

BULLYING, HARASSMENT, OR INTIMIDATION IN MARYLAND PUBLIC SCHOOLS

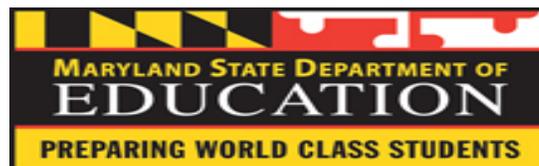
**A REPORT TO THE MARYLAND GENERAL ASSEMBLY
ON INCIDENTS REPORTED UNDER THE
SAFE SCHOOLS REPORTING ACT OF 2005**

**Presented by the
Maryland State Department of Education**

March 31, 2015

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Maryland State Department of Education March 2015

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INTRODUCTION

The Safe Schools Reporting Act of 2005 became effective on July 1, 2005. The law (Education Article §7-424, Annotated Code) requires the Maryland State Department of Education (MSDE) to require all county boards of education and the Baltimore City Board of School Commissioners to report incidents of harassment or intimidation against students in public schools under the county board's and commission's jurisdiction to the Maryland General Assembly. Additionally, MSDE was required to create and distribute a "Standard Victim of Harassment or Intimidation Report Form", and to submit a report to the Maryland General Assembly consisting of a summary of the information included in the victim of harassment and intimidation forms filed with the local boards the previous school year.

To ensure the law was implemented according to reporting requirements, the first reporting period of the Safe Schools Reporting Act of 2005 encompassed the first semester of the 2005-2006 school year. The information contained in the first report to the General Assembly represented this time period. Reports submitted after the 2005-2006 school year included data from both the first and second semesters.

On July 1, 2008, the General Assembly enacted updating the laws with amendments" that affected the Safe Schools Reporting Act of 2005. House Bill (HB) 1209 removed the sunset requirement of the original Safe Schools Reporting Act of 2005. Thus, the requirements of that law remain in effect unless changed by future legislation. HB 1158 added a provision to the original law which permitted school staff members to use the same incident reporting form previously available to only students, parents or close adult relatives of a student. Lastly, HB 199 required the Maryland State Board of Education to develop a model anti-bullying policy in collaboration with school system representatives by March 31, 2009. The model policy was developed according to the requirements of Education Article §7-424.1, Annotated Code of Maryland and was formally adopted by the Maryland State Board of Education on February 24, 2009. The model policy was forwarded to the twenty-four Local Education Agencies (LEAs) in the State and used as a basis for developing their own anti-bullying policies as required by the law. All LEAs submitted copies of their anti-bullying policies to the State Superintendent of Schools on or before July 1, 2009. The law also kept all requirements of the Safe Schools Reporting Act of 2005 while expanding the definition of bullying, harassment, or intimidation and adding a definition for an electronic communication.

This report describes the process used by MSDE to carry out the mandates of this law. The reporting period for this ninth report encompasses the entire 2013-2014 school year including both the first and second semesters. As stated earlier, this process began

including both semester starting with the 2006-2007 report. The report still provides additional information gathered as a result of the implementation of the law, including LEA practices and procedures employed in order to meet this requirement. The findings from the LEA reports are detailed, including incident rates, locations and descriptions of the incidents, ages of victims and perpetrators, alleged motives of the perpetrators, investigative methods used, corrective actions taken by schools, number of days missed by victims and perpetrators, and the number of false allegations reported.

PROCESS

In compliance with the law, MSDE was tasked with developing forms that included the elements required by the law. In July 2005, MSDE assembled a group of stakeholders that included representatives from Carroll, Montgomery, Baltimore, Cecil, and Frederick Counties. In addition, representatives from the mental health profession participated. With guidance from the Office of the Attorney General, the group worked to reach consensus on forms and procedures that would fulfill the intent of the legislation. Furthermore, a spreadsheet was developed to ensure the accurate and consistent collection of data from all LEAs.

Once the forms were finalized, they were sent to local superintendents of schools for review and comment. In addition, draft forms were sent to directors of student services, school counseling supervisors, and supervisors of safe and drug-free schools for comment. Where possible, and in keeping with the decision to include only elements mandated by law, comments and suggestions were incorporated into the forms.

The *Harassment or Intimidation (Bullying) Reporting Form* is a standard form to be used by all public schools, and cannot be modified. Its title was changed to correspond to the requirements of HB 199 and it is now entitled the *Bullying, Harassment, or Intimidation Reporting Form* and includes a section for check-off if used by a school staff member. Its components and function remain the same. Similarly, to correspond to HB 199, the investigation form is now entitled the *Bullying, Harassment, or Intimidation Incident School Investigation Form* and includes a section for check-off if used by a school staff member. The school system reporting instrument is now entitled the *Bullying, Harassment, or Intimidation Incident Reporting Instrument*.

A major concern not addressed in the law had to do with the retention of the forms once processed. An Advice of Council letter dated December 20, 2005 stated the Federal Educational Rights and Privacy Act (FERPA) defines student records as records that are directly related to a student and are maintained by an educational agency or institution or by a party acting for the agency or institution. The Maryland Student Records System Manual, authorized by COMAR 13A.08.02, essentially mirrors FERPA and states that "Records are information recorded in any way, including but not limited to handwriting, print, computer media, video or audiotape, film, microfilm, or microfiche." Therefore, given the information contained in the harassment and intimidation forms, the Advice of Council was that these forms are student records for both the victim and the perpetrator. School staff had expressed serious concerns regarding this issue.

An amendment to Education Article §7-424, Annotated Code of Maryland was submitted during the 2007 General Assembly session. House Bill 383 sought to amend Education Article §7-424 to preclude these forms from becoming part of a student's record. It was felt the inclusion of these forms in a student's record might be detrimental to a victim, or if a harassment/intimidation accusation was determined to be false or to contain incorrect information, then having these forms on a student's record would be unfair to an alleged offender. House Bill 383 was passed by the General Assembly and signed into law by the Governor. Therefore, these forms are no longer required to be part of a student's record.

On July 7, 2008, a memorandum was sent by the State Superintendent of Schools to local superintendents of the 24 local school systems describing the changes to the Safe Schools Reporting Act of 2005 now required by HB 1158 and HB 1209. On August 13, 2008, information about the changes to the Safe Schools Reporting Act of 2005 and copies of the updated forms were provided electronically to the school system personnel responsible for fulfilling the requirements of the Safe Schools Reporting Act in the 24 local school systems. This same information and forms were shared with the Directors of Student Services from the 24 LEAs at an administrative meeting on October 15, 2008 and has been shared annually every October since that time.

In June of each year, copies of all updated forms and directions pertaining to the Safe Schools Reporting Act are sent electronically to the school system personnel responsible for fulfilling the requirements of the Safe Schools Reporting Act in the 24 local school systems. In July of each year, a memorandum is sent by the State Superintendent of Schools to local superintendents reminding them of the requirements of the Safe Schools Reporting Act. The data is usually received by MSDE in December of that year.

Please note that data from the SEED School of Maryland are included in this report. The SEED School, which opened in August, 2009, is a college preparatory public boarding school that serves students state-wide.

FINDINGS

Implementation of the Law by Local Educational Agencies (LEAs)

The 24 LEAs reported data for the entire 2013-2014 school year. In this report, the accompanying graphs (Figures 1-11), Tables 1 and 2, and narrative provide a comparison of the reported information for three complete school years. On the graphs, the 2011-2012 school year information is presented in light blue, the 2012-2013 school year information is presented in gray, and the 2013-2014 school year information is presented in dark blue.

Incident Rates

A total of 4,587 incidents were reported for the 2013-2014 school year. This represents a statewide decrease of 668 reported incidents from the 2012-2013 school year, and a statewide decrease of 626 reported incidents in the 2011-2012 school year. The number of reported incidents in each LEA is presented in Figure 1; the rate of reported incidents per 1,000 students relative to 2013-2014 enrollments is shown in Table 1. Sixteen (16) LEAs indicated a decrease in the number of reported incidents while eight (8) LEAs indicated an increase. Several LEAs reported relatively significant decreases in the number of incidents. Howard County decreased by 160 reported incidents. Talbot County decreased by 107 reported incidents, and Allegany decreased by 44 reported incidents.

As expected, the larger systems had the most incidents. Baltimore County reported the most number of incidents with a total of 581 and a rate of 5.4 incidents per 1,000 enrolled students. Following Baltimore County was Baltimore City (472, 5.6), Montgomery County (440, 2.9), Prince George's County (416, 3.3), Anne Arundel County (327, 4.2) and Frederick County (323, 7.9) respectively. Kent (29.8), Dorchester (19.1) and Talbot (17.4) Counties reported the most incidents relative to enrollment. It should be noted that three school systems (Kent, Dorchester and Talbot) with a higher number of reported incidents relative to enrollment (Table 1) are smaller school systems – that is, school systems with a smaller overall student enrollment. These systems have reported more incidents per 1,000 students.

Based on the methods of reporting and the varied means of distributing the reporting form in LEAs, it is speculated that the decrease in reported incidents may be attributed to an increase in awareness of bullying and harassment on the part of students, staff, and parents. Since the change in the law in 2008, staff members were able to use the same reporting form as students and parents, thereby providing additional information.

The 2013-2014 school year marks the fifth year during which bullying prevention programming was required to be presented by the LEAs to students, staff, and volunteers. Bullying prevention models and frameworks such as PBIS, Olweus, Character Counts, Restorative Practices, and Text-2-Stop It are used throughout the LEAs. It is speculated that the programming further heightened awareness of the issue

among the school communities, which initially increased reported numbers for several years.

Last year, there was a slight increase in overall reporting of only forty-four incidents while this year, there is a decrease of over six hundred cases possibly indication that prevention efforts are working.

It is important to note that the variation in numbers of reported incidents may largely reflect differences among school systems in levels of awareness of the parts of school staff, parents and students. School staff with greater understanding of the problems of bullying, and the importance of reporting and investigating incidents, are more likely to be pro-active in disseminating forms and making parents and students aware of the resources available to them. In turn, parents and students who are more aware of the need to report bullying incidents and the assistance that school staff can provide are more likely to report such incidents.

All school systems have implemented system-wide and school-wide programs about bullying awareness and prevention. Twenty-three out of twenty-four LEAs have their Bullying and Harassment form digitized, thus making it easier to report incidents. From these results and conversations with parents, staff, and students when reporting incidents that students, parents, and staff in the school systems feel more comfortable reporting bullying and harassment. However, there are still concerns about expedited and appropriate responses and consequences from school staff/administration.

