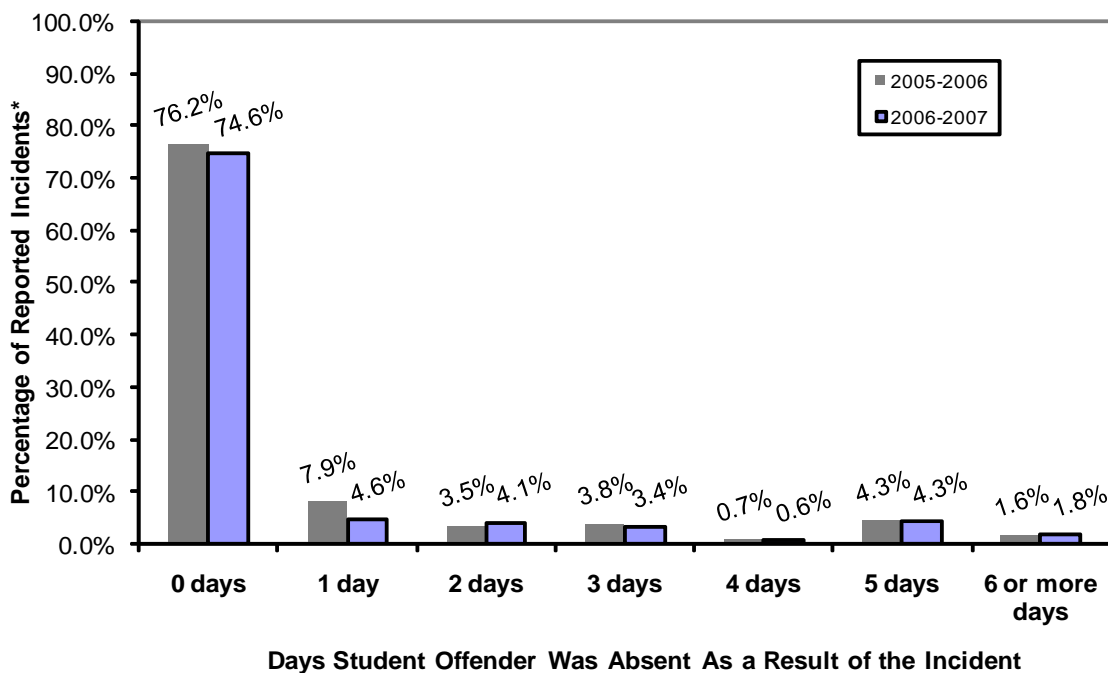


* 4 cases with days absent unknown

Number of Days Missed From School by Offenders

Offenders did not miss much school as a result of the incidents in the majority of cases. Offenders were absent in 276 cases (20.2%) (see Figure 11). It is unknown from the data whether the offenders missed school due to suspensions, injury, or other reasons. The number of days of school missed by offenders remained quite consistent in comparison to the same information in the March 31, 2007 report.

Figure 11. Absences as a Result of Incident for Offender, Statewide



* 22 cases with days absent unknown

Number of False Allegations Reported

Investigations into some incident reports found them to be false allegations (see Figures 12 and 13). There were a total of 36 false allegations reported in fifteen school systems, representing 2.4% of the total. The largest number of false allegations was in Carroll County (n=10, 9.0%).

