

# County Council of Howard County, Maryland

2012 Legislative Session

Legislative day # 14

## RESOLUTION NO. 169 - 2012

Introduced by: Courtney Watson

A RESOLUTION to encourage the ~~General Assembly to provide the necessary resources to appropriate agencies~~ Howard County Public School System, Howard County Mental Health Authority, and the State's Attorney to work with the County Administration and the County Council to implement the use of multidisciplinary teams to address bullying, harassment, and intimidation among students.

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Introduced and read first time on November 5, 2012.

By order Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

Read for a second time and a public hearing held on November 19, 2012.

tabled December 3, 2012

By order Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

This Resolution was read the third time and was  Adopted,  Adopted with amendments,  Failed,  Withdrawn by the County Council on January 7, 2012 3

Certified by Stephen LeGendre  
Stephen LeGendre, Administrator to the County Council

NOTE: [[text in brackets]] indicates deletions from existing language; TEXT IN SMALL CAPITALS indicates additions to existing language. Strike-out indicates material deleted by amendment; Underlining indicates material added by amendment.

1           **WHEREAS**, Addressing the problem of bullying, harassment, and intimidation must be  
2 a shared responsibility among all of the agencies throughout the community that work with  
3 young people;

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5           **WHEREAS**, The Safe Schools Reporting Act of 2005 mandates that the Maryland State  
6 Department of Education require county boards of education to report incidents of bullying,  
7 harassment, and intimidation against students attending a public school;

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9           **WHEREAS**, Howard County has not been immune to tragedies suffered by families in  
10 which ~~cyber-bullying~~ cyberbullying has been a contributing factor;

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12           **WHEREAS**, According to the Maryland State Department of Education, a total of 4,678  
13 incidents of bullying, harassment, and intimidation in schools were reported for the 2010-2011  
14 school year representing a state-wide increase of 860 reported incidents from the 2009-2010  
15 school year and a state-wide increase of 2,992 reported incidents from the 2008-2009 school  
16 year;

17  
18           **WHEREAS**, The Maryland State Department of Education indicates that the extent of  
19 bullying, harassment, and intimidation in Maryland public schools may likely be underreported;

20  
21           **WHEREAS**, although school systems, including Howard County Public School System,  
22 have addressed continuously the problems of bullying, harassment, and intimidation through the  
23 requirements of the federal Safe Schools Act and by providing preventative measures, student  
24 education, and professional development, these problems cannot be addressed successfully by  
25 school systems alone;

26  
27           **WHEREAS**, The Howard County Public School System reported 300 incidents of  
28 bullying, harassment, and intimidation for the 2010-2011 school year – three times the number of  
29 incidents reported for the 2008-2009 school year;

1  
2           **WHEREAS**, According to the Maryland State Department of Education, victims of  
3 bullying, harassment, and intimidation and offenders both show higher rates of school  
4 absenteeism;

5  
6           **WHEREAS**, *The Indicators of School Crime and Safety: 2010 Report*, produced by the  
7 National Center for Education Statistics (NCES), the Institute of Education Sciences (IES), in the  
8 U.S. Department of Education, and the Bureau of Justice Statistics (BJS), in the U.S. Department  
9 of Justice showed that during the 2007-2008 school year, 25% of the responding public schools  
10 reported that bullying was a daily or weekly problem and that bullying and harassment are a  
11 problem in Maryland schools.

12  
13           **WHEREAS**, The non-profit organization, WiredSafety, reports that 85 to 90 percent of  
14 44,000 middle school students surveyed reported that they had been bullied online at least once  
15 but only 5 percent said they would tell their parents;

16  
17           **WHEREAS**, Anne Townsend, chief academic officer and president of the Baltimore-  
18 based Mariposa Child Success Programs, said children and teens don't have the coping skills to  
19 put bullying into perspective, but they can learn to do so with the help of parents and teachers;

20  
21           **WHEREAS**, In rapidly increasing numbers, students use social media sites like Twitter,  
22 Facebook, YouTube, and Tumblr to connect with friends, but some students use these sites, often  
23 anonymously, to disparage classmates, sometimes with serious consequences;