Figure 1: Number of Reported Incidents, by Local School System

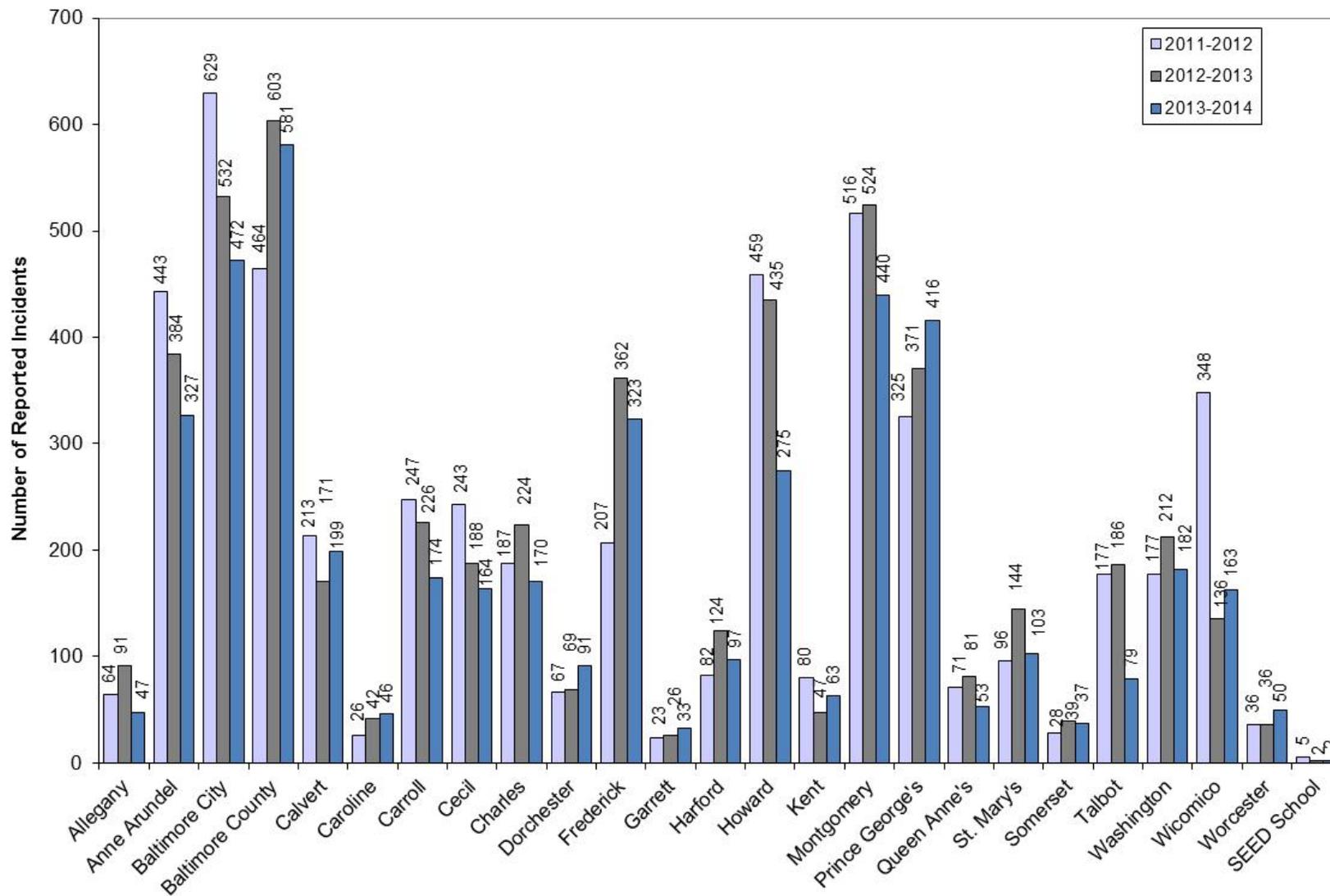


Table 1: Number of Reported Incidents Relative to Enrollment, by Local School System

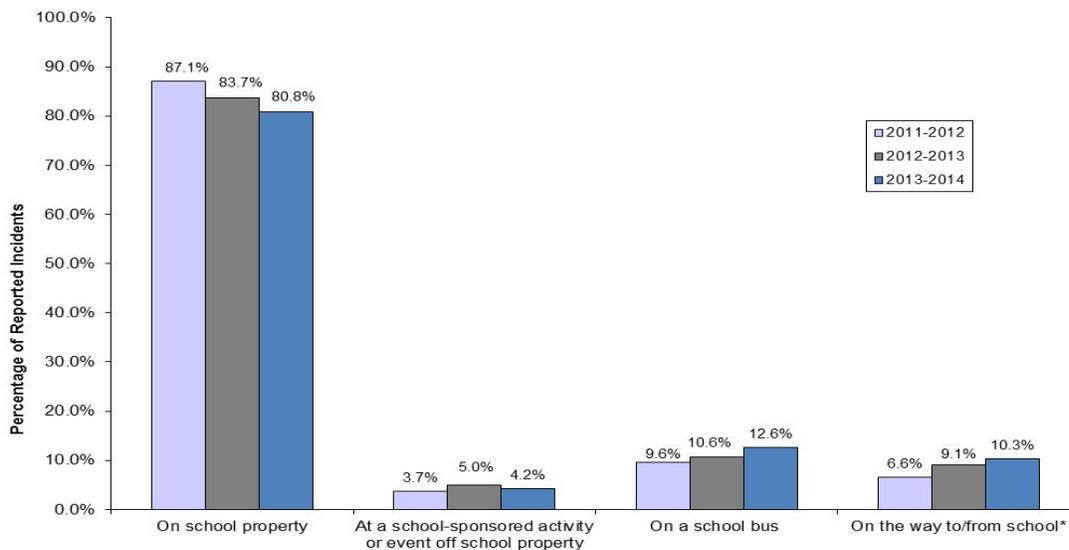
Number of Reported Incidents Per 1000 Enrolled Students			
School System			
Local School System	School Year		
	2011-2012	2012-2013	2013-2014
Allegany	7.2	10.2	5.3
Anne Arundel	5.8	4.9	4.2
Baltimore City	7.5	6.3	5.6
Baltimore County	4.4	5.6	5.4
Calvert	12.9	10.5	12.3
Caroline	4.7	7.5	8.3
Carroll	9.1	8.5	6.6
Cecil	15.4	12.0	10.4
Charles	7.0	8.4	6.4
Dorchester	14.4	14.6	19.1
Frederick	5.1	8.9	7.9
Garrett	5.6	6.5	8.5
Harford	2.1	3.3	2.6
Howard	8.9	8.4	5.2
Kent	37.0	22.1	29.8
Montgomery	3.5	3.5	2.9
Prince George's	2.6	3.0	3.3
Queen Anne's	9.1	10.4	6.9
St. Mary's	5.5	8.3	5.8
Somerset	9.7	13.3	12.6
Talbot	38.9	40.7	17.4
Washington	8.0	9.5	8.1
Wicomico	24.0	9.4	11.3
Worcester	5.4	5.4	7.5

Locations of the Incidents

The majority of the incidents occurred on school property, (80.8%). The second largest number of incidents occurred on school buses, (12.6%), closely followed by on the way to/from school, (10.3%). These percentages remain consistent with those from the previous two reports. It should be noted that “On School Property” incidents were at a four-year low with a slight decrease in the other mentioned categories. (Figure 2).

Figure 2: Locations of Reported Incidents, Statewide

* Collected unless specifically excluded by local board policy. Note: Each incident report could identify more than one location. Therefore, the percentages do not total 100%.

