

## ADMINISTRATIVE PROCEDURE

5143

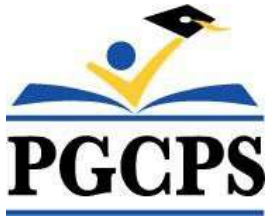
### BULLYING, HARASSMENT, OR INTIMIDATION

Procedure No.

November 2, 2022

Date

- I. **PURPOSE:** The purpose of this administrative procedure is to maintain a safe school environment that is conducive to learning and to ensure that school administrators and staff take measures to promote the prevention of bullying, harassment, or intimidation as well as prohibit reprisal or retaliation against individuals who report these acts, in the learning environment.
- II. **BOARD POLICY:** It is the policy of the Board of Education of Prince George’s County (Board) to create safe and productive learning environments in our schools by prohibiting bullying, harassment, or intimidation of any person on school property, at school-sponsored activities or by the use of electronic technology or in any manner that substantially disrupts the orderly operation of a school or school-sponsored activity in Prince George’s County Public Schools (PGCPS). (The Board considers it important to ensure that school administrators take measures to promote the prevention of bullying, harassment, or intimidation in the learning environment and inform parents of these efforts.(Board Policy 5143)
- III. **BACKGROUND:** In accordance with the provisions of Section 7-424.1 of the Education Article of the Annotated Code of Maryland, the Maryland State Board of Education developed and adopted a model policy to address bullying, harassment, or intimidation. All local school systems were required to establish a policy prohibiting bullying, harassment, or intimidation based on the model policy by July 1, 2009. This administrative procedure focuses on bullying, harassment, or intimidation by students, whether against another student or individual. Allegations of students being bullied by an employee are to be addressed under Administrative Procedure 4170, Discrimination and Harassment.
- IV. **DEFINITIONS:**
- A. Bullying - Unwanted, demeaning behavior among students that involves a real or perceived power imbalance. The behavior is repeated, or is highly likely to be repeated, over time. To be considered bullying, the behavior must be intentional and include: (1) an imbalance of power (students who bully use their physical, emotional, social or academic power to control, exclude, or harm others), and (2) repetition (bullying behaviors happen more than once or are highly likely to be repeated based on evidence gathered). Bullying can occur through verbal, physical or written conduct or 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.
- B. Cyberbullying - Bullying that takes place over digital devices like cellular phones, computers, tablets or other electronic communication. Cyberbullying can occur through texting, apps, or online via social media, forums, or gaming where people can view, participate in, or share content. Cyberbullying includes sending, posting or sharing



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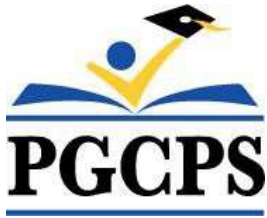
negative, harmful, false, or hurtful content about another student. It can include sharing personal or private information about someone else causing embarrassment or humiliation.

1. "Electronic communication" means a communication transmitted by means of an electronic device, including, but not limited to, a telephone, cellular phone, computer, or pager.
- C. Harassment - Includes actual or perceived negative actions that offend, ridicule, or demean another student with regard to race, ethnicity, national origin, immigration status, family/parental or marital status, sex, sexual orientation, gender identity, gender expression, religion, ancestry, physical attributes, socioeconomic status, physical or mental ability, or disability.
- D. Intimidation - Any communication or action directed against another student that threatens or induces a sense of fear and/or inferiority. Retaliation may be considered a form of intimidation.
- E. Retaliation - An act of reprisal or getting back at a person who reports acts of bullying, harassment, or intimidation; or who are targeted students, witnesses, bystanders, or others with reliable information about acts of bullying, harassment, or intimidation.
- F. Targeted student – A student who has been bullied, harassed, or intimidated.

## V. **PROCEDURES:**

### A. Reporting of Allegations

All reports of incidents of bullying, harassment, or intimidation that occur on school property, at a school-sponsored activity on or off school property, on a school bus, or through electronic communication on or off school property are to be submitted digitally via the Online Bullying, Harassment or Intimidation Reporting Application. All staff, volunteers and contractors who have reason to suspect that a student has been subjected to bullying, harassment, or intimidation, shall submit a report. Additionally, any student who has observed another student being bullied or has been or is being bullied by another student is encouraged to submit a report. Reports must be promptly and appropriately investigated by the school administrator/designee, consistent with due process rights, using the *Bullying, Harassment, or Intimidation Incident School Investigation Form* within two (2) school days after receipt of a report. Submission of a report may be made via a web link; enter [stopbullying.pgcps.org](http://stopbullying.pgcps.org) into any internet browser or visit the Apple App Store or Android Google Play Store using the search terms "PGCPS iStopbullying" to download to your mobile device.



