

## **APPENDIX**

(A) –CODE OF CONDUCT

(B) - ANTI-BULLYING POLICY

(C) – FREEDOM FROM DISCRIMINATION HARASSMENT AND RETALIATION -  
SCHOLAR

(D) -ACCEPTABLE USE POLICY (TECHNOLOGY)

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**uplift**education



# Scholar Code of Conduct 2019-20

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# Welcome to Uplift Education

This Scholar Code of Conduct contains information that scholars and parents must know to ensure a successful school year. A code of conduct is required by state law and is intended to promote a positive and safe learning environment. Please see the Scholar Handbook for more information regarding practices and procedures directly related to scholars and the educational environment.



# 1.0 SCHOLAR & PARENT ACKNOWLEDGMENT

Uplift Education's mission is to create and sustain public schools of excellence that empower students to reach their highest potential in college and the global marketplace and that inspires in students a life-long love of learning, achievement and service in order to positively change their world.

To achieve this mission, it is imperative that a School's environment be safe, secure and free from disruption. Scholars are expected to demonstrate behavior appropriate to the learning environment, to treat other scholars, School personnel, and visitors with respect. As such, each scholar is expected to:

- Behave in a responsible and respectful manner;
- Demonstrate courtesy and respect for others, especially other scholars and School Personnel;
- Attend classes and required School activities and events regularly and on time;
- Prepare for each class and complete assignments on time;
- Respect the rights and privileges of other scholars and School personnel in person and online;
- Respect and care for School property and facilities;
- Turn off cell phones or other electronic media during instructional time, and otherwise follow policies related to use of technology;
- Cooperate with School personnel in maintaining safety, order and discipline;
- Dress appropriately in accordance with the School's dress code;
- Review and comply with the Scholar Handbook and other School and campus rules;
- Obey classroom rules and classroom expectations for behavior;
- Refrain from verbal or written acts of bullying whether in person or online;
- Avoid violations of this Code.

Conduct that substantially disrupts the School and learning environment will not be tolerated. This includes conduct on and off-campus, regardless of location and whether the disruption occurs in-person or through the use of technology or social media of any kind.

Scholars are expected to comply with the School's technology and electronic media use policies and procedures. Scholars are also expected to demonstrate the same behavior online or while using electronic media as is expected in the classroom, on School property, or at School-related events. Sending, posting, or possessing electronic messages that are disrespectful, disruptive, abusive, obscene, illegal, threatening, harassing or damaging to another person substantially disrupts the School and learning environment and will not be tolerated.

Parent cooperation is essential to achieving the School's mission and ensuring that scholars learn in a safe, secure and positive environment. Parental involvement and cooperation is vital in the discipline process. Parents should understand and be familiar with the Code, ensure that his or her child understands and seeks to comply with this Code, and assist the School in counseling scholars regarding appropriate behavior.

## 2.0 OVERVIEW AND PURPOSE

The Scholar Code of Conduct, as adopted by the Uplift Education Board of Trustees, articulates specific expectations regarding appropriate conduct to all scholars, parents/guardians, teachers, and School administrators of Uplift Education. In accordance with state law, the Code shall be available for review at the office of the campus director. Additionally, the Code shall be posted on the district's website.

The four key functions of the Scholar Code of Conduct are to:

- Describe behavior that builds a positive environment for learning;
- Delineate specific examples of student misconduct;
- Define penalties that will be imposed for specific misconduct; and
- Provide for district consistency in the matter of student discipline.

The law requires that Uplift define and communicate to scholars and parents/guardians, scholar behavioral expectations and the various kinds of misconduct that may, or in some cases, must result in disciplinary consequences.

### 2.1 Uplift Education's Philosophy of Scholar Discipline and Intervention

Uplift Education believes in promoting positive student conduct in conjunction with campus, classroom and district rules designed to maintain order in the School, foster a climate of mutual respect for the rights of others, and teach students that they are responsible for conducting themselves in a manner appropriate to their age and level of maturity. The term "discipline" derives from the Latin root word disciplina, which means, "to teach". In this same spirit, Uplift Education, promotes the use of Restorative Practices and other thoughtful and effective interventions that provide scholars the opportunity to learn and grow from their mistakes or poor choices. Most importantly, the Code of Conduct reinforces Uplift Education's deep commitment to the safety and well-being of scholars as its top priority.

