

## POLICY PROHIBITING BULLYING, HARASSMENT, OR INTIMIDATION

### I. Purpose

The purpose of Policy JFH ~~prohibits~~ is to address bullying, harassment, or intimidation of any student.

### II. Background

In accordance with state law, the Board of Education has developed and adopted this policy to address bullying, harassment, or intimidation.

### III. Definitions

Within the context of this policy, the following definitions apply:

- A. Bullying, harassment, or intimidation: Intentional conduct, including verbal, physical, or written conduct or electronic communication that creates a hostile educational environment by substantially interfering with a student's educational benefits, opportunities, 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,~~
  - 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
  - threatening or seriously intimidating; ~~or and~~
  - is occurring ~~occurs~~ on school property, at a school activity, or on a school bus; or,
  - substantially ~~disrupts~~ disrupting the orderly operation of a school
- B. Cyberbullying: Cyberbullying is a form of bullying, harassment, and/or intimidation using communication transmitted by means of electronic devices and includes the use of social media sites. Cyberbullying shall include 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 tablet and shall include any future applications.
- D. Revenge Porn: Intentionally causing serious emotional distress to another by intentionally placing on the Internet a photograph, film, videotape, recording, or any other reproduction of the image of the other person that reveals the identity of the other person with his or her intimate parts exposed or while engaged in an act of sexual contact (1) knowing that the other person did not consent to the placement of the image on the Internet and (2) under circumstances in which the other person had a reasonable expectation that the image would be kept private.

- E. School principal: The principal of a public school or the principal's designee who is an administrator.
- F. Sexual Harassment: (1) unwelcomed, inappropriate sexual advances or requests for sexual favors, (2) verbal or physical conduct/behavior of a sexual nature, (3) verbal or physical conduct/behavior of a sexual nature that is a form of intimidation, hostile, or offensive to the educational environment, and (4) adverse actions against a student as a result of the rejection of, reaction to, or filing of a harassment complaint.

#### IV. Policy Statement/Procedures

- A. The Board of Education prohibits bullying, harassment, or intimidation of any student on school property or at school-sponsored functions or by the use of electronic communication devices at a public school or by the use of a school system owned electronic communication device regardless of location.
- B. The Board of Education encourages and expects an atmosphere free of discrimination and sexual harassment and one that is conducive to high quality performance in the school setting.

The Board of Education prohibits reprisal or retaliation against students who report acts of bullying, harassment, or intimidation or who are victims, witnesses, bystanders, or other with reliable information about an act of bullying, harassment, or intimidation. Retaliation against a student who has filed a harassment complaint or participated in a harassment investigation or proceeding is also prohibited.

#### C. Reporting Procedures

1. A student who wishes to report an incident of bullying, harassment, or intimidation (including sexual harassment) should report the incident to the school principal, principal's designee, or other adult in the school. If the problem is brought to the attention of an adult other than the principal, that adult shall assist the student in bringing the problem to the attention of the school principal. Where the complaint involves a student and another adult, the administrator who is made aware of the complaint will notify the parents of the student and the adult before an investigation occurs. In the event of a student accusing another student in a complaint, the administrator will notify the parents of both the accuser and the alleged harasser before an investigation occurs.
2. The building principal will be responsible for investigating all allegations and complaints of alleged harassment of any kind, and completing a written report submitted to the Supervisor of ~~Student Services~~ School Counseling when a student is involved. Any allegation of harassment made against the principal of a school should be reported to the Executive Director of Human Resources at the Center for Education Services (CES) of the Board of Education. A CES staff member appointed by the Superintendent shall investigate allegations made against an adult employed in the school system.
3. It shall also be the responsibility of the superintendent, in conjunction with the principals and the schools, to develop disciplinary procedures regarding this policy.

#### D. Limitation of Liability

A school employee who reports an act of bullying, harassment, or intimidation in accordance with the Board of Education's policy, is not civilly liable for any act or omission in reporting or failing to report an act of bullying, harassment or intimidation.

E. Administrative Regulation

The Superintendent is authorized to promulgate an administrative regulation to implement this policy.

The administrative regulation is to set forth the standard procedures to be followed for providing notice of an act of bullying, harassment, or intimidation to a parent or guardian of the alleged victim and to a parent or guardian of the alleged perpetrator. The standard procedures are also to include a notice to a parent or guardian of the alleged victim of the outcome of the review of a report of bullying, harassment, or intimidation.

Reference: Maryland Code Annotated, Education Article §7-424  
Maryland Code Annotated, Education Article §7-424.1  
“Maryland’s Model Policy to Address Bullying, Harassment, or Intimidation,” Maryland State Department of Education, updated July 2016  
Policy JK and Administrative Regulation JK-R – “Student Discipline”  
Exhibit JK-E – “Washington County Public Schools Disciplinary Guidelines”

Policy adopted: June 6, 2000. Revised: June 16, 2009. Revised: January 3, 2017. Amended: \_\_\_\_\_  
Board of Education of Washington County