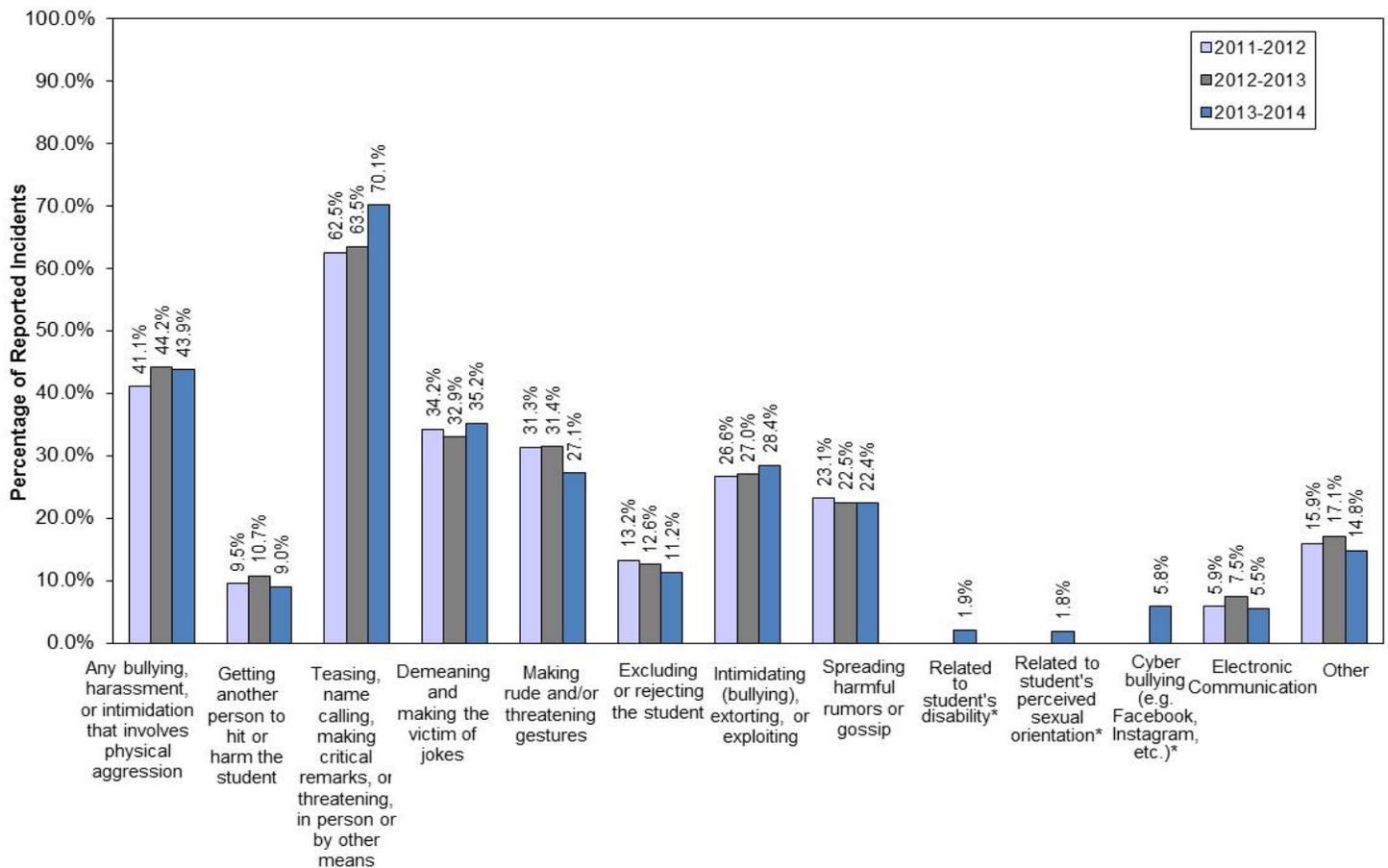


Descriptions of the Incidents

To describe the incident, those who completed the investigation form were asked to choose from a list of descriptions which was created from research of the most prevalent forms of bullying (see *Victim of Bullying, Harassment, or Intimidation Reporting Form*). The largest number of incidents involved teasing, name-calling, making critical remarks or threatening, (70.1%). In other words, direct verbal bullying/harassment is experienced more than other forms, such as physical bullying, exclusion, gestures, extorting, or spreading rumors. Forty-three point nine percent (43.9%) of the incidents involved some form of physical aggression such as hitting, kicking, shoving, spitting, hair-pulling or throwing an object (see Figure 3). These percentages remain consistent with those from the previous two reports.

Figure 3: Descriptions of Reported Incidents, Statewide

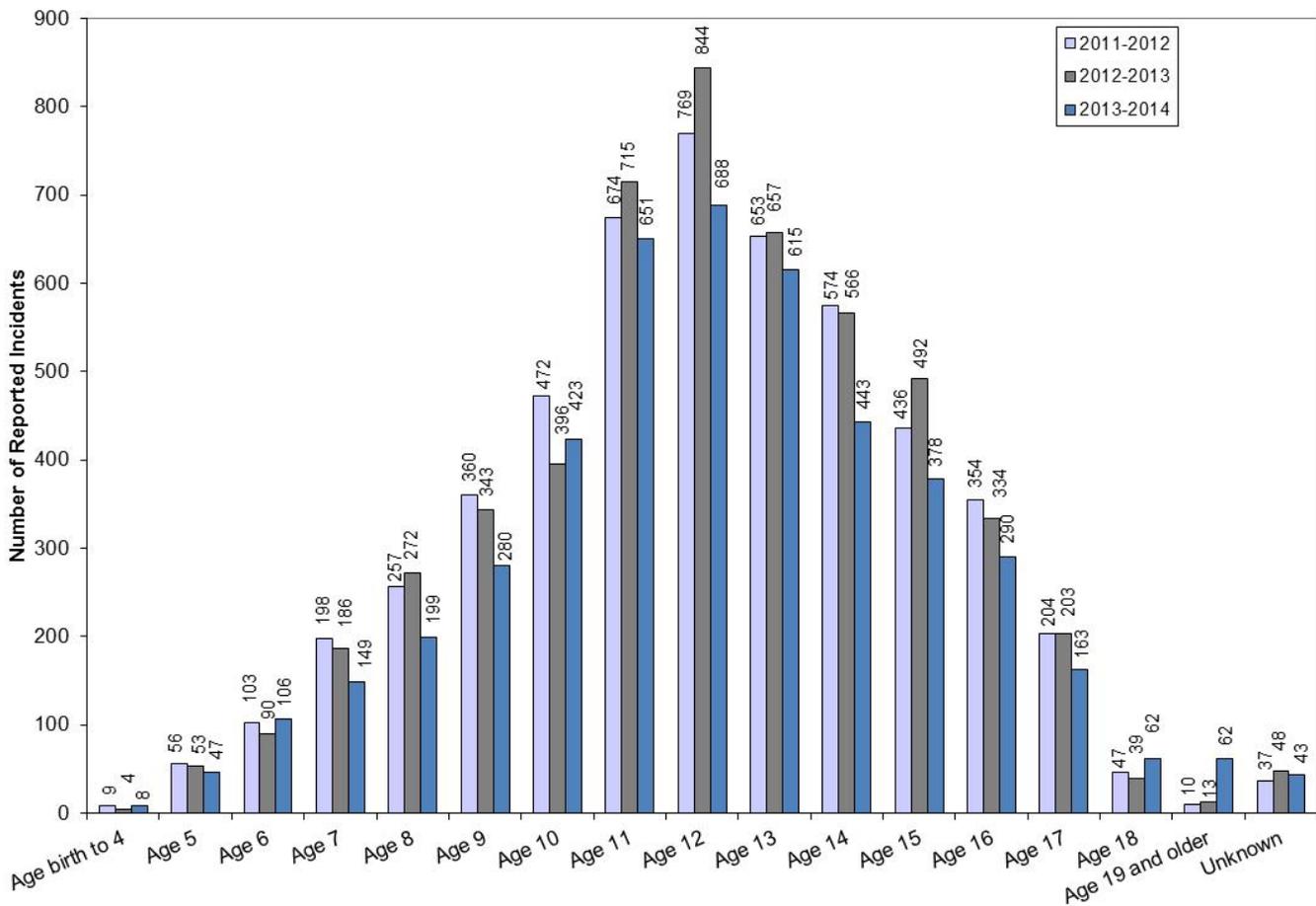
Note: Each incident report could identify more than one description; therefore, the percentages do not total 100%. *New description category added in SY 2013-2014



Ages of Victims

According to the submitted reports, students twelve years of age were the most frequent victims of incidents of bullying and harassment (n=688, 15.07%, see Figure 4). This represents the same age-group as the March 31, 2013 report (n=844, 16.06%). The number of victims of bullying and harassment decreases for each age group from ages 12 through 17 and continues to decline progressively to age 19 and older. This pattern has been largely consistent during the 10 years that these data have been collected. The majority of victims were between the ages of 10 and 14 (n=2,820, 61.8%). This is consistent with research that indicates that more bullying and harassment occurs in middle school than in elementary or high schools. The ages of victims range from 4 to age 19 or older. In 2011-2012, there were 37 cases with ages unknown, in 2012-2013 there were 48 cases with ages unknown and in 2013-2014 there are 43 cases with ages unknown.

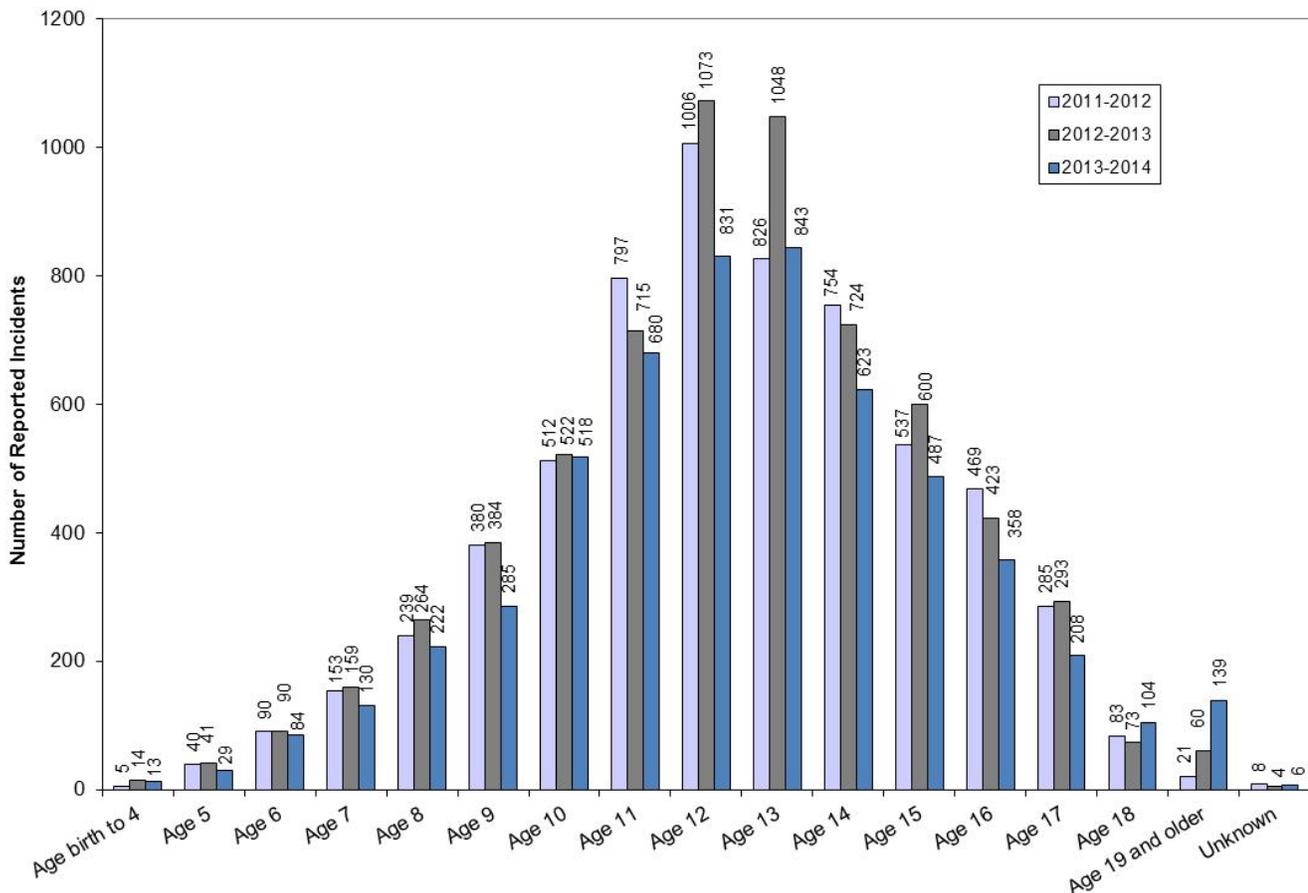
Figure 4: Ages of Victims, Statewide



Ages of Alleged Offenders

The greatest number of incidents were committed by 13-year-olds (n=843, 15.04%) according to the submitted reports (see Figure 5). This represents a one-year increase in age-group from the March 31, 2014 report (n=1063, 16.75%). Data in the March 31, 2013, and 2014 reports indicated that the greatest number of incidents had also been perpetrated by 12-year-olds. Data in the March 31, 2010 report indicated that the greatest number of incidents were committed by 13-year-olds (n=319, 18.9%). The number of offenders for each age group decreases from age 12 through age 19 and older. This is a similar pattern indicated in the 8 previous reports. The majority of offenders were between the ages of 10 and 15 (n=3982, 72.15%). This age bracket indicates that the majority of bullying occurs at middle school age. The ages of offenders ranged from 4 to age 19 and older.

