
**CARROLL COUNTY PUBLIC SCHOOLS
ADMINISTRATIVE REGULATION**

**POLICY ACF: BULLYING, HARASSMENT, INTIMIDATION,
DISCRIMINATION, OR HAZING**

I. Background

The Board of Education of Carroll County is committed to establishing and promoting a safe, non-threatening environment for all students to learn. Therefore, the Board believes that bullying, harassment, intimidation, discrimination, or hazing are both morally wrong and offensive and will not tolerate such conduct on the part of any employee, supervisor, manager, administrator, student or visitor. It is the Board's intent to provide to all employees and students a work and learning environment free from such acts.

The Annotated Code of Maryland education article 7-424 provides parents, students, a student's close adult relative(s), or a school staff member the opportunity to file a written report about alleged bullying or intimidation that substantially disrupts the orderly operation of a school and/or that may have occurred on school property, at a school sponsored event, or on a school bus. In addition, the Act requires that students and parents be notified of the reporting procedures.

II. Definitions

Bullying/Harassment/Intimidation: According to Annotated Code of Maryland Education article 7-424, as used in this policy, "bullying, harassment, or intimidation" means intentional conduct, including verbal, physical, or written conduct or an intentional electronic communication 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 including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, or physical or mental ability or disability; or,
- threatening or seriously intimidating; and,
- occurs on school property, at a school activity or event, or on a school bus; or,
- substantially disrupts the orderly operation of a school.

Electronic Communication: a communication transmitted by means of an electronic device, including but not limited to, telephones, cellular phones, or computers.

Discrimination: Unequal or unlawful treatment of persons on the basis of race, color, sex, age, national origin, religion, disability, or sexual orientation.

Hazing: Doing or causing any activity which recklessly or intentionally subjects a student to the risk of bodily injury or humiliation for the purpose of initiating into a student group or organization; to harass, by exacting unnecessary or demeaning physical or mental work or activity by way of intimidation

Sexual Harassment: Unwelcomed verbal or physical conduct of a sexual nature, by a student or school employee which:

- o denies, limits, conditions or interferes with the provision of education, assistance or services protected under Title IX, or
- o creates a hostile or intimidating educational environment.
- o includes but is not limited to:
 - Verbal conduct such as sexual name-calling, spreading sexual rumors, telling sexual jokes, and making verbally derogatory comments relating to appearance or gender.
 - Visual conduct such as displaying or drawing derogatory posters, cartoons, drawings, graffiti, photos, videos, or gestures.
 - Physical conduct such as unwanted touching, blocking another's movements, or sexual assault.
 - Threats or demands for dates or physical contact.

III. Prevention and Intervention

Administrators shall provide annual ongoing professional development for all school staff (including athletic coaches and advisors), to increase awareness of the prevalence, causes, and consequences of bullying and to increase strategies for preventing bullying. The professional development for staff shall include information on how to respond appropriately to students who bully, are bullied, or who report bullying. In addition, administrators shall ensure school climate improvement efforts to promote student involvement in anti-bullying efforts, peer support, mutual respect, and a culture which encourages students to report incidents of bullying to adults.

Interventions for students who bully, are bullied, and witnesses who report bullying shall include but are not limited to:

- Education of replacement behaviors, empathy, tolerance, and sensitivity to diversity.

- Remedial measures to correct bullying behavior, prevent another occurrence, and protect the victim.
- Support /school counseling for the victim with protection from retaliation and further episodes of bullying.
- Utilization of community health and mental health resources as needed.

Reporting:

Reporting by students, parents or a close adult relative of the student: Any student (victim or witness), parent, or close adult relative who has a complaint regarding an act of bullying, harassment, intimidation, discrimination, or hazing at school during school hours or at any school sponsored function by another student or a school employee or volunteer, shall report the matter to a school employee, or in the case of sexual bias, to the county Title IX Coordinator. If the adult to whom the report was made is an adult other than the principal (or designee), that adult shall assist the student in reporting the act to the school principal (or designee). When reporting such incidents, the person with the complaint or concern will be given the opportunity to complete the Harassment/Intimidation Report Form. A school staff member may also complete a Harassment/Intimidation Report Form. An investigation of the incident will occur as outlined below. Only situations reported on the Harassment/Intimidation Report Form are to be investigated and documented via the Harassment/Intimidation Incident School Investigation Form. Incidents reported but not documented on the Harassment Intimidation Report form shall be investigated in a manner consistent with Carroll County Public Schools' procedures.