### 2.2 Scholar and Parent Application of The Code

The Board of Directors of Uplift Education has adopted this Scholar Code of Conduct (the "Code") in accordance with Section 12.131 of the Texas Education Code, in order to clearly communicate standards for expected scholar conduct, the disciplinary consequences which may be applied to scholars who violate those standards, and the applicable procedures for the implementation of disciplinary consequences. This Code applies to all Uplift Education Schools and all scholars must comply with the Code. Definitions of words and phrases used throughout this Code are provided at the end of the Code.

Parents and scholars are encouraged to contact campus administration with any questions or concerns regarding the requirements and provisions of the Code. Parents and scholars are expected to review and be familiar with the provisions of the Code. Lack of knowledge or awareness about any School rules, including this Code, will not excuse violations of the Code. Parents and scholars will be required to sign a statement acknowledging receipt and understanding of the Code. A copy of this Code is available on the School's website and is included in the Scholar Handbook.

The School has the authority to create and enforce rules related to scholar conduct and behavior while on School property, traveling to or in attendance at a School-sponsored or School-related event or activity, whether on or off campus. The School has the authority to issue disciplinary consequences for certain other scholar conduct that relates to, affects, or shares a nexus with the School, its scholars, or its employees regardless of when or where the conduct occurs. The School may also issue discipline based on a scholar's use of electronic media, whether on or off campus. Other School rules, codes or policies may apply to a scholar's misconduct, and may result in multiple disciplinary consequences issued for the same conduct.

## 2.3 Parent Responsibilities and Expectations

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Parent cooperation is essential to achieving Uplift Education's mission and ensuring that scholars learn in a safe, secure and positive environment. Parental involvement and cooperation is vital in the discipline process. Parents should understand and be familiar with the Code, ensure that his or her child understands and seeks to comply with this Code, and assist the School in counseling scholars regarding appropriate behavior. The parent's responsibilities for ensuring a positive learning environment for their student(s) include the following

- Ensuring students arrive at School on-time every day prepared to learn, and leave School property at the designated time
- Ensuring students read and complete their homework each night
- Supporting School, district, classroom, and School related activity rules for student behavior and ensuring that their children conduct themselves according to district standards
- Providing the School with their current address and phone numbers for effective communication. Providing the appropriate School personnel with any student information that will affect the student's ability to learn and the student's behavior
- Reading, acknowledging, and understanding these rules and the rules applicable to their children's conduct while they are at School
- Parents/Guardians shall work with School officials to improve student behavior by supporting available network resources (i.e. Counseling Services).

## 2.4 Network Responsibilities and Expectations

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The network's responsibilities for ensuring a positive learning environment for our scholars(s) includes the following:

- Ensuring the safety and security of all scholars at all network campuses, central office buildings, and off-site School-related events
- Maintaining a physical environment that is clean and suitable for all scholars
- Providing an inclusive environment that is safe and welcoming for all staff, scholars and families
- Providing the appropriate staff, training, interventions and other resources to our campuses, scholars and parents to drive us towards our mission and vision.



## 2.5 The International Baccalaureate Learner Profile

Uplift Education is committed to the rights of students as recognized and protected under state and federal laws. In addition, Uplift has enumerated certain expectations (responsibilities) regarding student behavior that, when adopted by students, effect a positive influence on the School and community. A proper balance between rights and responsibilities is essential if Uplift is to provide the kinds of educational experiences that promote self-responsibility and enhance educational opportunities for all students. The network-wide plan to promote positive student conduct in conjunction with the campus/classroom rules is designed to maintain order in the School, foster a climate of mutual respect for the rights of others, and teach students that they are responsible for conducting themselves in a manner appropriate to their age and level of maturity. The International Baccalaureate Learner Profile asserts that responsible students should be encouraged and taught to strive to be:

- **Inquirers:** They develop their natural curiosity. They acquire the skills necessary to conduct inquiry and research and show independence in learning. They actively enjoy learning and this love of learning will be sustained throughout their lives.
- **Knowledgeable:** They explore concepts, ideas and issues that have local and global significance. In so doing, they acquire in-depth knowledge and develop understanding across a broad and balanced range of disciplines.
- **Thinkers:** They exercise initiative in applying thinking skills critically and creatively to recognize and approach complex problems and make reasoned, ethical decisions.
- **Communicators:** They understand and express ideas and information confidently and creatively in more than one language and in a variety of modes of communication. They work effectively and willingly in collaboration with others.
- **Principled:** They act with integrity and honesty, with a strong sense of fairness, justice and respect for the dignity of the individual, groups and communities. They take responsibility for their own actions and consequences that accompany them.
- **Open-minded:** They understand and appreciate their own cultures and personal histories, and are open to the perspectives, values and traditions of other individuals and communities. They are accustomed to seeking and evaluating a range of points of view and are willing to grow from the experience.
- **Caring:** They show empathy, compassion and respect towards the needs and feelings of others. They have a personal commitment to service, and act to make a positive difference to the lives of others and to the environment.
- **Risk-takers:** They approach unfamiliar situations and uncertainty with courage and forethought and have the independence of spirit to explore new roles, ideas and strategies. They are brave and articulate in defending their beliefs.
- **Balanced:** They understand the importance of intellectual, physical and emotional balance to achieve personal well-being for themselves and others.
- **Reflective:** They give thoughtful consideration to their own learning and experience. They are able to assess and understand their strengths and limitations in order to support their learning and personal development.