Figure 5: Ages of Alleged Offenders, Statewide

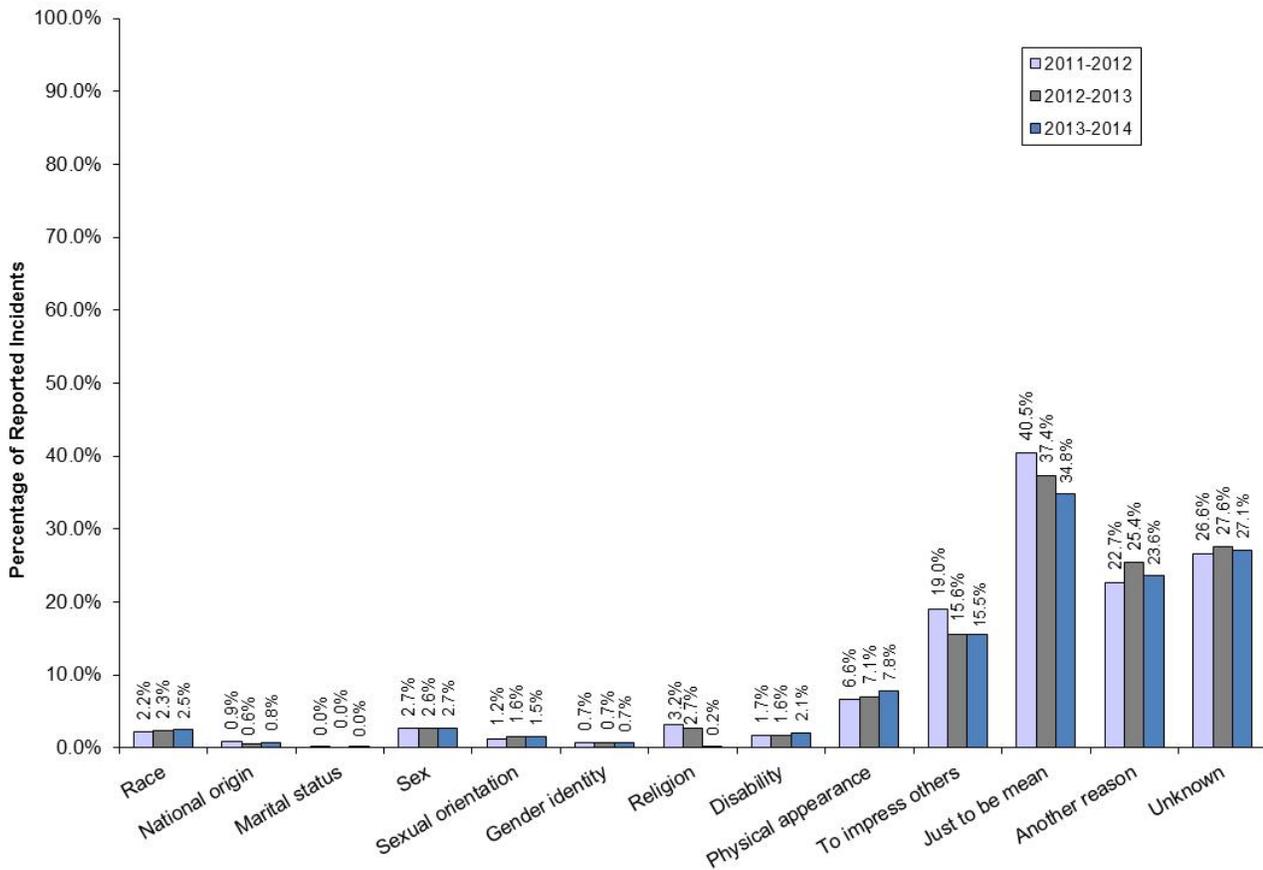


Alleged Offender’s Motives

The *Bullying, Harassment, or Intimidation Reporting Form* listed motives that were specified in the law and others that were gathered from research as to the reasons why students bully other students. The motives reported are presented in Figure 6. The motive most frequently cited was “Just to Be Mean” (n=1596 or 34.8%). Twenty-seven percent of the incidents were allegedly perpetrated for “Unknown” (n=1245 or 27.1%) Reasons, Another Reason (n=1081, or 23.6%), “To Impress Others” (n=711, or 15.5%) “Physical Appearance” (n=358, 7.8%); “Sex” (n=69, or 2.7%), and “Race” (n=115, or 2.5%) were next, although with much smaller percentages. The remaining incidents were allegedly perpetrated due to National Origin, Gender Identity, and Religion. These factors reportedly made up less than 2% of motives for bullying, respectively. A significant number of reports identified “Another Reason” (n= 1081, or 23.6%) and “Unknown” (n=1245, or 27.1%) as the alleged motives (see summary section).

Figure 6: Description of Alleged Motives as Reported by Investigator, Statewide

Note: Each school investigation form could identify more than one alleged motive; therefore, the percentages do not total 100%.

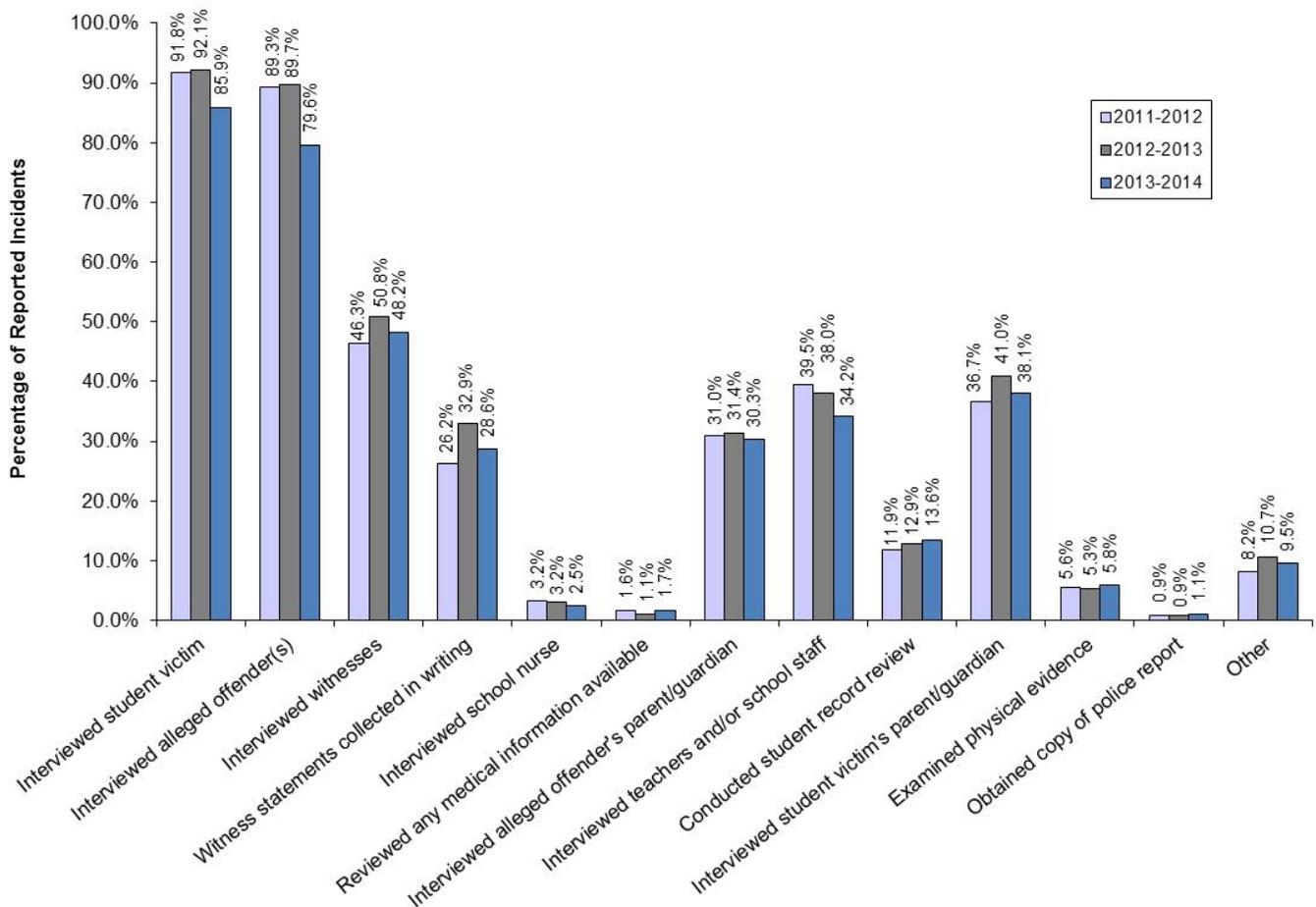


Description of the Investigations

Investigative methods were developed from a variety of techniques utilized by school administrators investigating any behavioral infraction. The most frequent investigative methods were Interviews of Student Victims (n=3940, or 85.9%), Interviews of Alleged Offenders (n=3649, or 79.6%), Interviews of Witnesses (n=2213, or 48.2%), Interviews of Student Victims Parent/Guardian (n=1747, or 38.1%), Interviews of The Teachers or School Staff (n=1571, or 34.2%), Interviewed Alleged Offender's Parent/Guardian (n=1388, or 30.3%), and Witness Statements collected in writing (n=1313, or 28.6%). Other means were also used when necessary (see Figure 7). Investigative methods varied and most categories showed decreases in the percentages in their use from 2012-2013 school year. There were increases in the percentages of Reviewed Medical Information, Conducted Student Record Review, and Examine Physical Evidence categories. School administrators are still devoting time to investigate the details of reported incidents for the 2013-2014 school year with a focus more on interviewing victims, offenders, and witnesses while less time was spent on record reviews and examination of physical evidence.

Figure 7: Methods Used to Investigate Incident as Reported by Investigator, Statewide

Note: Each school investigation form could identify more than one investigative method. Therefore, the percentages do not total 100%.

