

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE
Revised

House Bill 685
Ways and Means

(Delegate Kaiser, *et al.*)

Education, Health, and Environmental Affairs

Education - Bullying Safety Risks and Health Problems

This bill requires the State Board of Education's model policy that prohibits bullying, harassment, and intimidation in schools to include information on the safety risks and health and mental problems that may affect a student who is a victim or an alleged perpetrator of bullying, harassment, or intimidation.

The bill takes effect July 1, 2011.

Fiscal Summary

State Effect: The State board can include information regarding safety risks and health and mental problems related to bullying, harassment, or intimidation in the State board's model policy using existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: Chapter 489 of 2008 required the State Board of Education to develop a model policy that prohibits bullying, harassment, and intimidation in schools. Using the model policy, local boards of education were required to develop policies for the public schools under their jurisdiction. The model plan must include specified information such as standard consequences and remedial actions, model reporting procedures, model procedures for investigation, and information about the types of support services available to the student bully, victim, and any bystanders.

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.

To address and prevent bullying, Maryland adopted the Safe Schools Reporting Act of 2005 (Chapter 547), which requires a uniform reporting form to be available in public schools to victims of bullying and requires annual reports from MSDE on the incidence of harassment and intimidation. In the 2009 report, the rate of reported incidents per 1,000 students ranged from 0.1 in Baltimore City to 17.7 in Somerset County; however, past reports have theorized that the wide range in reporting rates is largely the result of greater levels of bullying awareness in some school systems.

With the access that children and adolescents now have to technology, accounts of “cyberbullying” – using technology such as the Internet, email, text messages, or instant messages to torment others – have become more frequent. The National Conference of State Legislatures notes that “cyberbullying differs from the more traditional forms of bullying in that it can occur at any time, ... and perpetrators can remain anonymous.” In addition, school responses to cyberbullying are sometimes problematic because, although the victims and perpetrators may be schoolmates, the acts typically do not take place on school grounds.

The National Parent-Teacher Association and APA report that the most effective bullying prevention strategies involve the entire school community. Both also recommend the integration of bullying-related content into school curricula and close adult supervision of students throughout the school day to monitor and prevent bullying behavior before it escalates.

Additional Information

Prior Introductions: None.

Cross File: SB 549 (Senator King, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Maryland State Department of Education, Department of Health and Mental Hygiene, American Psychological Association, National Conference of State Legislatures, National Parent-Teacher Association, Department of Legislative Services

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Analysis by: Caroline L. Boice

Direct Inquiries to:
(410) 946-5510
(301) 970-5510