## 3.0 PROHIBITED CONDUCT

The following conduct constitutes a violation of the Code. Any scholar found to have engaged in such conduct shall be subject to one or more disciplinary consequences as identified within the Code.

### 3.1 General Scholar Misconduct

1. Cursing, using offensive language, name calling, ethnic, racial or gender slurs, other derogatory statements, or yelling;
2. Disrespectful behavior towards adults;
3. Failure to follow directives;
4. Disruption of instruction or other School activities or operations;
5. Unexcused or excessive tardiness;
6. False statements or false accusations;
7. Bullying (including cyberbullying), teasing, or targeting other scholars;
8. Inappropriate cell phone or electronic media use;

### 3.2 Violation of School Agreements and Procedures

9. Failure to comply with the Scholar Handbook, or other School or campus rules;
10. Leaving the classroom, School building, School activities or events, or adult supervision without permission;
11. Skipping a class period or other mandatory activity, in whole or in part, without permission;
12. Violation of School or campus policies or rules related to the use of electronic media, including personal or School-owned electronic devices (e.g., cell phones, tablets, game systems, computers, cameras), or the School's network or Internet connection;
13. Truancy or other failure to attend School without excuse;
14. Defacing, destroying or otherwise modifying School property without authorization;
15. Taking photographs or making video or audio recordings of scholars, employees, or other persons without the consent of the other person;
16. Soliciting or attempting to solicit another scholar to violate the Code, School policies and rules, or the law;
17. Taking steps toward violation of the Code even if the act is not completed, as determined by appropriate School administrator;
18. Failing to follow School directives and classroom rules and expectations;
19. Disobeying rules and expectations regarding School transportation;
20. Inappropriate or unauthorized use of School property, including posting or distributing literature or materials without School authorization

### 3.3 Violent, Illegal and other Serious Offenses

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21. Possession of prohibited items (See definitions at end of this Code);
22. Conduct which meets the elements of a criminal offense, as determined by the School;
23. Physical, verbal or sexual harassment of others;
24. Inappropriate physical or sexual behavior, including jokes, comments, gestures or unwelcome physical conduct or contact;
25. False statements or false accusations;
26. Hazing or initiations;
27. Participation in a gang, soliciting or attempt to solicit participation in a gang;
28. Possessing, distributing, using or being under the influence of tobacco products, electronic cigarettes, drugs, alcohol, or controlled substances, including prescription drugs if the scholar has not been prescribed the drugs or is taking the drugs in excess of the dosage specified by the prescription;
29. Possessing drug paraphernalia;
30. Stealing, lying, cheating, or copying the work of another without authorization (plagiarism);
31. Deliberately, and without School authorization, accessing, damaging, or altering School data and records, including but not limited to confidential records, electronic data, networks or systems;
32. Violence of any kind, including dating violence;
33. Fighting;
34. Gambling;
35. Setting or attempting to set a fire;
36. Inappropriate or indecent exposure of body parts;
37. Retaliation of any form against other scholars or School personnel;
38. Conduct which requires the scholar's registration as a sex offender;
39. Possession or distribution of pictures, text messages, electronic messages or other material of a sexual or obscene nature;
40. Endangering the health or safety of others;
41. Making threats to harm someone or to cause damage to the building or property of the School;
42. Trespassing on School or district property without authorization;
43. Other conduct as identified within this Code

## 4.0 LEVELS OF MISCONDUCT

Uplift's Student Code of Conduct categorizes misconduct as Level I, II, and III Offenses. Levels are defined as follows:

- **Level I:** Offenses that generally occur in the classroom and can be corrected by the teacher, other staff member, or administrator.
- **Level II:** Serious offenses that require the attention of campus administration; these violations of the Code of Conduct seriously disrupt the educational process in the classroom, in the School, and/or at a School-related activity.
- **Level III:** The most serious violations of the Code of Conduct. Level III offenses may require escalation to senior district leadership and may result in the most serious consequences, including but not limited to the involvement of local agencies and law enforcement, and in some circumstances, expulsion from Uplift Education.