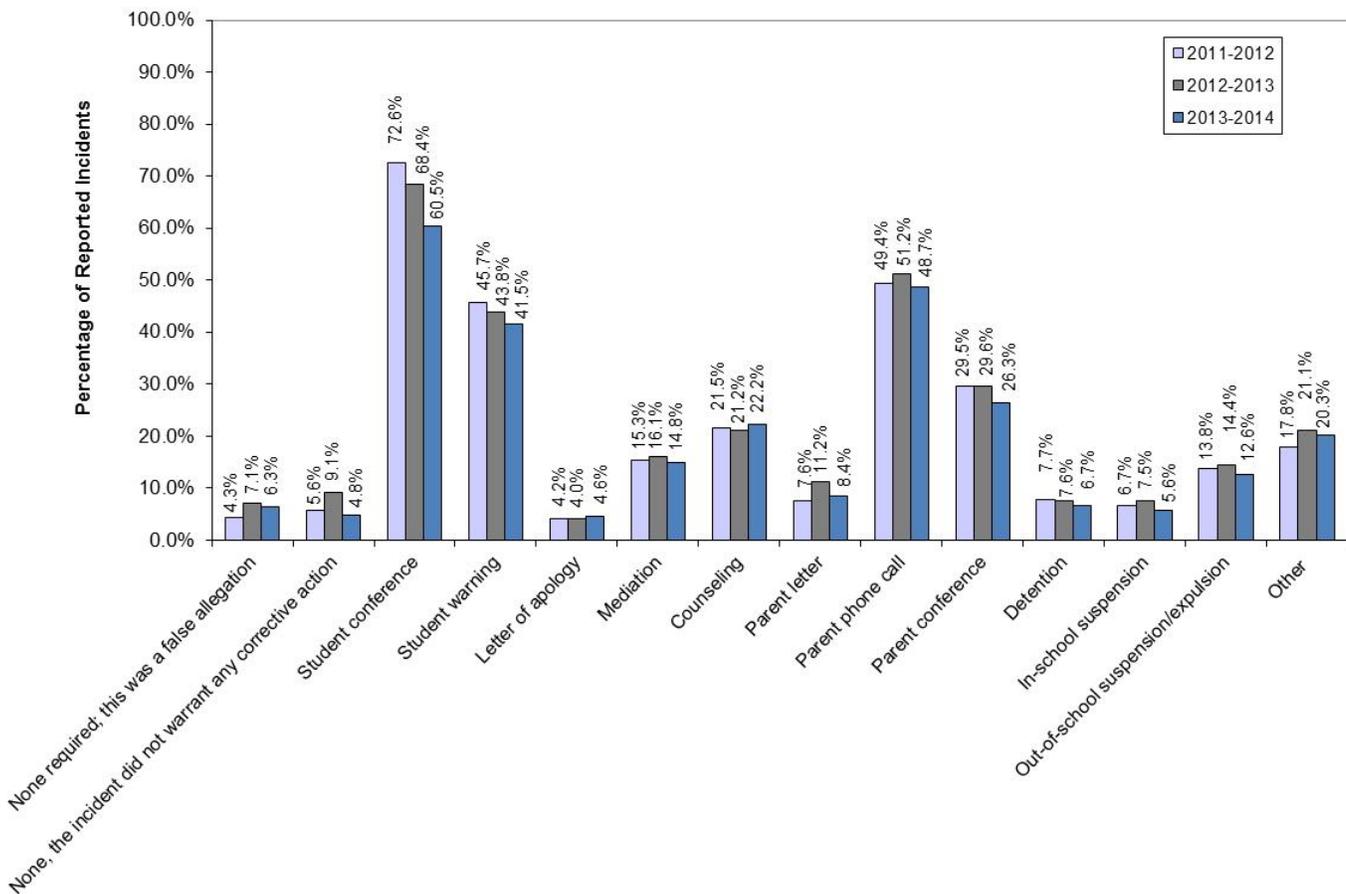


Corrective Actions Taken

Corrective action was taken in the vast majority of reported incidents that were not False Allegations (n=12,714, or 98.0%). Student Conferences (n=2,774, or 60.5%), Parent Phone Call (n=2,236, or 48.7%) Student Warnings (n=1,903, or 41.5%), and Parent Conferences (n=1,208, or 26.3%) were among the most frequently used corrective actions (see Figure 8). Counseling was also offered in more than twenty-two percent of the incidents (n=1,019, or 22.2%). As schools work toward reducing suspensions and providing positive behavioral interventions, student and parent interactions are considered as more effective ways to change behaviors. Five hundred eighty (580, or 12.6) incidents resulted in out-of-school suspensions or expulsion. This is a reduction of (177, or 1.8%) from last year. There was also a reduction in the amount of in-school suspensions, (257, of 5.6%) compared to last year's (394, of 7.5%). This is a reduction of one hundred thirty-seven suspensions (137, of 1.9%).

Figure 8: Corrective Actions Taken as Reported by Investigator, Statewide

Note: Each school investigation form could identify more than one corrective action. Therefore, the percentages do not total 100%.

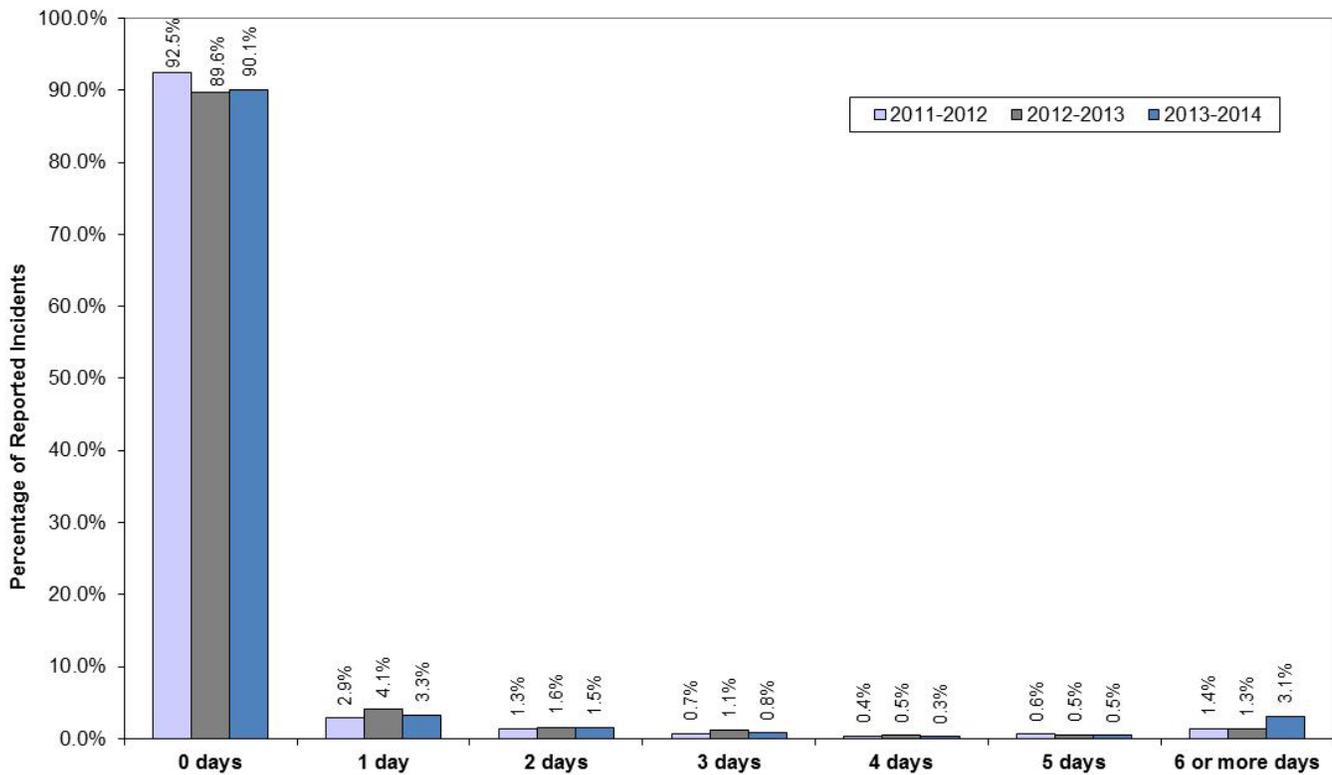


Number of Days Victims Missed From School by Incidents

As a group, victims did not miss many school days as a result of the incidents in the majority of cases. Victims missed school in 431 cases, 9.4% (see Figure 9). It is unknown from the data whether victims missed school due to injury, fear of attending or other reasons. In comparison to similar data from the previous report, 90.1% of the incidents did not result in missed days. This represents a slight increase of 0.5% of victims not missing time from school when compared to the information in the March 31, 2014 report and a decrease of 2.2% of victim's not missing time from school when compared to the information in the March 31, 2013 report. The alarming fact is the 143 incidents of victims missing 6 or more days. This will be discussed more at length in the summary section.

Figure 9: Absences as a Result of Incidents for Victims, Statewide.*

*The number of incidents resulting in an unknown number of days absent from school by the victims decreased to 23 cases in 2013-2014, down from 67 in 2012-2013 and up from 10 in 2011-2012.

