

Section 7-420

Annotated Code of Maryland

(2001 Replacement Volume and 2003 Supplement)

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

Article - Education

7-420.

(A) IN THIS SECTION, "HARASSMENT OR INTIMIDATION" MEANS CONDUCT, INCLUDING VERBAL CONDUCT, THAT:

(1) CREATES, OR CERTAINLY WILL CREATE, A HOSTILE EDUCATIONAL ENVIRONMENT BY SUBSTANTIALLY INTERFERING WITH A STUDENT'S EDUCATIONAL BENEFITS, OPPORTUNITIES, OR PERFORMANCE, OR WITH A STUDENT'S PHYSICAL OR PSYCHOLOGICAL WELL-BEING AND IS:

(I) MOTIVATED BY AN ACTUAL OR A PERCEIVED PERSONAL CHARACTERISTIC SUCH AS RACE, NATIONAL ORIGIN, MARITAL STATUS, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, RELIGION, OR DISABILITY; OR

(II) THREATENING OR SERIOUSLY INTIMIDATING; AND

(2) OCCURS ON SCHOOL PROPERTY, AT A SCHOOL ACTIVITY OR EVENT, OR ON A SCHOOL BUS.

(B) (1) ~~EACH COUNTY BOARD SHALL CREATE A PROGRAM FOR REPORTING~~ THE DEPARTMENT SHALL REQUIRE A COUNTY BOARD TO REPORT INCIDENTS OF HARASSMENT OR INTIMIDATION AGAINST STUDENTS ATTENDING A PUBLIC SCHOOL UNDER THE JURISDICTION OF THE COUNTY BOARD.

(2) AN INCIDENT OF HARASSMENT OR INTIMIDATION MAY BE REPORTED BY A STUDENT OR THE PARENT, GUARDIAN, OR CLOSE ADULT RELATIVE OF A STUDENT.

(C) (1) ~~EACH COUNTY BOARD~~ THE DEPARTMENT SHALL CREATE A STANDARD VICTIM OF HARASSMENT OR INTIMIDATION REPORT FORM.

(2) EACH VICTIM OF HARASSMENT OR INTIMIDATION REPORT FORM SHALL:

(I) IDENTIFY THE VICTIM AND THE ALLEGED PERPETRATOR, IF KNOWN;

(II) INDICATE THE AGE OF THE VICTIM AND ALLEGED PERPETRATOR;

(III) DESCRIBE THE INCIDENT, INCLUDING ALLEGED STATEMENTS MADE BY THE ALLEGED PERPETRATOR;

(IV) INDICATE THE LOCATION OF THE INCIDENT;