Level I Violations of the Code	Level II Violations of the Code	Level III Violations of the Code
1. Cheating/ Copying Work	1. Assault	1. Arson
2. Destruction of Classroom Property	2. Bullying	2. Felony Conduct
3. Dress Code Violation	3. Cyberbullying	3. Frequent Violations of the Code (Levels I, II and/or III)
4. Insubordination	4. Destruction of School Property	4. Indecent Exposure
5. Leaving Classroom without Permission	5. Disruption of School Activities and Operations	5. Intimate Visual Material
6. Minor Classroom Disruption	6. Excessive Tardies	6. Possession/ or Distribution of Alcohol
7. Minor Inappropriate Use of Technology	7. Fighting	7. Possession/ or Distribution of Other Drugs or Illegal Substances
8. Minor Physical or Verbal Aggression	8. Frequent Minor Violations	8. Prohibited Weapons
9. Minor Theft	9. Gambling	9. Firearm
10. Profanity, Vulgar Language or Obscene Gesture	10. Gang Activity	10. Public Lewdness
11. Tardy	11. Harassment	11. Security Breach
12. Other Level I Violations	12. Hazing	12. Serious Bodily Injury
	13. Inappropriate Use of Technology	13. Sexual Harassment
	14. False Report	14. Some Forms of Bullying:
	15. Major Classroom Disruption	15. Inciting Group Violence
	16. Major Theft	16. Encouraging Self-Harm/Suicide
	17. Profanity Towards School Personnel	17. Transmission of Intimate Visual Material
	18. Prohibited Items	18. Terroristic Threat
	19. False Alarm	19. Violent Conduct
	20. Soliciting	20. Deadly Conduct
	21. Skipping Class	21. Severe Instance of Plagiarism or Academic Dishonesty
	22. Trespassing	22. Other Violations of the Code
	23. Other Level II Violations	

## 5.0 DETERMINING APPROPRIATE DISCIPLINE

Depending on the nature and severity of the offense, discipline may be issued by the scholar's classroom teacher, campus administrator, or administrator's designee, in accordance with this Code. In order to make a determination of misconduct or issue disciplinary consequences under this Code, the authorized School employee must have a reasonable belief that the scholar engaged in the suspected conduct. The employee's conclusion may be based on any relevant evidence including, but not limited to, observation, other personal knowledge, verbal or written witness statements, other forms of documentation, or information received from law enforcement. In reaching a decision regarding a scholar discipline matter, the School may consider the specific facts and circumstances of the situation, including but not limited to:

- The scholar's intent;
- The scholar's age and grade level;
- The scholar's past disciplinary history;
- Whether the scholar's conduct may have been the manifestation of a disability;
- The extent of the scholar's cooperation during the investigation of the matter;
- The nature and severity of the alleged conduct;
- Whether the scholar has previously engaged in similar conduct;
- Whether self-defense was involved;
- The scholar's remorsefulness for the conduct;
- The severity of the effect or harm of the conduct on other persons or property;
- The frequency of the conduct.

Discipline shall not be based on a scholar's race, ethnicity, national origin, gender, sex, religion, sexual or affectual orientation, disability, or any other unlawful consideration.

### 5.1 Investigations

In order to determine whether a violation of the Code has occurred, campus administrators or other authorized individuals may conduct an investigation. Investigations of scholar misconduct may involve, but are not limited to, interviews of other scholars, employees and adults, review of campus surveillance footage, review of relevant documents, review of information on campus owned computers, verification of tips received from other individuals, gathering of physical evidence, and contacting and cooperating with law enforcement agencies and officials. Regarding the latter, law enforcement may be contacted and informed of scholar conduct if it is determined a criminal offense may have been committed.

### 5.2 Right to Interview

School officials have the legal authority and responsibility to investigate violations of the Scholar Code of Conduct and to interview students without prior notice to parents/legal guardians or the consent of parents/legal guardians in order to do so. School officials exercise this authority to maintain the safety and security of the School environment and to prevent the disruption of School and instructional programs.