24  
25           **WHEREAS**, According to the Pew Research Center, 95% of all teens ages 12-17 are  
26 now online and 80% of those online teens are users of social media sites and that 88% of social  
27 media-using teens have witnessed other people being mean or cruel on social network sites;

28  
29           **WHEREAS**, A 2010 report from the Cyberbullying Research Center indicates that

1 cyberbullying and traditional bullying may increase the likelihood of suicide or suicidal  
2 thoughts;

3  
4 **WHEREAS**, Schools, parents, and students are struggling to address and contain the  
5 growing cyberbullying problem, which may happen during the school day on student-owned  
6 devices as well as school computers and also off-premises, after-hours, but affecting other  
7 students and the school environment;

8  
9 **WHEREAS**, The United States Court of Appeals for the Fourth Circuit, in *Kowalski v.*  
10 *Berkeley County Schools*, 652 F.3d 565 (2011), affirmed disciplinary action taken against a  
11 student responsible for ~~cyber-bullying~~ cyberbullying, finding that the action taken did not violate  
12 the First Amendment and the student's behavior risked interference with school discipline and  
13 the educational mission;

14  
15 **WHEREAS**, The use of multidisciplinary teams has proven to be an effective method of  
16 providing and coordinating services to students in other areas, such as under Section 5-706 of the  
17 Family Law article of the Maryland Code;

18  
19 **WHEREAS**, Schools lack sufficient resources to address ~~adequately~~ comprehensively  
20 the problem of bullying, harassment, and intimidation, particularly with the proliferation and use  
21 of social media by students;

22 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
23 Maryland, this 7<sup>th</sup> day of January, 201~~7~~<sup>3</sup>, that the ~~General Assembly is urged to~~  
24 Howard County Public School System, Howard County Mental Health Authority, and the State's  
25 Attorney are urged to work with the County Administration and the County Council to:

26 (1) ~~provide the necessary resources to school systems and appropriate agencies who~~  
27 ~~work with young people to allow them to establish multidisciplinary teams in each jurisdiction,~~  
28 ~~to include but not be limited to school personnel, and representatives from the local police~~

1 department, the appropriate local mental health agency, and the local State's Attorney, to address  
2 ~~bullying, harassment, and intimidation;~~ (1) establish a multidisciplinary team to include, but not  
3 be limited to, school personnel, representatives from the police department, appropriate mental  
4 health professionals, and representatives from the State's Attorney's office, to address bullying,  
5 harassment, and intimidation;

6 (2) ~~promote the use of multidisciplinary teams to handle, investigate, and address~~  
7 ~~reports of bullying, harassment, intimidation, and retaliation, whether in person or on-line, by~~  
8 ~~encouraging school systems to enter into written agreements with the participating agencies in~~  
9 ~~the multidisciplinary teams to specify standard operating procedures for the investigation and~~  
10 ~~resolution of bullying, harassment, and intimidation complaints, including a timeline for~~  
11 ~~investigation and resolution~~ promote the use of multidisciplinary collaboration and develop  
12 protocols: (i) for coordination of services to victims of bullying, harassment, and intimidation  
13 among state and local agencies; (ii) for the identification of children being bullied, and those at  
14 risk of bullying; and (iii) for effective ways to reduce bullying by evaluating current best  
15 practices and emerging research on cyberbullying; and

16 (3) ensure that ~~the multidisciplinary teams~~ all appropriate personnel receive the  
17 necessary training on an ongoing basis to help bolster bullying-prevention efforts, to support the  
18 students who are victimized, and to provide guidance and remediation to the perpetrators;

19  
20 **AND BE IF FURTHER RESOLVED** That the Administrator of the Howard County  
21 Council shall ~~mail~~ deliver a copy of this Resolution to the ~~chairperson of each jurisdiction's~~  
22 ~~delegation for distribution to every member of the General Assembly~~ Superintendent of Schools,  
23 the Executive Director of the Mental Health Authority, and the State's Attorney.



