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West's Annotated Code of Maryland [Currentness](#)

Education

Division II. Elementary and Secondary Education [Titles 2-9]

▣ Title 7. Public **Schools**

▣ Subtitle 4. Health and Safety of Students

→ § 7-424.1. **Model policy prohibiting bullying, harassment, or intimidation**

(a)(1) In this section the following words have the meanings indicated.

(2) “Bullying, harassment, or intimidation” means intentional 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**.

(3) “Electronic communication” means a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, or pager.

(b)(1) By March 31, 2009, the State Board, after consultation with and input from local **school** systems, shall develop a model policy prohibiting bullying, harassment, or intimidation in **schools**.

(2) The model policy developed under paragraph (1) of this subsection shall include:

(i) A statement prohibiting bullying, harassment, and intimidation in **schools**;

(ii) A statement prohibiting reprisal or retaliation against individuals who report acts of bullying, harassment, or intimidation;

(iii) A definition of bullying, harassment, or intimidation that is either the same as set forth in subsection (a)(2) of this section or a definition that is not less inclusive than that definition;

(iv) Standard consequences and remedial actions for persons committing acts of bullying, harassment, or intimidation and for persons engaged in reprisal or retaliation;

(v) Standard consequences and remedial actions for persons found to have made false accusations;

(vi) Model procedures for reporting acts of bullying, harassment, and intimidation;

(vii) Model procedures for the prompt investigation of acts of bullying, harassment, and intimidation;

(viii) Information about the types of support services available to the student bully, victim, and any bystanders; and

(ix) Information regarding the availability and use of the bullying, harassment, or intimidation form under [§ 7-424](#) of this subtitle.

(c)(1) Each county board shall establish a policy prohibiting bullying, harassment, or intimidation at **school** based on the model policy.

(2) The policy shall address the components of the model policy specified in subsection (b)(2) of this section.

(3) A county board shall develop the policy in consultation with representatives of the following groups:

(i) Parents or guardians of students;

(ii) **School** employees and administrators;

(iii) **School** volunteers;

(iv) Students; and

(v) Members of the community.

(d) Each county board shall publicize its policy in student handbooks, **school** system websites, and any other location or venue the county board determines is necessary or appropriate.

(e) Each county board policy shall include information on the procedure for reporting incidents of bullying, harassment, or intimidation, including:

(1) A chain of command in the reporting process; and

(2) The name and contact information for an employee of the Department, designated by the Department, who is familiar with the reporting and investigation procedures in the applicable **school** system.

(f) Each county board shall submit its policy to the State Superintendent by July 1, 2009.

(g) Each county board shall develop the following educational programs in its efforts to prevent bullying, harassment, and intimidation in **schools**:

(1) An educational bullying, harassment, and intimidation prevention program for students, staff, volunteers, and parents; and

(2) A teacher and administrator development program that trains teachers and administrators to implement the policy.

(h)(1) A **school** employee who reports an act of bullying, harassment, or intimidation under this section in accordance with the county board's policy established under subsection (c) of this section is not civilly liable for any act or omission in reporting or failing to report an act of bullying, harassment, or intimidation under this section.

(2) The provisions of this section may not be construed to limit the legal rights of a victim of bullying, harassment, or intimidation.

CREDIT(S)

Added by [Acts 2008, c. 489, § 1, eff. July 1, 2008](#).

MD Code, Education, § 7-424.1, MD EDUC § 7-424.1

The statutes and Constitution are current through all chapters of the 2009 Regular Session of the General Assembly.

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