

Department of Legislative Services
Maryland General Assembly
2010 Session

FISCAL AND POLICY NOTE

House Bill 17 (Delegate McConkey)
Ways and Means

Education - Incidents of Bullying, Harassment, or Intimidation - Reports by
Principals - Local Law Enforcement Agency

This bill authorizes a public school principal to report an incident of bullying, harassment, or intimidation against a student attending the school to the local law enforcement agency. The principal must use the standard victim of bullying, harassment, or intimidation report form.

Fiscal Summary

State Effect: None. The bill is directed at public schools.

Local Effect: Principals can report incidents of bullying, harassment, or intimidation against students using existing resources, and no response is required from local law enforcement agencies.

Small Business Effect: None.

Analysis

Current Law: An incident of bullying may be reported by a student; the parent, guardian, or close adult relative of a student; or a school staff member on a standardized report form that contains certain information about each incident. Local boards of education must forward summaries of the reports to the State Board of Education after deleting information identifying individual students.

The information contained in a victim of bullying, harassment, or intimidation report form is confidential and may not be redisclosed except as allowed by the federal Family

Education Rights and Privacy Act or by State law. The information also may not be made a part of a student's permanent educational record.

Public school principals are required by the regulation to report delinquent acts to local law enforcement agencies. Principals may also report other acts according to local board of education policies.

Background: The American Psychological Association (APA) defines bullying as “aggressive behavior that is intended to cause harm or distress, occurs repeatedly over time, and occurs in a relationship in which there is an imbalance of power or strength.” APA notes that individuals engaging in bullying behavior are generally more likely to exhibit other antisocial behaviors and that the victims of bullying often suffer from loneliness, insecurity, and thoughts of suicide. Various sources indicate that bullying incidents typically peak during middle school years.

Chapter 547 of 2005 required a uniform reporting form to be available in public schools to victims of bullying and requires annual reports from the Maryland State Department of Education (MSDE) on the incidence of harassment and intimidation. As a result of Chapter 547, MSDE compiled forms describing 1,294 incidents of harassment and intimidation reported during the 2007-2008 school year, the most recent year for which information is available. Compared to the 2006-2007 school year, 13 local departments of education reported decreases in the number of incidents while 11 reported increases. Statewide, the number of reported incidents was down from the 2006-2007 school year by 176. The report did not speculate on possible causes behind the reduction.

At least one local school system currently has a process arranged through a memorandum of understanding with the local police department and State's Attorney to notify them of all serious incidents, including bullying and other similar issues.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Maryland State Department of Education, Garrett and Montgomery counties, American Psychological Association, Department of Legislative Services

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