Amendment 1 to Council Resolution No. 169 -2012

BY: Courtney Watson

Legislative Day No. 1

Date: January 7, 2013

Amendment No. 1

*(This amendment ensures consistent styling of the term "cyberbullying".)*

- 1 On page 1, in line 10, strike "cyber bullying" and substitute "cyberbullying".
- 2 On page 3, in line 11, strike "cyber-bullying" and substitute "cyberbullying".

ADOPTED January 7, 2013  
FAILED \_\_\_\_\_  
BY: Stephen M. Gendron



AMENDED Amendment 2 to Council Resolution No. 169 -2012

BY: Courtney Watson

Legislative Day No. 1  
Date: January 7, 2013

Amendment No. 2

*(This amendment removes references to the General Assembly and substitutes references to the Howard County Public School System, the Howard County Mental Health Authority, the State's Attorney and the County Administration.)*

1 On the title page, in the first and second lines of the purpose paragraph, strike "General  
2 Assembly to provide the necessary resources to appropriate agencies" and substitute "Howard  
3 County Public School System, Howard County Mental Health Authority, and the State's  
4 Attorney to work with the County Administration and the County Council".

5

6 On page 3, in line 19, strike "adequately" and substitute "comprehensively".

7

8 On page 3, in line 23, strike "General Assembly is urged to" and substitute "Howard County  
9 Public School System, Howard County Mental Health Authority, and the State's Attorney are  
10 urged to work with the County Administration and the County Council to".

11

12 On page 3, in strike lines 24 through 28, inclusive and in their entirety, and substitute:

13 "(1) establish a multidisciplinary team to include, but not be limited to, school  
14 personnel, representatives from the police department, appropriate mental health professionals,  
15 and representatives from the State's Attorney's office, to address bullying, harassment, and  
16 intimidation;"

17

18 On page 4, in line 7, strike "the multidisciplinary teams" and substitute "all appropriate  
19 personnel".

20

21 On page 4, in line 12, strike "mail" and substitute "deliver".

ADOPTED January 7, 2013  
FAILED  
SIGNATURE Stephen M. G. [Signature]

22

23 Also on page 4, strike beginning with “chairperson” in line 12 down through “Assembly” in line

24 13 and substitute “Superintendent of Schools, the Executive Director of the Mental Health

25 Authority, and the State’s Attorney”.

Amendment   1   to Amendment 2 to Council Resolution No. 169 -2012

BY: Calvin Ball  
Courtney Watson

Legislative Day No.   1    
Date: January 7, 2013

Amendment   1   to Amendment No.   2  

*(This amendment adds references to the County Council.)*

- 1 In line 4 and in line 10, in each instance, after "County Administration" insert "and the County
- 2 Council".

ADOPTED January 7, 2013  
FAILED \_\_\_\_\_  
SIGNATURE Stephen McGerde



**Amendment 3 to Council Resolution No. 169 -2012**

**BY: Courtney Watson**

**Legislative Day No. 1  
Date: January 7, 2013**

**Amendment No. 3**

*(This amendment clarifies the role of multidisciplinary teams".)*

- 1 On page 4, strike beginning with “promote” in line 1 down through “resolution” in line 6 and  
2 substitute “promote the use of multidisciplinary collaboration and develop protocols: (i) for  
3 coordination of services to victims of bullying, harassment, and intimidation among state and  
4 local agencies; (ii) for the identification of children being bullied, and those at risk of bullying;  
5 and (iii) for effective ways to reduce bullying by evaluating current best practices and emerging  
6 research on cyberbullying”.