## 5.3 Right to Search

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Scholars should have no expectation of privacy with respect to School-owned property. Lockers, desks, and other items provided for scholar use remain School property, and scholars do not have a reasonable expectation of privacy in School property or in personal items placed inside School property. School administrators or other authorized personnel may monitor and search scholar desks and lockers for any reason. School officials may search any School property, including School property that is within a scholar's possession or otherwise being used by a scholar, at any time, with or without notice to the scholar and without consent. School officials may confiscate any items found during a search, including prohibited items, dangerous items or other items that violate School policy. A scholar's person or property may be searched by authorized School officials if the official has a reasonable belief that the search will result in the discovery of evidence of a violation of the Code or of the law. Any personal property which is brought onto School property or to a School sponsored or School-related activity or event, on or off School property, may be subject to search (e.g., scholar cell phone, backpack, personal computer, purse, car, etc.).

## 5.4 Electronic Surveillance

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Electronic surveillance may be used to monitor scholar behavior and School-owned property for purposes of safety, including the maintenance of order and discipline in common areas of the campus in accordance with Texas Education Code Section 26.009. Scholar behavior recorded by electronic surveillance equipment may be subject to disciplinary consequences consistent with the Scholar Code of Conduct.

## 5.5 Criminal Prosecution not Controlling in Determining Discipline

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The School may issue discipline based on a determination that a scholar has engaged in conduct which meets the elements of a criminal offense. The School has the authority to make such a determination without regard for whether the scholar is arrested, charged, or otherwise processed by the criminal justice system for the criminal offense. The School may consider information received from law enforcement or other entities within the criminal justice system in issuing discipline under this Code.

## 5.6 Restorative Practices

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Uplift Education promotes the use of Restorative Practices when possible and when appropriate. Restorative Practice is a social science that studies how to improve and repair relationships between scholars and School culture. Likewise, Restorative Practice is a differentiated relational approach to managing student behavior. The purpose is to build healthy School communities, increase social capital, decrease scholar misbehavior and antisocial behavior, repair harm and restore scholar to scholar/teacher/campus leadership/School culture relationships.

## 5.7 Types of Interventions and Consequences

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Available interventions and consequences include, but are not limited to:

- Cooling off time or time out;
- Seating change within classroom;
- Various age appropriate reflective assignments;
- Check in and check out sheet;
- Scholar conference with teacher or administrator

- Parent phone call;
- Parent conference;
- Circle conference; or Restorative action or assignment;
- Verbal or written correction;
- Education/training;
- Emotional Intelligence classes or activities;
- Participate in a book study;
- Research related articles;
- Daily or weekly scholar improvement plan;
- Behavioral contract
- Safety plan;
- Stay away agreement;
- Counseling by teachers, School counselors or campus leaders;
- Conflict Resolution or mediation
- Referral to Student Support Team;
- Community service or classroom service;
- School-related assigned tasks or duties;
- Loss or restriction of privileges (e.g., eligibility to hold special positions, exemption from exams, etc.);
- Consequences related to scholar participation in extracurricular activities, including removal, suspension, or restriction of participation;
- Removal from class to campus office;
- Issuance of demerits;
- Confiscation of items;
- Referral to an outside agency or legal authority;
- Reverse suspension;
- Detention;
- In-School Suspension;
- Other alternative placement, if available;
- Out-of-School Suspension;
- Expulsion.

One or more of these disciplinary consequences may be issued to a scholar found to have violated the Code. If the Code does not specify the appropriate disciplinary consequence for a particular type of scholar conduct, the School may issue whatever disciplinary consequence is deemed reasonable and appropriate, with the exception of expulsion. A teacher may have additional rules and consequences for scholar conduct in the classroom which may result in discipline under this Code or may be enforced in addition to any discipline issued under this Code.

## 6.0 GENERAL GUIDELINES & OTHER CONSIDERATIONS

### 6.1 Consideration of Discipline History in Admission Decisions

In considering a scholar's request for admission, the School may consider the scholar's history of a criminal offense(s), juvenile court adjudication(s), or disciplinary problems under sub-chapter A, Chapter 37 of the Education Code, as evidenced by records received from Schools previously attended by the scholar, law enforcement, or any other relevant documentation, and may exclude the scholar from admission on this basis.

Applicants for admission to Uplift Education with a documented history of a criminal offense, a juvenile court adjudication, or a history of discipline problems as described in sub-chapter A, Chapter 37 of the Texas Education Code, that is, offenses for which public School district students must or may be expelled, suspended, or assigned to an Alternative Education Program, may be excluded from admission ("Discipline History"). This exclusion from admission is regardless of whether the Discipline History occurred before or after the application for admission to Uplift was submitted. If Discipline History is not disclosed in the application and is later discovered by Uplift after the child is enrolled, the child shall be administratively withdrawn effective immediately.