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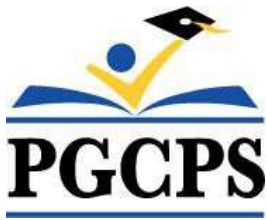
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#### B. Investigation of Alleged Incidents

1. All allegations of bullying, harassment or intimidation must be promptly and thoroughly investigated by the local school. The investigation must be documented using the *Bullying, Harassment, or Intimidation Incident School Investigation Form* and the *Investigation Notes Form* and include all notes or communication logs related to the specific incident.
2. The following actions are to take place in order to allow the school administrator/designee to determine the appropriate course of action to address the behavior. The school administrator/designee will determine whether bullying, harassment, or intimidation occurred by taking the following steps:
  - a. Meet individually with the targeted student, the alleged offender, and any witnesses to gather information regarding the allegation.
  - b. Notify all parties involved in the incident that retaliation against a targeted student, witness or bystander is strictly prohibited.
  - c. Document findings and all notes taken during the student interviews, parent contacts, and information gathered from other witnesses on the *Investigation Notes Form* and attach the notes to the *Bullying, Harassment, or Intimidation Incident School Investigation Form*.
  - d. Indicate findings on the *Bullying, Harassment, or Intimidation Incident School Investigation Form* to include whether or not the allegation was substantiated as bullying or not substantiated as bullying. If the incident is not substantiated the reason(s) must be noted on the form.
  - e. Notify the parents/guardians of the targeted student and alleged offender of the outcome of the investigation once the investigation has been completed. The notification must respect the confidentiality of the targeted student and the alleged offender. Therefore, specific information related to disciplinary consequences will not be provided.
  - f. Notify the Safety and Security Counselor or School Resource Officer immediately if the bullying, harassment, or intimidation creates imminent danger or qualifies as a delinquent act.
  - g. Log the incident into SchoolMAX, indicating the actions taken to investigate the allegations and the outcome (refer to the online [SchoolMAX Discipline Training Guide; PGCPS log-in is required](#)).
  - h. Submit a copy of the completed *Investigation Notes Form* and the *Bullying,*



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*Harassment, or Intimidation Incident School Investigation Form* to the Department of Student Services (studentservices.br@pgcps.org) within five (5) school days.

- i. Copies of the forms MUST be maintained in the principal's confidential file for five (5) years. These forms are not to be filed in the student's cumulative folder or limited access folder.

#### C. Parental Notification

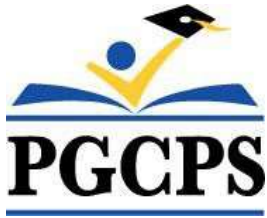
1. The school administrator/designee will immediately notify the parent/guardian of the targeted student, and the parent/guardian of the alleged offender of the incident.
  - a. The parent/guardian of the targeted student will be informed of the specific steps that the school will take to intervene, interrupt and monitor the behaviors.
  - b. The parent/guardian of the alleged offender will be informed of the specific steps that the school will take to intervene, interrupt, and monitor the behaviors as well as the proposed consequences as stipulated in the Student Rights and Responsibilities Handbook.
  - c. The parent/guardian of the targeted student may be invited to participate in the development of an intervention plan for their child.
  - d. The parent/guardian of the alleged offender may be invited to participate in the development of an intervention plan for their child.
  - e. Each parent/guardian will be provided with a copy of the intervention plan developed for their child.

#### D. Follow-Up Actions by the School Administrator/Designee

1. Separate conferences for the targeted student and the alleged offender will occur within ten (10) school days after the investigation has concluded to ensure that the bullying, harassment, or intimidation has ceased, and to determine whether there is a need for additional intervention. Individual conferences may occur as part of the counseling intervention.
2. A second conference will be held with the targeted student four (4) weeks after the initial conference to ensure that the bullying, harassment, or intimidation has ceased.