IV. Investigating

1. Those situations reported by a student, parent, close adult relative, or school staff member of the student on the Harassment/Intimidation Report Form are to be investigated and documented via the Harassment/Intimidation Incident School Investigation Form. The completed report form and the investigation form are to be maintained in a separate file in the administrative office as determined by the principal. A copy of the completed investigation form is to be sent to the Director of Student Services at the completion of each semester.
2. All incidents of bullying, harassment, intimidation, discrimination, or hazing reported as a disciplinary infraction, not reported on the Harassment/Intimidation Report Form, shall be investigated according to appropriate administrative procedures and practices. The principal and/or designee, upon receipt of a complaint, shall promptly investigate the complaint, obtaining the name of the accused person(s), any witnesses, and a description of the incident. The victim

and the person(s) to have allegedly engaged in misconduct under this regulation will be interviewed as soon as possible. The investigation must be made in an objective and sensitive manner, within 2 school days after receipt of a complaint or as timely as possible for school administration. An opinion regarding the merits of the case should not be rendered until a full investigation has been completed. An investigation of a complaint shall include the following steps:

- Provide the alleged victim, perpetrator and witnesses with a pamphlet on bullying. This pamphlet will be disseminated by the school counseling department and will include signs of bullying, harmful effects, replacement behaviors, as well as school and community resources.
- Throughout the investigation, maintain confidentiality, subject to the limitations of FERPA, as much as possible of all persons involved. Neither victim nor witnesses should be promised confidentiality at the onset of an investigation. It cannot be predicted what will be discovered or if a hearing may result from the ultimate outcome of the investigation. Efforts should be made to increase the confidence and trust of the victim and any witnesses. They will be informed that any information discussed and recorded will be confined to "need to know" status.
- Stress throughout the investigation that the school system is committed to maintaining a safe and secure environment and also protecting innocent individuals from false accusations.
- Interview the person(s) with the complaint.
- Interview the alleged victim(s).
- Interview the person(s) accused of the alleged misconduct.
- Interview witnesses and/or bystanders, as appropriate.
- If possible and appropriate, obtain written statements from the person(s) making the complaint, the person(s) being accused, and the witness or witnesses.
- Keep a written log of the investigation.
- Promptly make a determination whether the alleged conduct occurred and whether it constituted a violation of this regulation.
- School administrators or the administrative designee shall make contact with the parent/legal guardian of the alleged victim and alleged perpetrator, if either are students.
- If questions arise regarding the reporting and investigating of alleged incidents between students, contact the Pupil Personnel Worker assigned to the school or the Director of Student Services.
- If any inappropriate conduct is alleged between an employee and a student, the principal shall contact the Director of Student Services immediately.
- If any alleged misconduct is by a principal, the incident shall be immediately reported to the Director of Student Services who will work with the appropriate level Director and the Director of Human Resources to investigate and respond to the complaint.

- If sexual or physical abuse (including any intimate touching) of a student by a school employee is suspected, the principal shall immediately stop the investigation and contact Protective Services according to procedures outlined under Staff/Student Relationships regulations and Child Abuse or Neglect Guidelines. If given permission to do so by the investigating agency, the school administrator will promptly inform (normally prior to the end of the next school day) the student's parents/legal guardians of the situation and that a referral has been made to the investigating agency.
- If the act is a violation of the policies set forth under Serious Threats of Violence and Violent Acts, those regulations will be implemented as appropriate.
- State law dictates that any serious incident of discrimination be reported to the appropriate law enforcement agency for further investigation and follow-up. (The Principal shall consult with either the Director of Student Services or the Coordinator of School Security prior to reporting.)

