

HOUSE BILL 199

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8lr0309

By: **Delegates Rice, Cardin, Elmore, Gilchrist, Ivey, Stukes, Tarrant, Vaughn, and Walker**

Introduced and read first time: January 22, 2008

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Bullying and Cyber–Bullying – Policy and Disciplinary**
3 **Standards**

4 FOR the purpose of requiring the State Board of Education to establish a certain
5 policy prohibiting bullying and cyber–bullying in schools; requiring the State
6 Board to develop a certain set of model standards for investigating certain
7 complaints and disciplining certain individuals; requiring certain model
8 standards to include certain requirements; requiring certain county boards of
9 education to establish certain local standards concerning bullying based on
10 certain State model standards; defining a certain term; and generally relating to
11 policies and standards related to bullying in the public schools.

12 BY adding to

13 Article – Education

14 Section 7–429

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2007 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article – Education**

20 **7–429.**

21 (A) IN THIS SECTION, “BULLYING” MEANS ANY INTENTIONAL WRITTEN,
22 VERBAL, OR PHYSICAL ACT, INCLUDING ANY PUBLISHED COMMUNICATION,
23 THAT HAS THE EFFECT OF:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 (1) **PHYSICALLY HARMING AN INDIVIDUAL;**
- 2 (2) **DAMAGING AN INDIVIDUAL'S PROPERTY;**
- 3 (3) **SUBSTANTIALLY INTERFERING WITH AN INDIVIDUAL'S**
4 **EDUCATION OR LEARNING ENVIRONMENT;**
- 5 (4) **PLACING AN INDIVIDUAL IN REASONABLE FEAR OF HARM TO**
6 **THE INDIVIDUAL'S PERSON OR PROPERTY; OR**
- 7 (5) **SUBSTANTIALLY DISRUPTING THE ORDERLY OPERATION OF**
8 **THE SCHOOL.**

9 **(B) THE STATE BOARD SHALL ESTABLISH A POLICY PROHIBITING**
10 **BULLYING IN SCHOOLS.**

11 **(C) (1) THE STATE BOARD SHALL DEVELOP MODEL UNIFORM**
12 **STANDARDS FOR INVESTIGATING COMPLAINTS OF BULLYING AND DISCIPLINING**
13 **INDIVIDUALS WHO HAVE VIOLATED THE BULLYING POLICY ESTABLISHED**
14 **UNDER SUBSECTION (B) OF THIS SECTION.**

15 **(2) THE STANDARDS ESTABLISHED UNDER PARAGRAPH (1) OF**
16 **THIS SUBSECTION SHALL INCLUDE:**

17 **(I) SPECIFIC PENALTIES TO BE APPLIED TO INDIVIDUALS**
18 **WHO REPEATEDLY HAVE VIOLATED THE BULLYING POLICY ESTABLISHED**
19 **UNDER SUBSECTION (B) OF THIS SECTION;**

20 **(II) A REQUIREMENT THAT AN INDIVIDUAL WHO VIOLATES**
21 **THE BULLYING POLICY RECEIVE EDUCATIONAL AND THERAPEUTIC SERVICES**
22 **CONCERNING BULLYING PREVENTION; AND**

23 **(III) A PROCEDURE FOR PROTECTING VICTIMS OF BULLYING**
24 **FROM ADDITIONAL INCIDENTS OF BULLYING, HARASSMENT, INTIMIDATION, OR**
25 **RETALIATION.**

26 **(D) EACH COUNTY BOARD SHALL ESTABLISH LOCAL STANDARDS FOR**
27 **INVESTIGATING COMPLAINTS OF BULLYING AND DISCIPLINING INDIVIDUALS**
28 **WHO HAVE VIOLATED THE BULLYING POLICY THAT ARE BASED ON THE MODEL**
29 **UNIFORM STANDARDS DEVELOPED UNDER SUBSECTION (C) OF THIS SECTION.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2008.