

PROCEDURE

Harford County Public Schools

PROCEDURE TITLE: Bullying, Cyberbullying, Harassment or Intimidation Investigation Procedures		
ADOPTION/EFFECTIVE DATE: July 22, 2009	MOST RECENTLY AMENDED: December 19, 2011	MOST RECENTLY REAFFIRMED:
POLICY/PROCEDURE MANUAL SUMMARY CATEGORY:		

I. Purpose

The purpose of this procedure is to establish procedures for the investigation of bullying, cyberbullying, harassment and intimidation as defined herein.

II. Definitions

A. Bullying, cyberbullying, harassment or intimidation means:

1. Intentional conduct including verbal, physical or written conduct, or an intentional electronic communication that:

a. Creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities or performance, or with the student's physical or psychological wellbeing and is:

- 1) Motivated by an actual or perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion, ancestry, physical attributes, socioeconomic status, familial status, physical or mental ability or disability; or
- 2) Threatening or seriously intimidating; and
 - a) Occurs on school property at a school activity or event or on a school bus; or
 - b) Substantially disrupts the orderly operation of a school.

B. 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. Student means any person enrolled for the purpose of receiving education services from Harford County Public Schools (HCPS).

- D. **Reprisal or retaliation** means unlawful acts or acts which violate Board or School policy which are taken against an individual specifically because he/she reported acts of bullying, harassment or intimidation.

III. **Procedures for Investigation**

- A. The principal and/or the principal's designee is responsible for determining whether an alleged act constitutes a violation of this policy. In so doing, the principal and/or the principal's designee shall conduct a prompt and thorough investigation of all written and oral complaints of suspected harassment, cyberbullying, intimidation, or bullying.
- B. All reports must be written using the *Bullying, Cyberbullying, Harassment, or Intimidation Reporting Form*. They must then be promptly and appropriately investigated by school administrators or the administrative designee, consistent with due process rights, using the *Bullying, Cyberbullying, Harassment, or Intimidation Incident Investigation Form* within 2 school days after receipt of a reporting form. Written statements from the victim and alleged offender and any witness statements shall be attached to the report.
- C. 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 shall be informed that any information discussed and recorded will be confined to "need to know" status.
- D. School administrators or the administrative designee shall promptly notify parents of the victim and offender of the incident.
- E. School administrators or the administrative designee shall apply consequences and/or remedial actions consistent with due process rights from the range of listed consequences. The offender shall be informed that retaliation against a victim or bystander is strictly prohibited and that graduating consequences will occur if the activity continues.
- F. Student Services personnel shall conduct separate conferences with the victim and offender within two weeks after the investigation to determine whether the bullying, cyberbullying, harassment, or intimidation has continued and whether additional consequences need to be implemented. These conferences may occur as part of the counseling intervention. Another follow-up conference or conversation shall be held with the victim four weeks after the initial follow-up conference to determine if the bullying, cyberbullying, harassment, or intimidation has ceased.

- G. The administrator/designee should be aware that some acts of bullying, cyberbullying, harassment, or intimidation could also be delinquent acts. If they are delinquent acts, they promptly shall be reported to the responsible law enforcement agency according to the Code of Maryland Regulations (COMAR) 13A.08.01.15.

Approved By:

A handwritten signature in black ink, appearing to read "R. Tomback", is written over a solid horizontal line.

Robert M. Tomback, Ph.D.
Superintendent of Schools