A parent is required to, and shall, inform the School(s) his/her child applied to of any Discipline History occurring after the date of application for admission. Any falsifications, misrepresentations, or omissions of information regarding an applicant's Discipline History shall disqualify the applicant from admission to Uplift Education and is a criminal offense under § 37.10 of the Texas Penal Code. Uplift Education may elect to report the falsification to law enforcement or take any other action permitted by law.

### 6.2 Reporting a Crime

A campus administrator who suspects a crime has been committed by a scholar will call law enforcement.

### 6.3 Educator Rights

The Texas Penal Code Sub-chapter F, Section 9.62 provides that: "The use of force, but not deadly force, against a person is justified: (1) if the actor is entrusted with the care, supervision, or administration of the person for a special purpose; and (2) when and to the degree the actor reasonably believes the force is necessary to further the special purpose or to maintain discipline in a group." Further, TEC 22.0512 provides that; "A professional employee of a School district may not be subject to disciplinary proceedings for the employee's use of physical force against a student to the extent justified under Section 9.62 of the Penal Code."



## 6.4 Physical Restraints

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Trained network employee's may, within the scope of the employee's duties, use and apply physical restraint to a scholar if the employee reasonably believes restraint is necessary in order to:

1. Protect a person, including the person using physical restraint, from physical injury.
2. Obtain possession of a weapon or other dangerous object.
3. Protect property from serious damage.
4. Remove a student refusing a lawful command of a School employee from a specific location, including a classroom or other School property, in order to restore order or to impose disciplinary measures.
5. Restrain an emotionally volatile student.

## 6.5 Extracurricular Activities

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With approval of campus leadership administration and the campus director, sponsors and coaches of extracurricular activities may develop and enforce standards of conduct that are higher than the District-developed Scholar Code of Conduct and may establish and maintain membership and eligibility for participation in activities on adherence to those standards. These organizational standards of behavior are independent of the Scholar Code of Conduct, and violations may result in independent disciplinary action by the School.

Scholars shall be informed of any extracurricular behavior standards for the organization in conjunction with tryout, practice, or acceptance/induction into membership.

Scholars and their parents/guardians shall sign and return to the sponsor or coach a statement acknowledging recognition of the extracurricular behavior standards and consent to abide by them as a condition of membership or participation in the activity.

## 6.6 Withdrawal of Scholar Pending Disciplinary Action

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If a scholar withdraws from the School before completing assigned In-School Suspension, Out of-School Suspension, or Expulsion, the School shall send documentation of the discipline to the next School that enrolls the scholar. If a scholar withdraws from the School before the expulsion process is completed, the School shall complete the expulsion process and send documentation of the expulsion decision to the next School that enrolls the scholar. If the scholar returns to enroll in the School at a later date and has not been required to complete the disciplinary consequences previously required, the School may require the scholar to complete the discipline upon return.

The Code shall be applied and enforced consistently and equitably among scholars, with the understanding that every disciplinary situation will differ, and decisions will be made based on the individual facts and circumstances of a given situation.

## 7.0 CELL PHONES & ELECTRONICS DEVICES

### 7.1 General

Campus administrators shall have the discretion to determine the appropriate use of cellular phones during the instructional day and for students participating in extracurricular activities while on School property or while attending School-sponsored or School-related activities on or off School property. In some cases, students may find it beneficial or might be encouraged to use personal telecommunications or other personal electronic devices for instructional purposes while on campus. Students must obtain prior approval before using personal telecommunications or other personal electronic devices for instructional use. Violations of the user agreement may result in withdrawal of privileges and other disciplinary action.

In limited circumstances and in accordance with the law, a student's personal telecommunications device may be searched by authorized personnel.

The use of cellular phones or any device capable of capturing images is strictly prohibited in locker rooms or restroom areas while at School or at a School-related or School-sponsored event.

The network is not liable for lost or stolen cell phones.

### 7.2 Acceptable Use

To prepare scholars for an increasingly technological society, the network has made an investment in the use of district owned technology resources for instructional purposes. Specific resources may be issued individually to students. Use of these technological resources, which include the district's network systems and use of district equipment, is restricted to approved purposes only.

### 7.3 Unacceptable Use

Scholars are prohibited from sending, posting, accessing, or displaying electronic messages that are abusive, obscene, sexually oriented, threatening, harassing, damaging to another's reputation, or illegal. This prohibition applies to conduct on and off School property, regardless if the equipment used to send such messages is district or personally owned, if it results in a substantial disruption to the educational environment. Any person taking, disseminating, transferring, or sharing obscene, sexually oriented, lewd, or otherwise illegal images or other content, commonly referred to as "sexting," will be disciplined according to the Scholar Code of Conduct and may, in certain circumstances, be reported to law enforcement.