V. Disciplinary Action

If it is determined that misconduct under this regulation has occurred, the principal shall take immediate and appropriate steps to discipline the offender and to prevent recurrence. Disciplinary action will be based upon the severity of the action. In the case of student offenders, disciplinary action may include but is not limited to, any of the following:

- Verbal or written reprimand
- Apology letter to the victim(s)
- Student/parent conference
- Completion of assignments including appropriate reading and reports, which would promote student understanding and empathy
- Mediation/conflict resolution (when appropriate and both parties agree)
- Referral to School Counselor or Crisis Intervention Specialist
- Detention
- Exclusion from the classroom
- Saturday School
- Community conferencing
- In-school suspension
- Out of school suspension
- Suspension or removal from a club or team, when the misconduct is connected to membership of that organization. In the case of pervasive violation by team or club members, the organization shall be dissolved or disbanded for a period of time as deemed appropriate by school administration.

- Request administrative placement to an alternative program
- Request Extended suspension/expulsion
- Other as deemed appropriate

VI. Follow-Up

Separate conferences with the victim and offender shall occur within ten school days after the investigation to determine whether the bullying, harassment, or intimidation has continued and whether additional consequences are necessary. These conferences may occur as part of the counseling intervention. Another follow-up conference or conversation shall be held with the victim approximately twenty school days after the initial follow-up conference to determine if the bullying, harassment, or intimidation has ceased. These follow-up conferences shall be conducted by a school administrator or designee.

VII. Appeal

Following the report and investigation of the incident, if the student or parent is not satisfied with the outcome, they may follow the Grievance Procedures for Carroll County Public Schools.

VIII. Other

- Insisting that behaviors or actions were “misunderstood” does not excuse or reduce responsibility for the behavior.
- Students have the right to report actions and misconduct addressed by this regulation without fear of reprisal or retaliation. Acts of reprisal or retaliation shall be handled using appropriate disciplinary measures. The offender shall be informed that retaliation against any involved party is strictly prohibited and that progressive consequences shall occur if the activity continues.
- Failure of staff to report observed or known acts of misconduct under this regulation shall result in disciplinary consequences as determined by the Director of Human Resources in consultation with the Director of Elementary, Middle, or High Schools, the Director of Student Services and the Principal.

IX. Communication

The Safe School Reporting Act of 2005 requires that students and parents be notified of the reporting procedures and where they may obtain a Harassment/Intimidation Reporting Form. Classroom presentations, newsletter summaries, and information via school websites are examples of how the reporting procedures are made known to students and parents. In addition, the forms shall be made available in the schools in the

administrative offices, counseling offices, and health suites, as well as, on the Student Services web page.

Any students, parents/legal guardians, or staff members having inquiries regarding the application of these regulations should contact the school principal or the Director of Student Services at 125 North Court Street, Westminster, Maryland, 21157, 410-751-3123, or the appropriate school level Director at 410-751-3000.

X. Data Collection and Reporting

- A copy of each completed Harassment/Intimidation Reporting Form, along with the corresponding investigation form, shall be sent to the Director of Student Services upon completion of all investigations.
- Information obtained from the Harassment/Intimidation Reporting Forms shall be recorded for data collection, storage, and submission according to the requirements of Education Article § 7-424, Annotated Code of Maryland
- The Director of Student Services/Designee shall provide each school with a summary report for individual schools annually. This summary report shall include the types of bullying reported, administrator's determinations from investigations, and disciplinary actions taken.

XI. Glossary

Bullying: exposing a student to intentional negative actions on the part of one or more other students which adversely affect the victim's ability to participate in or benefit from the school's educational programs or activities.

Harassment: perceived or actual experiences of discomfort with identity issues in regard to race, color, national origin, gender, disability, sexual orientation, religion, or other identifying characteristics by a student which adversely affects that student's ability to participate in or benefit from the school's educational programs or activities.

Intimidation: subjection of a student to intentional actions that seriously threaten and induce a sense of fear and/or inferiority which adversely affects that student's ability to participate in or benefit from the school's educational program or activities.

Retaliation: an act of reprisal or getting back at a person for an act he /she has committed.