STUDENTS: Conduct

Bullying, Cyberbullying, Harassment or Intimidation

I. Policy Statement

A. The Board of Education of Baltimore County (Board) is committed to ensuring that every student learns in an environment that is safe and secure and conducive to learning. The Board believes that bullying, cyberbullying, harassment and intimidation are disruptive to learning and can adversely affect academic achievement, emotional well-being and school climate.

B. The Board prohibits bullying, cyberbullying, harassment and intimidation by any person on Board property, at a school-sponsored activity or event, on a school bus or that substantially disrupts the orderly operation of a school.

C. The Board prohibits reprisal or retaliation against any individual who reports an act of bullying, cyberbullying, harassment or intimidation.

II. Definitions

A. Bullying, Harassment or Intimidation – Any intentional conduct, including verbal, physical or written conduct, or an intentional electronic communication (cyberbullying) that:

1. 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:
   a. Motivated by an actual or perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity (including gender expression), religion, ancestry, physical attributeS, socioeconomic status, familial status or physical or mental ability or disability;
   b. Sexual in nature, including descriptions or depictions of a student with the student’s intimate parts exposed or while engaged in an act of sexual contact; or
   c. Threatening or seriously intimidating; and

2. Occurs on Board property, at a school-sponsored activity or event or on a school bus; or

3. Substantially disrupts the orderly operation of a school.

B. Cyberbullying –
1. A communication classified as bullying, harassment or intimidation that is transmitted by means of an electronic device, including, but not limited to, the use of social media sites, telephone, cellular phone, computer, tablet or any electronic communication device.

2. Cyberbullying includes the use of social media sites and all other means identified in subparagraph II(C)(1) and any future applications that fall under “electronic communication.”

C. 

Electronic Communication – A communication transmitted by means of an electronic device, including a telephone, cellular phone, computer or pager.

D. 

Intimate Parts – The naked genitals, pubic area, buttocks or female nipple as defined by Section 7-424 of the Education Article.

E. 

School Property – Any Board-owned, controlled or leased property or vehicle regardless of whether students are present.

F. 

Sexual Contact – Sexual intercourse, including genital-genital, oral-genital, anal-genital or oral-anal, whether between persons of the same or opposite sex as defined by Section 7-424 of the Education Article.

III. Standards

A. The Superintendent will implement a systemwide anti-bullying program that includes prevention, intervention, consequences and remedial actions for any person engaged in, making a false accusation of and/or committing an act of reprisal or retaliation related to bullying, cyberbullying, harassment or intimidation.

B. The Board delegates authority to the Superintendent to take necessary and appropriate actions to:

1. Establish, implement and maintain procedures to ensure that all schools comply with the Maryland State Board of Education’s (MSDE) Model Policy Prohibiting Bullying, Harassment, and;

2. Create a reporting process for use in schools that includes systemwide reporting to MSDE;

3. Establish procedures for prompt investigation of acts of bullying, cyberbullying, harassment or intimidation;

4. Publicize this policy in the student handbook, on the school system Web site and any other location the Superintendent deems appropriate; and
5. Develop and conduct educational programs for students, parents, teachers, staff, administrators and volunteers in order to implement the policy in an effort to prevent bullying, cyberbullying, harassment and intimidation incidents in schools.

C. A student who is found to have violated this policy shall be disciplined in accordance with Board Policy 5550, "Student Behavior Code."

IV. Implementation

A. In accordance with State law, the Superintendent shall ensure that Board Policy 5580 is updated and submitted to the State Superintendent by January 1, 2017, and every 5 years thereafter.

B. The Board directs the Superintendent to implement this policy.

Legal References: 20 U.S.C. § 1232g, "Family Educational Rights and Privacy Act (FERPA)"
Annotated Code of Maryland, Criminal Law Article § 3-805, "Misuse of Electronic Communication or Interactive Computer Service"
Annotated Code of Maryland, Education Article § 7-424, "Reporting Incidents of Harassment or Intimidation Against Students"
Annotated Code of Maryland, Education Article § 7-424.1, "Model Policy Prohibiting Bullying, Harassment, or Intimidation"
Annotated Code of Maryland, Education Article § 7-424.3, "Bullying, Harassment and Intimidation Policy"
COMAR 13A.01.04.03, "School Safety"

Related Policies: Board of Education Policy 0100, "Equity"
Board of Education Policy 5500, "Code of Student Conduct"
Board of Education Policy 5510, "Positive School Climate"
Board of Education Policy 5550, "Student Behavior Code"
Board of Education Policy 5560, "Suspensions and Expulsions"
Board of Education Policy 5600, "Students’ Responsibilities and Rights"
Board of Education Policy 6202, "Technology Acceptable Use Policy (TAUP) for Students"