#### E. Central Support for Parents and School Administrators

1. In instances where the bullying, harassment or intimidation incident is unresolved,



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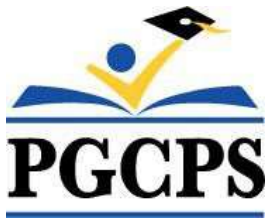
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and/or the parent/guardian is not satisfied with the investigation, support may be requested by the school or parent/guardian from the Department of Student Services.

2. Support may be inclusive of, but not limited to, the following:
  - a. Independent review of the *Bullying, Harassment, or Intimidation Incident School Investigation Form* and *Investigation Notes Form*;
  - b. Interview of parties involved in data collection and disposition;
  - c. Review of disciplinary action as deemed appropriate, under the Student Rights and Responsibilities Handbook related to the incident(s);
  - d. Consultation with the parent/guardian and school-based personnel on alternative strategies and supports; and
  - e. Consultation with other involved offices regarding findings and recommended actions.
3. The Department of Student Services will work with the school to ensure that the incident is investigated, and that the resolution is appropriate. The Department of Student Services may amend the findings and recommendations of the school pursuant to review.

#### F. Prevention

1. All schools will implement procedures to prevent and reduce acts of bullying, harassment, or intimidation.
  - a. Each school-based administrator/designee will provide annual in-service training to all staff on procedures to prevent, identify, report and investigate allegations of bullying, harassment, or intimidation.
  - b. Schools will inform students and parents/guardians that bullying, harassment, or intimidation, including any demeaning or derogatory treatment of others based on race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socio-economic status, familial status, or physical or mental ability or disability, will not be condoned.
  - c. Parents/guardians will be informed about the availability of the Online Bullying, Harassment, or Intimidation Reporting Application through appropriate school communication (*i.e.*, school web site, parent newsletters, student handbook, etc.).
  - d. Schools will inform students about the availability and use of the Online



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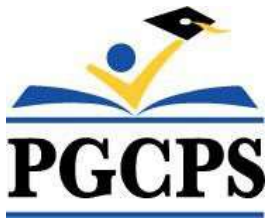
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Bullying, Harassment, or Intimidation Reporting Application and its use during orientation sessions during the first week of school.

- e. A link to the Online Bullying, Harassment, or Intimidation Reporting Application will be available on the PGCPS website.
- f. Schools are required to conduct developmentally appropriate prevention activities, such as:
  - 1) Providing training to all students on behaviors that constitute bullying, harassment and intimidation.
  - 2) Holding regular classroom meetings with students to discuss safety concerns.
  - 3) Clarifying and reinforcing classroom rules against bullying, harassment, or intimidation and associated consequences according to the Student Rights and Responsibilities Handbook.
  - 4) Conducting regular classroom lessons on social emotional learning that builds student capacity for developing healthy peer relationships, self-awareness, self-management, social awareness, and responsible decision making.
  - 5) Conducting classroom lessons on sensitivity and tolerance, including those based on a person's age, ability (cognitive, social emotional, and physical), ethnicity/race, family structure, language, national origin, religion, sex, sexual orientation, marital status, gender identity and expression, ancestry, physical attributes, and socio-economic status.
  - 6) Forming an Anti-Bullying, Harassment, or Intimidation Committee to assess the nature and prevalence of bullying at the school.
  - 7) Celebrating the annual national anti-bullying week.
  - 8) Conducting grade level focus groups or a school-wide survey to identify problem areas in the building and the level of bullying, harassment, or intimidation within the school.
  - 9) Developing and implementing a school-wide bullying, harassment, or intimidation prevention plan. A copy of this plan is due annually by October 31 to the Department of Student Services.

#### G. Interventions

- 1. Schools must provide intervention and support to targeted students and alleged



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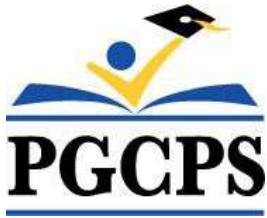
offenders to address acts of bullying, harassment, or intimidation. These interventions may include, but are not limited to, the following actions:

