
TO: Ways and Means Committee

BILL: House Bill (HB) 14 – County Boards of Education – Bullying, Harassment, or Intimidation – Information Collection and Reporting Requirements

DATE: January 29, 2026

POSITION: Information

The Maryland State Department of Education (MSDE) provides this Letter of Information regarding **HB14**, which proposes amendments to existing law to expand reporting and transparency regarding bullying, harassment, and intimidation in public schools, including updated reporting forms, public posting of disaggregated incident data, and additional annual reporting by county boards and MSDE.

All students have the right to be free from bullying, harassment, and intimidation, and MSDE is committed to fostering safe, inclusive, and relationship-focused learning environments that promote both academic and personal growth for every student. Notably, MSDE currently collects comprehensive data on bullying incidents from every local education agency, disaggregated by factors such as race, religion, national origin, and gender, and compiles it into an annual report for the General Assembly. The report goes beyond basic counts, providing insights into offenders’ motives, investigations, and the interventions, supports, and corrective actions schools implement, ensuring transparency, accountability, and actionable information to guide policies and maintain safe, supportive schools for all students.

The current Bullying, Harassment, or Intimidation Investigation Form already collects information on alleged motives and actions or comments based on personal characteristics, as outlined in HB 14. While the bill requires identification of *motivating* personal characteristics “if known,” it does not specify who is responsible for making that determination—school-level staff or the local education agency (LEA). It also does not specify at what point in the investigative process this determination should occur. Without clear direction, LEAs may apply this requirement inconsistently. To ensure uniform implementation and meaningful, substantiated data statewide, MSDE will need to issue clarifying guidance if this bill becomes law.

Because incident report forms are often completed early in the investigative process, there is a risk that identified motivating characteristics reflect allegations or conjecture rather than substantiated findings. Clarification as to whether the information should represent preliminary claims or verified determinations would help prevent misinterpretation of the data. In addition, disaggregating incidents by motivating personal characteristics may result in very small numbers in some LEAs, raising concerns about student privacy and potential indirect identification, even when personally identifiable information is removed.

Determining a student’s motivation for a bullying incident is often subjective and not easily verifiable, and assigning this responsibility to school-level staff may present challenges. Requiring staff to make and record such determinations could result in unsubstantiated or inaccurate information being included in student records, raising potential FERPA-related concerns, particularly if such information is publicly reported or posted independently by county boards in ways that may lead to inconsistent presentation, terminology, or context. MSDE would need to provide standardized templates or guidance to ensure

clarity and consistency across LEA websites. Currently, MSDE publishes statewide bullying data in aggregated form. Clarification is needed on how local posting requirements will align with existing state-level reporting to avoid confusion or duplication.

Finally, MSDE anticipates that HB 14 may have operational implications for LEAs, as they would be responsible for determining whether incidents were motivated by actual or perceived personal characteristics. Implementation would necessitate significant operational changes, such as updates to reporting forms, staff training, data collection and validation processes, website management, and potential IT system modifications to ensure compliance.

The Department respectfully requests consideration of these comments as **HB 14** is discussed and deliberated. For further information, please contact Laurel Crastley, Interim Executive Director of Government Affairs, at 443-571-5461 or laurel.cratsley@maryland.gov.