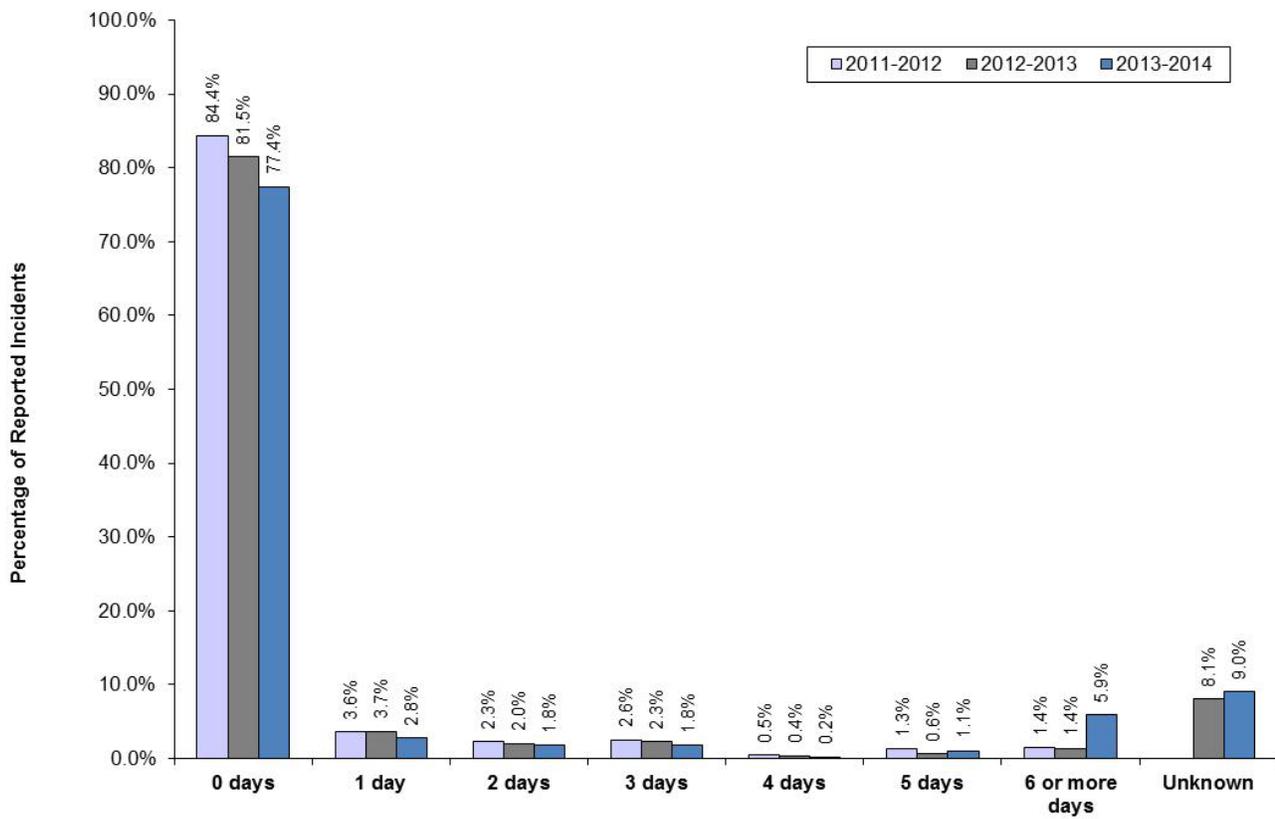


Number of Days Missed From School by Alleged Offenders

Alleged offenders missed more school than victims as a result of the incidents in the majority of cases. Offenders were absent in 621 cases, 13.5% (See Figure 10). It is unknown from the data whether the offenders missed school due to suspensions, injury or other reasons. This is an increase of 3.1% of incidents in which offenders did not miss school when compared to the information in the March 31, 2014 report and an increase of 1.7% incidents in which offenders did not miss school when compared to the information in the March 31, 2012 report. The alarming fact still remains there were 272 incidents of offenders missing 6 or more days. This will also be discussed more at length in the summary section.

Figure 10: Absences as a Result of Incident for Alleged Offender, Statewide

* The number of incidents resulting in an unknown number of days for which alleged offenders missed days from school decreased to 414 in 2013-2014, down from 424 in 2012-2013, but up from 200 in 2011-2012.



Number of False Allegations Reported

Investigations into some incident reports found them to be False Allegations (see Figure 11 and Table 2). A total of 289 False Allegations were reported in 22 school systems, representing 6.3% of the total number of incidents reported statewide. This is also a decrease by 89 incidents from last school year. The largest number of False Allegations per reported incidents was in Howard County (n=92 of the reported 289, or 31.8%) followed by Cecil County, 27.4% and Anne Arundel County, 10.1%. Caroline County, Worcester County, and the SEED School reported zero number of false allegations.

Figure 11: Number of False Allegations, by Local School System

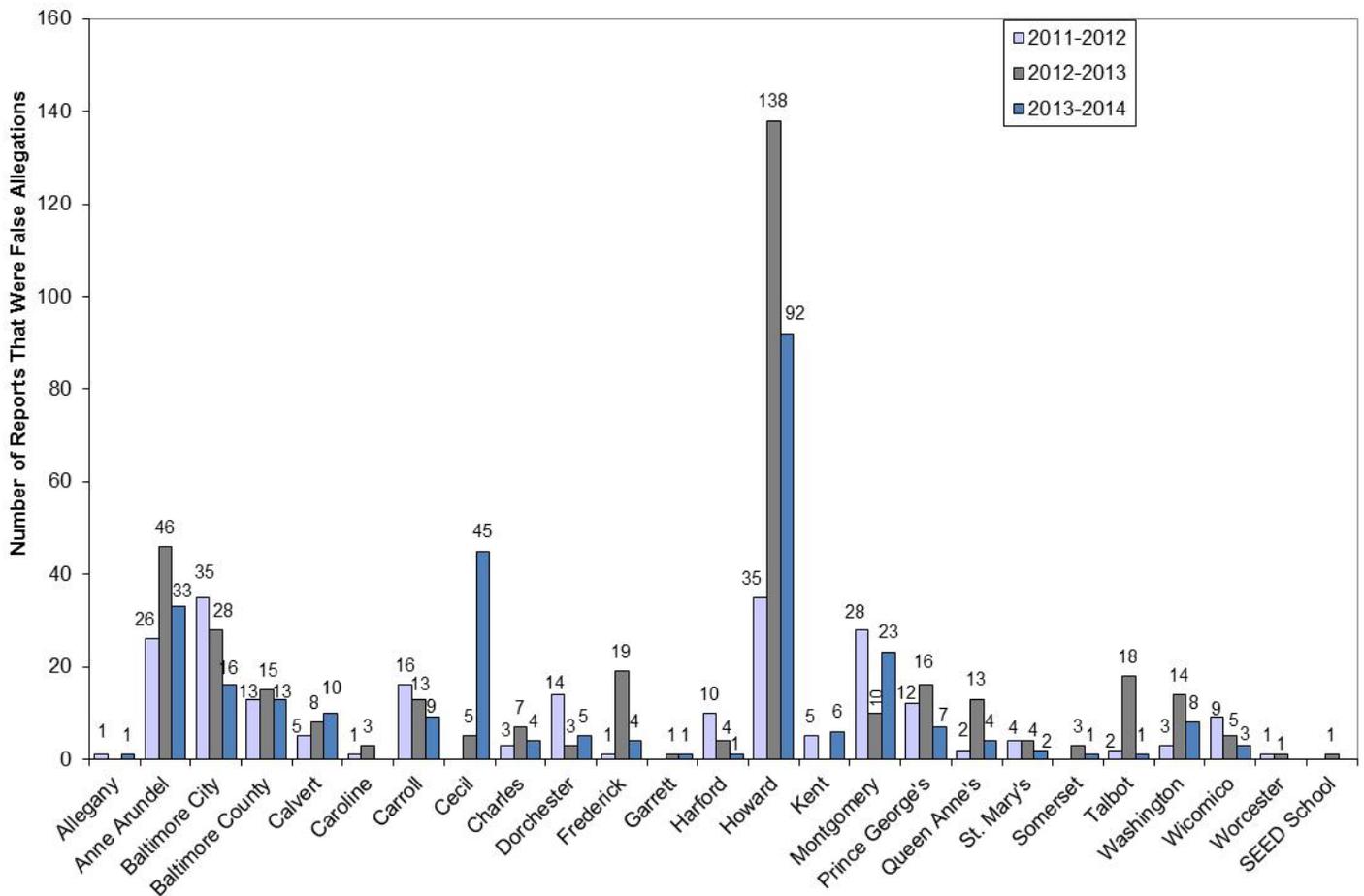


Table 2: Percentage of Incident Reports That Were False Allegations, by Local School System

Percentage of Incident Reports that were False Allegations by Local School System			
Local School System	Year		
	2011-2012	2012-2013	2013-2014
Allegany	1.6%	0.0%	2.1%
Anne Arundel	5.9%	12.0%	10.1%
Baltimore City	5.6%	5.3%	3.4%
Baltimore County	2.8%	2.5%	2.2%
Calvert	2.3%	4.7%	5.0%
Caroline	3.8%	7.1%	0.0%
Carroll	6.5%	5.8%	5.2%
Cecil	0.0%	2.7%	27.4%
Charles	1.6%	3.1%	2.4%
Dorchester	20.9%	4.3%	5.5%
Frederick	0.5%	5.2%	1.2%
Garrett	0.0%	3.8%	3.0%
Harford	12.2%	3.2%	1.0%
Howard	7.6%	31.7%	33.5%
Kent	6.3%	0.0%	9.5%
Montgomery	5.4%	1.9%	5.2%
Prince George's	3.7%	4.3%	1.7%
Queen Anne's	2.8%	16.0%	7.5%
St. Mary's	4.2%	2.8%	1.9%
Somerset	0.0%	7.7%	2.7%
Talbot	1.1%	9.7%	1.3%
Washington	1.7%	6.6%	4.4%
Wicomico	2.6%	3.7%	1.8%
Worcester	2.8%	2.8%	0.0%
SEED School	0.0%	50.0%*	0.0%

SUMMARY

COMAR 13A.01.04, School Safety, states, "All students in Maryland's public schools, without exception and regardless of race, ethnicity, region, religion, gender, sexual orientation, language, socioeconomic status, age, or disability, have the right to educational environments that are safe, appropriate for academic achievement, and free from any form of harassment." The *2007 Maryland Adolescent Survey* of students in grades 6, 8, 10, and 12 indicated that over 80% of the students reported never or rarely feeling unsafe in school. Only 7.2% of those students reported missing some time from school due to feeling unsafe.¹

The *2013 Maryland Youth Tobacco Risk Behavior Survey* (YTRBS) surveyed 80,752 students in grades 6 through 12 during the 2012-13 school year in randomly selected Maryland public high & middle schools. The survey revealed that 19.6% of Maryland's school students had been harassed or bullied on school property during the past 12 months of the survey's administration. This is a downward trend of 1.6% from the 2011 survey's results. The survey also revealed a downward trend or -0.2% reporting to have been bullied electronically (14.2% in 2011 and 14.0% in 2013). However, there was an upward trend, +1.4% (7.4% in 2011 to 8.8% in 2013) of those students that did not go to school because they felt unsafe in the last 30 days.

During the 2013-2014 school year, 4,587 incidents of bullying, harassment, or intimidation were reported in Maryland's public schools using the reporting system mandated by the Safe Schools Reporting Act of 2005. All school systems reported incidents. Consistent with previous reports, most incidents occurred at the middle-school age. The majority of victims, 70.1%, reported being Teased, Called Names, or Threatened while 43.9% of the reported incidents involved a Physical Attack. The most frequently reported motives behind these incidents included, Just To Be Mean, 34.8%, to Impress Other, 15.5%, and Physical Appearance, 7.8%. It was also noted that there was a large amount of alleged motives captured under the categories titled Unknown, 27.1% and Another Reason, 23.6%. MSDE is consistently improving methods to improve the description of data falling into these categories.