## 8.0 DISCIPLINE OF SCHOLARS WITH SPECIAL NEEDS

The discipline of scholars with special needs is subject to applicable state and federal law in addition to the Scholar Code of Conduct. To the extent any conflict exists, state and/or federal law will prevail. Each scholar with disability eligibility under the Individual with Disabilities Education Act (IDEA) shall have an Individualized Education Plan (IEP) to address the scholar's specialized education needs.

A behavior intervention plan (BIP) shall be developed for those eligible scholars who exhibit persistent misconduct and/or whose behavior interferes with learning. The BIP of a scholar with disabilities shall be reviewed prior to taking discipline action in order to determine that a selected discipline technique is not prohibited by the scholar's plan. In deciding whether to order in- or out-of-School suspension, or expulsion, the district will take into consideration a disability that substantially impairs the scholar's capacity to appreciate the wrongfulness of the scholar's conduct. TEC 37.001 (a)(4)

If it is determined that a behavior management strategy is not appropriate to be applied to a scholar with a disability, the Admission, Review, and Dismissal (ARD) Committee shall determine what alternate consequences would be appropriate by referencing the scholar's BIP. TEC 37.001 (b-1)

In accordance with Texas Education Code, a scholar receiving special education services may not be disciplined for conduct meeting the definition of bullying, harassment, or making hit lists until an ARD committee meeting has been held to review the conduct. TEC 37.001 (b-1)

### 8.1 Change in Placement for Scholars with Special Needs

Any disciplinary action that would constitute a "change in the placement" of a scholar receiving special education services may be taken only after the scholar's Admission, Review, and Dismissal (ARD) committee conducts a manifestation determination review in order to determine whether the scholar's conduct was a manifestation of his or her disability.

A change in placement occurs if a scholar is:

1. Removed from the scholar's current educational placement for more than ten consecutive School days;

Or

2. Subjected to a series of removals that constitute a pattern because:
  - a. The series of removals total more than ten School days in a School year;
  - b. The scholar's behavior is substantially similar to the scholar's behavior in the previous incidents that resulted in the series of removals; and
  - c. Additional factors exist, such as the length of each removal, the total amount of time the scholar is removed, and the proximity of the removals to one another.

Uplift Education will determine, on a case-by-case basis, whether a pattern of removals constitutes a change in placement. A scholar who is eligible for special education under the IDEA should have a manifestation determination review conducted to address any use or possession of illegal drugs or alcohol if such conduct could result in a change of placement.

## 8.2 Manifestation Determination

Any disciplinary action regarding a scholar with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the scholar's admission, review and dismissal committee conducts a manifestation determination review. The ARD Committee shall review all relevant information in the scholar's file, including the scholar's IEP, any teacher observations, and any relevant information provided by the parents to determine whether the conduct in question was;

- Caused by, or had a direct and substantial relationship to, the scholar's disability; or
- The direct result of the District's failure to implement the IEP.

If the District, the parent/guardian, and relevant members of the ARD committee determine that either of the above is applicable, the conduct shall be determined to be a manifestation of the scholar's disability. 20 U.S.C. 1415(k)(1)(E); 34 CFR 300.530(e)

A parent who disagrees with a placement decision or the manifestation determination may request a due process hearing. A district that believes that maintaining a current placement of a scholar is substantially likely to result in injury to the scholar or others may request a due process hearing. 20 U.S.C. 1415(k)(3)(A); 34 CFR 300.532(a); 19 TAC 89.1151.

When an appeal has been requested by a parent or the District, the scholar shall remain in the interim alternative education setting pending the decision of the hearing officer or until the expiration of the scholar's assignment to the alternative setting, whichever occurs first, unless the parent and District agree otherwise. 20 U.S.C. 1415(k)(4); 34 CFR 300.533.

## 8.3 Protection for Scholars Currently Being Evaluated

A scholar who has not been determined to be eligible for special education and related services and who has engaged in behavior that violated the code of conduct may assert any of the protections provided for in the IDEA if the District had knowledge that the scholar had a disability before the behavior that precipitated that disciplinary action occurred. 20 U.S.C. 1415(k)(5)(A); 34 CFR 300.534 (a)

The district shall be deemed to have knowledge that a scholar has a disability if, before the behavior that precipitated the disciplinary action occurred:

1. The parent of the scholar expressed concern in writing to supervisory or administrative personnel of Uplift Education, or to a teacher of the scholar that the scholar is in need of special education and related services;
2. The parent of the scholar requested an initial evaluation to determine if the child qualifies as a child with a disability under IDEA
3. The teacher of the scholar or other personnel of Uplift Education directly expressed specific concerns about a pattern of behavior demonstrated by the scholar directly to the director of special education services or to other supervisory personnel of the district.