- a. Parent/student conferences.
- b. Counseling with the professional school counselor, school psychologist, pupil personnel worker, professional school nurse and/or other appropriate professional staff.
- c. Behavioral contracts.
- d. Positive behavioral supports, such as functional behavioral assessments and behavioral intervention plans, etc.
- e. Support counseling for the targeted student with protection from retaliation and further episodes of bullying,
- f. Support counseling for the alleged offender specific to the motivation of the bullying, harassment, or intimidation. Support for the alleged offender will include, among others, teaching replacement behaviors, empathy, tolerance and sensitivity to diversity.
- g. Support counseling for bystanders.
- h. Increased adult supervision during unstructured times (*i.e.*, classroom changes, lunch, recess, etc.).
- i. Social skills training, including role playing and behavioral rehearsal.
- j. Schedule adjustment.
- k. Development of a plan of support for the targeted student and alleged offender.
- l. Utilize community health and mental health resources for those students who are unable to stop bullying behaviors in spite of school interventions and for those students involved in bullying behaviors as targeted students or witnesses whose mental or physical health, safety, or academic performance has been impacted.

2. The response/intervention must be documented in SchoolMAX.

#### H. Consequences

- a. Consequences and support strategies for students committing acts of bullying, harassment, or intimidation; engaged in reprisal or retaliation; or reporting false



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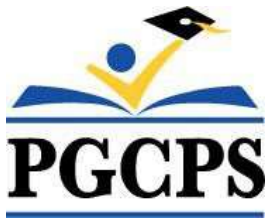
accusations shall be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred. A range of consequences is contained in the Student Rights and Responsibilities Handbook.

- b. Schools should avoid using exclusionary discipline measures when addressing bullying behavior and such measures should only be used after all other available and appropriate behavioral interventions have been exhausted or if a student's continued presence in school would pose a threat to the safety of others. Suspensions, expulsions, or protective orders must not be viewed as punishments designed to prevent bullying. Instead, these are means of protecting the targeted student by providing community containment, while positive behavioral discipline is implemented.
- c. Consequences should also include recognition for positive behavior exhibited by the student who has previously exhibited bullying behavior, the bullied student who is implementing strategies to offset past problems, and the bystander who has taken an active role in addressing bullying behaviors.
- d. Consequences and support strategies for students committing acts of bullying, harassment, or intimidation; engaged in reprisal or retaliation; or reporting false accusations shall be consistently and fairly applied after appropriate investigation has determined that such an offense has occurred. A range of consequences is contained in the Student Rights and Responsibilities Handbook

#### VI. MONITORING AND COMPLIANCE:

- A. The school administrator/designee is responsible for thoroughly investigating and documenting all allegations of bullying, harassment, or intimidation reported to the school.
- B. The school administrator/designee shall provide all *Bullying, Harassment or Intimidation Incident School Investigation Forms* and *Investigation Notes Forms* to the Department of Student Services via the [studentservices.br@pgcps.org](mailto:studentservices.br@pgcps.org) email address. The Department of Student Services is responsible for preparing the Chief Executive Officer's annual report that is required by Board Policy 5143.
- C. The Department of Student Services shall maintain copies of completed *Investigation Notes Forms* and *Bullying, Harassment or Intimidation Incident School Investigation Forms* for five (5) years.
- D. The school administrator/designee shall maintain records of annual in-service training to all school-based staff on procedures to prevent, identify, report and investigate allegations of bullying, harassment, or intimidation for five (5) years.





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- E. The school administrator/designee shall conduct quarterly reviews of all bullying, harassment and intimidation reports to ensure data accuracy.
- F. The Department of Student Services must provide annual training to the school administrator/designee on appropriate guidelines for reporting, investigating and documenting all reports of bullying.

**VII. LEGAL REFERENCES:**

MD Annotated Code, Education Article §§ 7-424 - 7-424.1

**VIII. RELATED PROCEDURES:**

Administrative Procedure 0700, Information Technology Services Acceptable Usage Guidelines

Administrative Procedure 4170, Discrimination and Harassment; and

Administrative Procedure 10101, Student Rights and Responsibilities Handbook.

- IX. MAINTENANCE AND UPDATE OF THESE PROCEDURES:** These administrative procedures originate with the Division of Student Services. Regular updating of these administrative procedures will be accomplished, as needed.

- X. CANCELLATIONS AND SUPERSEDES:** This administrative procedure cancels and supersedes Administrative Procedure 5143, dated August 12, 2021.

- XI. EFFECTIVE DATE:** November 2, 2022

**Attachments:**

1. Bullying, Harassment, or Intimidation Incident School Investigation Form
2. Investigation Notes Form
3. Procedure Flow Chart