These bullying acts were most likely to have occurred on School Property, 80.8%, and investigation of incidents primarily involved interviewing the Victim, Offender, Witnesses, Victim's Parent/Guardian, or Teachers and/or Other School Staff. Based on data, 12.6% of incidents resulted in an Out-Of-School Suspension or Expulsion while 5.6% of incidents resulted in In-School Suspensions. Four hundred thirty-one (431) students, 9.5% of victims, reportedly missed school as a result of the bullying incident compared to six hundred twenty-one (621) or 13.6% of alleged offenders.

The number of incidents reported in Maryland represents about 5.3 reports filed per 1,000 enrolled students; this is a decrease of 2.6 compared to last year. The extent of

¹*2007 Maryland Adolescent Survey*, Maryland State Department of Education, October, 2008. Available online at http://www.marylandpublicschools.org/MSDE/divisions/studentschoolsvcs/student_services_alt/surveys/

bullying, harassment, or intimidation in Maryland public schools may likely be underreported by these figures but as bullying prevention programs continue to be implemented in the LEAs and awareness is raised, the number of reported incidents may continue to decrease in coming school years.

As mentioned on pages 15 and 16 of this report, there is a growing concern in the overall number of days missed by victims and offenders. MSDE will lead and assist LEA's in the exploration of this concern. The number of incidents where victims (143) or offenders (272) missed more than 6 days totaled (415) four hundred and fifteen. Current research suggests kids who miss more than 5 days, are more at risk of failing a grade and/or dropping out of school altogether. The exploration of finding alternatives to missing school is imperative to ensure all students have the best chance to succeed socially, emotionally and educationally.

Findings from the national publication, ***Indicators of School Crime and Safety: 2013 Report***, showed that during the 2010-2011 school year, a higher percentage of public school students than private school students reported being bullied and being subjects of selected bullying problems. Twenty-eight percent (28%) of public school students reported being bullied at school compared to twenty-one percent (21%) of private school students. Higher percentages of public school students than private school students also reported that they were made fun of, called names, or insulted (18% vs. 14%), were the subject of rumors (19% vs. 13%), were threatened with harm (5% vs. 2%), and were pushed, shoved, tripped, or spit on (8% vs. 5%). Additionally, there were differences by urbanicity: a lower percentage of students in urban areas (25%) reported being bullied at school than students in suburban and rural areas in 2011 (29% and 30 %, respectively).

Twenty-eight percent (28%) of the responding public school students reported being bullied at school during the school year. Of those who reported being bullied at school, eighteen percent (18%) reported they were made fun of, called names, or insulted. Eighteen percent (18%) of students reported being the subject of rumors, five percent (5%) reported being threatened with harm, and three percent (3%) reported others tried to make them do things they did not want to do. Six percent (6%) reported being excluded from activities on purpose, three percent (3%) reported their property was destroyed by others on purpose, and eight percent (8%) said they were pushed, shoved, tripped, or spit on. A higher percentage of females (24%) than males (13%) reported being the subject of rumors in 2011, while a lower percentage of females (7%) than males (9%) reported being shoved, tripped, or spit on. Also, a higher percentage of females (6%) than males (5%) reported being excluded from activities on purpose.

Of the students in 2011 who reported being bullied during the school year, forty-six percent (46%) of students reported the bullying occurred in the hallway or stairwell at school. In addition, Thirty-three percent (33%) reported being bullied inside the classroom, and twenty-two percent (22%) reported being bullied outside on school grounds. Eleven percent (11%) reported being bullied in the bathroom, nine percent (9%) reported bullying in the cafeteria, seven percent (7%) reported being bullied on the school bus, and two percent (2%) reported being bullied somewhere else in the school.

In 2011, about nine percent (9%) of students reported having been cyber-bullied (bullied using electronic devices or media) on or off school property during the school year. Four percent (4%) of students said that another student posted hurtful information on the internet and four percent (4%) reported being subjected to harassing text messages. Three percent (3%) of students reported being subjected to harassing instant messages, two percent (2%) reported being subjected to harassing emails, and one percent (1%) reported having their private information purposefully shared on the internet, being harassed while gaming, and being excluded online. With the exception of gaming and being excluded online, female students reported being victims of all other types of cyber-bullying at a higher percentage than males (6% vs. 2%).

The percentage of students being cyber-bullied was higher for White students, 11% than for Hispanic, 8% or Black, 7% students. There was also a higher percentage of 10th graders, 12% being cyber-bullied than students in the 6th, 7th, 8th, 9th, and 12th grade. Suburban areas were slightly lower than urban areas (7% vs.10%). Twenty-eight percent (28%) of students who reported cyber-bullying problems anywhere indicated that these problems occurred at least once or twice a month during the school year. Twenty-six percent of males and sixteen percent of females were cyber-bullied once or twice a month, and nine percent of males and three percent of females were cyber-bullied once or twice a week. A greater number of females (79%) than males (60%) reported being cyber-bullied once or twice in the school year.

In 2011, a higher percentage of students reported notifying an adult after being cyber-bullied at school than after being cyber-bullied anywhere else (40% vs. 26%). A higher percentage of females (32%) reported more than males (16%). Higher percentages of students in grades 6 through 9 reported notifying an adult after being bullied at school than students in grades 10 through 12.

The Indicators of School Crime and Safety: 2013 Report is annually produced by the National Center for Education Statistics (NCES), the Institute of Education Sciences (IES), in the U.S. Department of Education, and the Bureau of Justice Statistics (BJS), in the U.S. Department of Justice. It presents the most recent data available on school crime and safety which are based on information drawn from a variety of sources, including national surveys of students, teachers, and principals.²

The data presented in this report confirm that bullying and harassment are a problem in Maryland schools. Beginning in the 2005-2006 school year; an offense code specific to bullying was added to the Maryland Student Records System Manual. The code reflects the number of students who are suspended as a result of bullying. The data on “corrective actions” in this report show 18.2% of the reported incidents resulted in the suspension (Includes in-school) or expulsion of the alleged perpetrators. There was

²*Indicators of School Crime and Safety: 2013*, U.S. Department of Education NCES 2014-042, U.S. Department of Justice, Office of Justice Programs NCJ 243299.

another 20.3% listed as other, therefore the magnitude of bullying in schools will not be depicted by suspension data alone.

MSDE is submitting this report in order to provide the Governor and the Maryland General Assembly with the information requested by Education Articles §7-424 and §7-424.1, Annotated Code of Maryland. Incidents of harassment and intimidation will continue to be collected this year and indefinitely. Incidents for the entire 2014-2015 school year will be reported in the next report, to be submitted on March 31, 2016. However, to support this initiative, MSDE will continue to assist LEAs as they develop and implement system-wide and school-wide programs of prevention and intervention to address bullying, harassment, or intimidation. It is important that school systems continue to educate staff, students, and parents about bullying, harassment, and intimidation and to provide resources for bullying prevention, encourage victims to report incidents when they occur, and follow up with thorough investigations, corrective actions, and remediation.

BULLYING, HARASSMENT OR INTIMIDATION REPORTING FORM

Directions: Bullying, harassment, and intimidation are serious and will not be tolerated. This is a form to report alleged bullying harassment, or intimidation that occurred during the current school year on school property, at a school-sponsored activity or event off school property, on a school bus, or on the way to and/or from school*; or that substantially disrupted the orderly operation of the school. Bullying, harassment and intimidation mean any 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. The conduct must (1) be 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 (2) be threatening or seriously intimidating. Electronic communication means communication transmitted by means of electronic device, including a telephone, cellular phone, computer and pager.

If you are a student, the parent/guardian of a student, a close adult relative of a student, or a school staff member and wish to report an incident of alleged bullying harassment, or intimidation, complete this form and return it to the Principal at the student victim's school. You may contact the school for additional information or assistance at any time.

(PLEASE PRINT ALL INFORMATION)

Today's date: _____ / _____ / _____ School: _____

Month Day Year

School System: _____

PERSON REPORTING INCIDENT Name: _____

Telephone: _____ E-mail: _____

Place an X in the appropriate box: Student Parent/guardian of a student Close adult relative of a student School Staff

1. Name of student victim: _____ Age: _____ School _____

2. Name of alleged witness(es) (if known):

_____ Age: _____ School _____

_____ Age: _____ School _____

_____ Age: _____ School _____

3. Name(s) of alleged offender(s) (if known): Age School Is he/she a student?

_____ Yes No

_____ Yes No

_____ Yes No

4. On what date(s) did the incident happen?:

_____ / _____ / _____ _____ / _____ / _____ _____ / _____ / _____

Month Day Year Month Day Year Month Day Year

5. Place an X next to the statement(s) that best describes what happened (choose all that apply):

- Any bullying, harassment, or intimidation that involves physical aggression
- Getting another person to hit or harm the student
- Teasing, name-calling, making critical remarks, or threatening, in person or by other means
- Demeaning and making the victim of jokes
- Making rude and/or threatening gestures

- Excluding or rejecting the student
- Intimidating (bullying), extorting, or exploiting
- Spreading harmful rumors or gossip
- Related to the student's disability
- Related to the student's perceived sexual orientation
- Cyber bullying (e.g. social media including Facebook, Instagram, etc.) _____
- Electronic communication (e.g. email, text, etc.) _____
- Other (specify) _____

6. Where did the incident happen (choose all that apply)?

- On school property At a school-sponsored activity or event off school property
- On a school bus On the way to/from school*

*Will be collected unless specifically excluded by local board policy

7. Describe the incident(s), including what the alleged offender(s) said or did. _____

(Attach a separate sheet if necessary)

8. Why did the bullying, harassment or intimidation occur? _____

(Attach a separate sheet if necessary)

9. Did a physical injury result from this incident? Place an **X** next to one of the following:

- No Yes, but it did not require medical attention Yes, and it required medical attention

10. If there was a physical injury, do you think there will be permanent effects? Yes No

11. Was the student victim absent from school as a result of the incident? Yes No

If yes, how many days was the student victim absent from school as a result of the incident? _____

12. Did a psychological injury result from this incident? Place an **X** next to one of the following:

- No Yes, but psychological services have not been sought Yes, and psychological services have been sought

13. Is there any additional information you would like to provide? _____

(Attach a separate sheet if necessary)

