Reporting an Allegation of Bullying, Cyberbullying, Harassment, and Intimidation

Any employee who feels that he/she has been the victim of or witness to bullying, cyberbullying, harassment, and intimidation shall report the alleged act to his/her administrator or immediate supervisor as soon as possible. The administrator or immediate supervisor receiving the complaint shall notify the Director of Human Resources and Employee Relations immediately and in a confidential manner.

To ensure the prompt and thorough investigation of a bullying, cyberbullying, harassment, and intimidation allegation, the complainant should include the following information in writing:

1. The name, department, and position of the person or persons allegedly engaging in the behavior.
2. A description of the incident(s), including the date(s), location(s), and the name of any witnesses.
3. The effect(s) of the incident(s) on the complainant’s ability to perform his/her job and/or the impact on the other terms or conditions of his/her employment.
4. The names of other individuals, if known, who may have been subject to the same or similar behavior.
5. What, if any, steps the complainant has taken to try to stop the behavior.
6. Any other information the complainant believes to be relevant to the bullying, cyberbullying, harassment, and intimidation complaint.

If the administrator or immediate supervisor is the alleged harasser, the complainant shall notify the Director of Human Resources and Employee Relations of the allegation. When appropriate, the complainant shall issue complaints of bullying, cyberbullying, harassment, and intimidation directly to the Superintendent if they involve the Director of Human Resources and Employee Relations. Should an allegation involve the Superintendent, the complainant shall notify the Director of Human Resources and Employee Relations who, in turn, shall notify the President of the Board of Education.

Investigating an Allegation of Bullying, Cyberbullying, Harassment, and Intimidation

Upon receipt of an allegation of bullying, cyberbullying, harassment, and intimidation, the Director of Human Resources and Employee Relations shall:

1. Ensure that both the complainant and the respondent are aware of the seriousness of a bullying,
cyberbullying, harassment, and intimidation complaint.

2. Explain related Board policy and administrative procedure to the complainant and the respondent.

3. Notify law enforcement if criminal activities are alleged.

4. Conduct an investigation of the allegation. In general, the following steps shall be followed:
   1. Interview the complainant as soon as possible after the allegation has been made.
   2. Interview the respondent as soon as possible after speaking with the complainant.
   3. Interview any witnesses as soon as possible after speaking with the complainant and respondent.

5. Prepare a written report, including recommendations, for submission to the Superintendent of Schools.

**Disciplinary Action**

The Superintendent shall review all available information, including the written report prepared by the Director of Human Resources and Employee Relations, to determine an appropriate course of action. Employees found in violation of Board policy shall be subject to disciplinary action, including, but not limited, to reprimand, probation, reassignment, demotion, suspension or termination, or any other personnel-related sanction deemed appropriate by the Superintendent.

Administrators and supervisors who knowingly allow or tolerate bullying, cyberbullying, harassment, intimidation, or retaliation, including the failure to immediately report such misconduct to the Office of Human Resources and Employee Relations, shall be in violation of Board policy and administrative procedure and subject to disciplinary action, including, but not limited, to reprimand, probation, reassignment, demotion, suspension or termination, or any other personnel-related sanction deemed appropriate by the Superintendent.

**Appeal of Disciplinary Action**

Disciplinary action administered by the Superintendent or designee may be appealed in accordance with § 4-205(c) of the Education Article to the Annotated Code of Maryland.

**Confidentiality**

All inquiries, complaints, and investigations shall be treated confidentially. Information shall be revealed strictly on a need-to-know basis, and all materials shall be maintained by the Office of Human Resources and Employee Relations. However, it should be understood that the identity of the complainant may need to be revealed to the respondent and any identified witness during the course of an investigation.

**Retribution**

An employee who reports in good faith an allegation of bullying, cyberbullying, harassment, and intimidation or participates in any investigation shall not suffer retribution.

**Communication of Policy and Administrative Procedure**

It shall be the responsibility of the Director of Human Resources and Employee Relations to make school system personnel aware of the existence of Board policy and administrative procedure related to bullying, cyberbullying, harassment, and intimidation.

**Other Available Procedures**

Administrative procedures under the Board policy do no preempt or supersede any legal procedures or remedies otherwise available to a victim of bullying, cyberbullying, harassment, or intimidation under local, state, or federal law.

Last Modified by Karen Brewer on October 31, 2014