Figure 12. Number of False Allegations, by Local School System

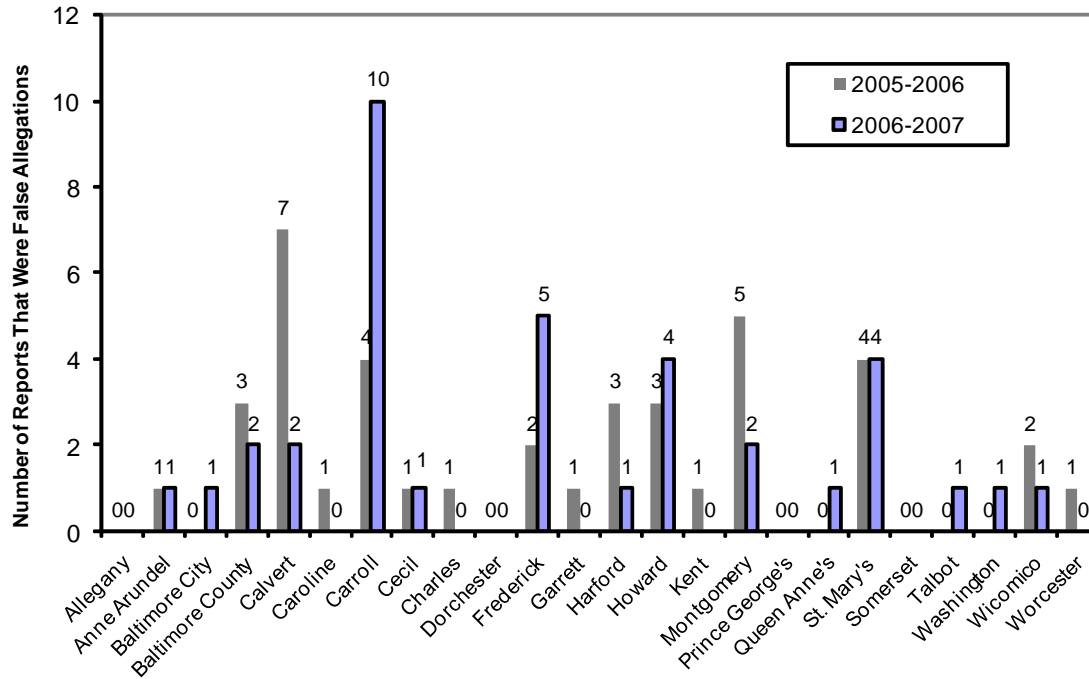
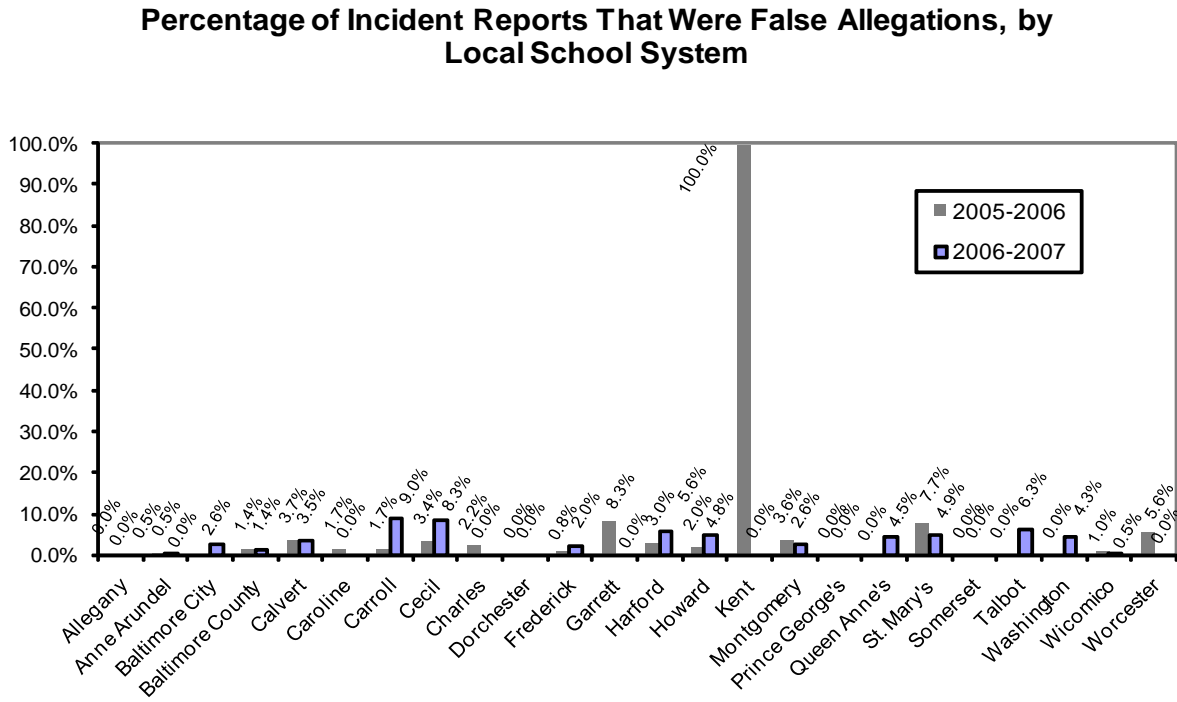


Figure 13. Percentage of Incident Reports That Were False Allegations, by Local School System



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 students in grades 6, 8, 10, and 12 reported that about one-half of the students reported ever feeling unsafe in school. About 10% of those students reported missing some time from school due to feeling unsafe.¹

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

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 (28.4%) of Maryland's high school students had been harassed or bullied on school property in the past 12 months of the survey's administration. A similar amount of students (32.8%) reported receiving verbal slurs due to weight, size, or physical appearance. About one in every thirteen students (7.6) reported not going to high school at least once in the last thirty days of the survey's administration 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 2006-2007 school year, over 1,400 incidents of 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. Just over one-third (34.9%) of the reported incidents involved a physical attack. More than one in four incidents (27.5%) resulted in an out-of-school suspension or expulsion. About one incident in thirteen (7.1%) caused the victim to miss school. The motives behind these incidents varied; over half (54.9%) were committed "just to be mean" or "to impress others," while 445 (30.3%) were motivated by actual or perceived personal characteristics such as physical appearance, sex, race, sexual orientation, religion, disability, national origin, or gender identity.

The number of incidents reported in Maryland represents 1.7 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

² 2005 Maryland Youth Risk Behavior Survey, Maryland State Department of Education, January 2007. Available online at http://marylandpublicschools.org/MSDE/divisions/studentschoolssvcs/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.

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 27.5% 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 of the Annotated Code of Maryland. Incidents of harassment and intimidation will continue to be collected this year, and for the next two years. Incidents for the entire 2007-2008 school year will be reported in the next report, to be submitted on March 31, 2009. 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 (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):

- 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: _____ / _____ / _____ <small style="display: block; text-align: center;">Month Day Year</small>		School: _____			
School System: _____					
Person Reporting Incident (From reporting form) Name: _____					
Telephone: _____		E-mail: _____			
Place an X in the appropriate box: <input type="checkbox"/> Student <input type="checkbox"/> Parent/guardian <input type="checkbox"/> Close adult relative					
1. Name of student victim: _____ Age: _____ Days absent as a result of the incident: _____ <div style="text-align: center; font-size: small;">(Please print)</div>					
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: 2006-2007 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:	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
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				

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>	Number of Incidents		
	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>	Number of Incidents		
	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>	Number of Incidents		
	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	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>		
<i>Thank you for your assistance in submitting this data.</i>			

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 Dominic Romano at MSDE (dromano@msde.state.md.us) as an attachment by email by January 31, 2008.**
- A hard copy of the *Harassment and Intimidation (Bullying) Incident Reporting Instrument* must be mailed by January 31, 2008 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**

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 (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>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE (Dominic Romano- see first page for directions)	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 (Dominic Romano- see first page for directions)	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 Dominic Romano, Specialist, School Safety, at (410) 767-0301, or email dromano@msde.state.md.us.



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