

Department of Legislative Services  
Maryland General Assembly  
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 549 (Senator King, *et al.*)  
Education, Health, and Environmental Affairs

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**Education - Bullying Safety Risks and Health Problems - Parental Information**

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This bill requires the Maryland State Department of Education (MSDE), in collaboration with the Department of Health and Mental Hygiene (DHMH), to provide information to local boards of education by March 31, 2012, regarding safety risks and health problems related to bullying, including guidance to the parent or guardian of a victim or an alleged perpetrator on when it is appropriate to contact a pediatric primary care provider. A public school must send a copy of the information to the parent or guardian of the victim and the alleged perpetrator.

The bill takes effect July 1, 2011.

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**Fiscal Summary**

**State Effect:** MSDE and DHMH can provide information to local boards of education regarding safety risks and health problems related to bullying using existing resources.

**Local Effect:** Local school system expenditures may increase minimally to send a copy of the information to the parent or guardian of the victim and the alleged perpetrator of a bullying incident.

**Small Business Effect:** None.

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**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 policies do not require that information regarding safety risks and health problems related to bullying be sent to the parents or guardians of victims or alleged perpetrators of bullying.

**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.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** HB 685 (Delegate Kaiser, *et al.*) - Ways and Means.

**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

**Fiscal Note History:** First Reader - February 22, 2011  
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