ADOPTED January 7, 2013  
FAILED  
SIGNATURE Stephen M. Bender



Amendment 2 to Council Resolution No. 169 -2012

BY: Courtney Watson

Legislative Day No. 1  
Date: January 7, 2013

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By order \_\_\_\_\_  
Stephen LeGendre, Administrator to the County Council

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By order \_\_\_\_\_  
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Certified by \_\_\_\_\_  
Stephen LeGendre, Administrator to the County Council

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**WHEREAS**, According to the Maryland State Department of Education, victims of bullying, harassment, and intimidation and offenders both show higher rates of school absenteeism;

**WHEREAS**, *The Indicators of School Crime and Safety: 2010 Report*, produced by the National Center for Education Statistics (NCES), the Institute of Education Sciences (IES), in the U.S. Department of Education, and the Bureau of Justice Statistics (BJS), in the U.S. Department of Justice showed that during the 2007-2008 school year, 25% of the responding public schools reported that bullying was a daily or weekly problem and that bullying and harassment are a problem in Maryland schools.

**WHEREAS**, The non-profit organization, WiredSafety, reports that 85 to 90 percent of 44,000 middle school students surveyed reported that they had been bullied online at least once but only 5 percent said they would tell their parents;

**WHEREAS**, Anne Townsend, chief academic officer and president of the Baltimore-based Mariposa Child Success Programs, said children and teens don't have the coping skills to put bullying into perspective, but they can learn to do so with the help of parents and teachers;

**WHEREAS**, In rapidly increasing numbers, students use social media sites like Twitter, Facebook, YouTube, and Tumblr to connect with friends, but some students use these sites, often anonymously, to disparage classmates, sometimes with serious consequences;

**WHEREAS**, According to the Pew Research Center, 95% of all teens ages 12-17 are now online and 80% of those online teens are users of social media sites and that 88% of social media-using teens have witnessed other people being mean or cruel on social network sites;

**WHEREAS**, A 2010 report from the Cyberbullying Research Center indicates that

1 cyberbullying and traditional bullying may increase the likelihood of suicide or suicidal  
2 thoughts;

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4 **WHEREAS**, Schools, parents, and students are struggling to address and contain the  
5 growing cyberbullying problem, which may happen during the school day on student-owned  
6 devices as well as school computers and also off-premises, after-hours, but affecting other  
7 students and the school environment;

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9 **WHEREAS**, The United States Court of Appeals for the Fourth Circuit, in *Kowalski v.*  
10 *Berkeley County Schools*, 652 F.3d 565 (2011), affirmed disciplinary action taken against a  
11 student responsible for cyber-bullying, finding that the action taken did not violate the First  
12 Amendment and the student's behavior risked interference with school discipline and the  
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17 Family Law article of the Maryland Code;

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19 **WHEREAS**, Schools lack sufficient resources to address adequately the problem of  
20 bullying, harassment, and intimidation, particularly with the proliferation and use of social media  
21 by students;

22 **NOW, THEREFORE, BE IT RESOLVED** by the County Council of Howard County,  
23 Maryland, this \_\_\_\_ day of \_\_\_\_\_, 2012, that the General Assembly is urged to:

24 (1) provide the necessary resources to school systems and appropriate agencies who  
25 work with young people to allow them to establish multidisciplinary teams in each jurisdiction,  
26 to include but not be limited to school personnel, and representatives from the local police  
27 department, the appropriate local mental health agency, and the local State's Attorney, to address  
28 bullying, harassment, and intimidation;

1           (2)     promote the use of multidisciplinary teams to handle, investigate, and address  
2 reports of bullying, harassment, intimidation, and retaliation, whether in person or on-line, by  
3 encouraging school systems to enter into written agreements with the participating agencies in  
4 the multidisciplinary teams to specify standard operating procedures for the investigation and  
5 resolution of bullying, harassment, and intimidation complaints, including a timeline for  
6 investigation and resolution; and

7           (3)     ensure that the multidisciplinary teams receive the necessary training on an  
8 ongoing basis to help bolster bullying-prevention efforts, to support the students who are  
9 victimized, and to provide guidance and remediation to the perpetrators;

10  
11           **AND BE IF FURTHER RESOLVED** That the Administrator of the Howard County  
12 Council shall mail a copy of this Resolution to the chairperson of each jurisdiction's delegation  
13 for distribution to every member of the General Assembly.