Signature: _____ **Date:** _____

BULLYING, HARASSMENT, OR INTIMIDATION INCIDENT SCHOOL INVESTIGATION FORM

School Personnel Completing Form: _____ Position: _____

Today's date: _____ / _____ / _____
Month Day Year

School: _____

School System: _____

Person Reporting Incident (From reporting form) Name: _____

Telephone: _____ E-mail: _____

Place an **X** in the appropriate box: Student Parent/guardian Close adult relative School Staff Student Witness/Bystander

1. Name of student victim: _____ Age: _____ Days absent as a result of the incident: _____
(Please print)

2. Name(s) of alleged offender(s) (If known):	Age	School	Is he/she a student?	Days absent due to incident
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

(Please print)

Total number of alleged offenders: _____

INVESTIGATION

3. What actions were taken to investigate this incident? (choose all that apply)

- | | |
|---|---|
| <input type="checkbox"/> Interviewed student victim | <input type="checkbox"/> Interviewed student victim's parent/guardian |
| <input type="checkbox"/> Interviewed alleged offender(s) | <input type="checkbox"/> Interviewed alleged offender's parent/guardian |
| <input type="checkbox"/> Interviewed witnesses | <input type="checkbox"/> Examined physical evidence |
| <input type="checkbox"/> Witness statements collected in writing | <input type="checkbox"/> Conducted student record review |
| <input type="checkbox"/> Interviewed school nurse | <input type="checkbox"/> Obtained copy of police report |
| <input type="checkbox"/> Reviewed any medical information available | <input type="checkbox"/> Other (specify) _____ |
| <input type="checkbox"/> Interviewed teachers and/or school staff | |

4. Why did the harassment or intimidation (bullying) occur (alleged motives)? (choose all that apply)

- | | |
|--|--|
| <input type="checkbox"/> Because of race | <input type="checkbox"/> Because of disability |
| <input type="checkbox"/> Because of national origin | <input type="checkbox"/> Because of physical appearance |
| <input type="checkbox"/> Because of marital status | <input type="checkbox"/> To impress others |
| <input type="checkbox"/> Because of sex | <input type="checkbox"/> Just to be mean |
| <input type="checkbox"/> Because of sexual orientation | <input type="checkbox"/> Because of another reason (specify) _____ |
| <input type="checkbox"/> Because of gender identity | |
| <input type="checkbox"/> Because of religion | <input type="checkbox"/> The reason is unknown |

5. What corrective actions were taken in this case (choose all that apply)?

- None were required, this was a false allegation
- None, the incident did not warrant any corrective action
- Student conference
- Student warning
- Letter of apology
- Mediation
- Counseling
- Parent letter
- Parent phone call
- Parent conference
- Detention
- In-school suspension
- Out-of-school suspension/expulsion
- Other (specify) _____

6. Additional pertinent information gained during the interview : _____

(Attach a separate sheet if necessary)

7. Investigator notes: _____

(Attach a separate sheet if necessary)

Signature: _____ Date: _____

Instructions: Enter the total number of responses in each category. Because some items are "mark all that apply," totals may exceed the total number of reports filed. Enter responses in bordered, highlighted cells.

Local School System:

Indicate the number of persons of each age

R.I	Ages:	Number of Student Victims	Number of Alleged Student Offenders in Student Victim's School	Number of Alleged Student Offenders Not in Student Victim's School	Alleged Offenders Who are Not Students
	Age birth to 4				
	Age 5				
	Age 6				
	Age 7				
	Age 8				
	Age 9				
	Age 10				
	Age 11				
	Age 12				
	Age 13				
	Age 14				
	Age 15				
	Age 16				
	Age 17				
	Age 18				
	Age 19 and older				

R **Location of the Incident:** **Number of Incidents**

On school property	
At a school-sponsored activity or event off school property	
On a school bus	
On the way to/from school**	

**Will be collected unless specifically excluded by local board policy

R **Description of the Incident:** **Number of Incidents**

Any bullying, harassment, or intimidation that involves physical aggression	
Getting another person to hit or harm the student	
Teasing, name calling, making critical remarks, or threatening, in person or by other means	
Demeaning and making the victim of jokes	
Making rude and/or threatening gestures.	
Excluding or rejecting the student	
Intimidating (bullying), extorting, or exploiting	
Spreading harmful rumors or gossip	
Related to the student's disability	
Related to the student's perceived sexual orientation	
Cyber bullying (e.g. social media including Facebook, Instagram, etc.)	
Electronic communication	
Other	

I	<u>Alleged Motives:</u>	<u>Number of Incidents</u>
	Race	
	National origin	
	Marital status	
	Sex	
	Sexual orientation	
	Gender identity	
	Religion	
	Disability	
	Physical appearance	
	To impress others	
	Just to be mean	
	Another reason	
	Unknown	

R,I	<u>Days Student Victim Was Absent As a Result of the Incident</u>	<u>Number of Incidents</u>
	0 days	
	1 day	
	2 days	
	3 days	
	4 days	
	5 days	
	6 days	
	7 days	
	8 days	
	9 days	
	10 days	
	More than 10 days	

I	<u>Days Alleged Student Offender Was Absent As a Result of the Incident</u>	<u>Number of Incidents</u>
	0 days	
	1 day	
	2 days	
	3 days	
	4 days	
	5 days	
	6 days	
	7 days	
	8 days	
	9 days	
	10 days	
	More than 10 days	

I Investigative Methods:	Number of Incidents
Interviewed student victim	
Interviewed alleged offender(s)	
Interviewed witnesses	
Witness statements collected in writing	
Interviewed school nurse	
Reviewed any medical information available	
Interviewed alleged offender's parent/guardian	
Interviewed teachers and/or school staff	
Conducted student record review	
Interviewed student victim's parent/guardian	
Reviewed physical evidence	
Obtained copy of police report	
Other	

I Corrective Actions:	Number of Incidents
None required; this was a false allegation	
None, the incident did not warrant any corrective action	
Student conference	
Student warning	
Letter of apology	
Mediation	
Counseling	
Parent letter	
Parent phone call	
Parent conference	
Detention	
In-school suspension	
Out-of-school suspension/expulsion	
Other	
<u>Total Local School System Number of Incident Reports Filed:</u>	

Thank you for your assistance in submitting this data.

Key:

R = Information is on the Harassment or Intimidation (Bullying) Reporting Form.

I = Information is on the Harassment or Intimidation (Bullying) Incident School Investigation Form.

Safe Schools Reporting Act of 2005 Implementation Instructions for Local School Systems

The **Safe Schools Reporting Act of 2005** mandates the Maryland State Department of Education (MSDE) to require county boards of education to report incidents of bullying, harassment, or intimidation against students attending a public school under the jurisdiction of the county board. The law further specifies procedures for reporting these acts, including specific guidelines for a *Bullying, Harassment, or Intimidation Reporting Form*. Additionally, the law requires MSDE to report to the Maryland General Assembly the following:

- A description of the act constituting the harassment or intimidation (bullying);
- The age of the victim and alleged perpetrator;
- The allegation of the alleged perpetrator's motive;
- A description of the investigation of the complaint and any corrective action taken by the appropriate school authorities;
- The number of days a student is absent from school, if any, as a result of the incident; and
- The number of false allegations reported.

Each local school system (LSS) is required to designate a staff person who will be responsible for implementing this law within the system. LSSs will establish procedures for collecting, compiling and reporting information to MSDE. The following procedures are defined by the law:

- MSDE is providing a copy of the standard *Bullying, Harassment or Intimidation Reporting Form* to LSSs. Each LSS will make this form available to students, parents or guardians of students, close relatives of students, and school staff members.
- Students, parents or guardians of students, and close relatives of students will return the completed *Bullying, Harassment, or Intimidation Form* to the principal of the student victim's school.
- An investigation of the alleged incident will occur in accordance with LSS policies.
- A sample *Bullying, Harassment, or Intimidation Investigation Form* is being provided. LSSs may modify this form, however, the elements on this form are required to complete the *Bullying, Harassment, or Intimidation Incident Reporting Instrument*.
- **LSSs will need information from the *Bullying, Harassment, or Intimidation Reporting Form* as well as information obtained from the investigation in order to complete the *Bullying, Harassment, or Intimidation Incident Reporting Instrument* (Excel spreadsheet). The *Bullying, Harassment, or Intimidation Incident Reporting Instrument* must be submitted to Dr. Michael Ford at MSDE michael.ford1@maryland.gov as an attachment by email by December 5, 2014.**
- A hard copy of the *Bullying, Harassment, or Intimidation Incident Reporting Instrument* must be mailed by December 2, 2014 with the "Certification of Superintendent's Signature" to:

**Dr. Michael Ford
Maryland State Department of Education
Division of Student and School Services
200 West Baltimore Street
Baltimore, MD 21201**

Who is Responsible	What is Needed	Date	Reporting Period
LSS	Make <i>Harassment and Intimidation (Bullying)</i> forms available to students and parents/guardians and close adult relatives	Starting September, 2005	NA
Local Schools	Report alleged incidents and results of investigation to LSS	TBD by LSS	NA
LSS	Submit <i>Harassment and Intimidation (Bullying) Incident Reporting Instrument</i> to MSDE (Dr. Michael Ford- see first page for directions)	December 5, of each year.	September, through January
MSDE	Submit report to Maryland General Assembly	March 31, of each year.	September, through January

***This law will remain in effect unless changed by legislation. Subsequent reporting periods will be for entire school years. Reports to the General Assembly will be submitted by March 31 of each calendar year.**

The following definition of bullying, harassment, or intimidation is included on the *Bullying, Harassment, or Intimidation Reporting Form* to guide students, parents, adult relatives, and school staff when completing this form, and to guide LSS staff when investigating incidents.

Bullying, harassment, or intimidation means conduct, including verbal, physical, or written conduct or an intentional electronic communication, that (I) 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: 1. motivated by an actual or a perceived personal characteristic including race, national origin, marital status, sex, sexual orientation, gender identity, religion ancestry, physical attribute, socioeconomic status, familial status, or physical or mental ability or disability; or 2. threatening or seriously intimidating; and (II) 1. occurs on school property, at a school activity or event, or on a school bus; or 2. substantially disrupts the orderly operation of a school. Electronic communication means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

If you need additional information, please contact Dr. Michael Ford, Safety Specialist, at (410) 767-0031, or email michael.ford1@maryland.gov.



**Division of Student, Family, and School Support
Maryland State Department of Education
200 W. Baltimore Street
Baltimore, Maryland 21201**