Uplift Education shall not be deemed to have knowledge that the scholar is a disabled scholar if the parent/guardian of the scholar has not allowed an evaluation of the scholar or has refused special education services or the scholar has been evaluated and it was determined that the scholar was not eligible for special education services. Additionally, in cases where the scholar has previously been determined eligible and has been receiving special education services, but the parent/guardian or adult scholar has withdrawn consent for provision of Special Education services, Uplift Education will be deemed to have no knowledge that the scholar is a disabled scholar.

## 8.4 Discipline of Scholars Served Under Section 504 of the Rehabilitation Act

Scholars served under IDEA (Individuals with Disabilities Education Act) include scholars who have one of 13 specific categories of disabilities and who, because of their disabilities, are in need of special education and related services in order to receive a free, appropriate public education.

Section 504 of the Rehabilitation Act of 1973 covers a broader range of individuals. A scholar with disabilities under Section 504 is defined as a scholar who (a) has, (b) has a record of having, or (c) is regarded as having a physical or mental impairment that substantially limits a major life activity. Discipline of Section 504 scholars mirrors the procedural framework for scholars receiving special education services. However, it is a separate procedure established under separate laws. As with Special Education scholars, if there is a behavior plan that specifies disciplinary options or responses to scholar misconduct, then those options or responses should be implemented in accordance with the plan. For more-serious misconduct, which may require expulsion or other exclusion that constitutes a significant change in placement, the Section 504 Committee must conduct a manifestation determination to determine whether the scholar's conduct was caused by his or her disabling condition.

The Section 504 Committee is composed of a group of person's knowledgeable about the scholar. Such a determination should be based on current data. If it is determined by the Section 504 Committee that the misconduct is not caused by the scholar's disabling condition, the scholar may be excluded from School in the same manner as similarly situated non-disabled scholars are excluded, but educational services may not be terminated completely during the expulsion period. The Section 504 Committee will determine the extent of educational services to be provided during the expulsion period. Educational services should be provided to the extent necessary to prevent regression in the area of the scholar's disabling condition. If it is determined by the Section 504 Committee that the misconduct is caused by the scholar's disabling condition, the scholar may not be expelled. The Section 504 Committee must then determine whether the scholar's current educational placement is appropriate.

Uplift Education may take disciplinary action pertaining to the use or possession of illegal drugs or alcohol against any scholar with a disability under Section 504 who is currently engaging in the illegal use of drugs or in the use of alcohol to the same extent that the School would take disciplinary action against non-disabled scholars. The due process procedures afforded under Section 504 do not apply to disciplinary action for the use or possession of illegal drugs or alcohol.

## 9.0 REMOVAL OF SCHOLARS AND EXCLUSIONARY DISCIPLINE

### 9.1 Removal by School Officials

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In the best interest of School and scholar safety, campus teachers, deans and directors reserve the right to remove a scholar from a classroom, campus area and School related event.

### 9.2 Detention/In-School Suspension

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A scholar may be assigned to one or more sessions of detention or placed in in-School suspension for engaging in prohibited conduct under this Code. The scholar's parent or guardian will be notified by phone and in writing of the scholar's conduct and assignment to detention or in School suspension. Detention will be held outside of the instructional day, either before or after School, during lunch period, or during recess. In-School suspension will require the scholar to report to the in-School suspension classroom for all or part of one or more School days. While in in-School suspension, the scholar will be provided the appropriate class assignments and will be expected to complete those assignments as if the scholar were in the regular classroom.

### 9.3 Out-of-School Suspension

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A scholar may be suspended for one or more School days for engaging in prohibited conduct under this Code. The scholar's parent or guardian will be notified by phone and in writing of the scholar's conduct and the length of the period of suspension. A scholar will not be suspended for more than three consecutive School days unless a conference is held with the Campus Director of the School and the scholar and parents. A suspension of more than three days requires approval of the Managing Director and if suspension of more than 10 days is recommended, a hearing must be held with the Managing Director and the scholar given an opportunity to present evidence to support his or her defense. During a period of suspension, the suspended scholar may not enter onto School property or participate in or attend School-sponsored or School-related events or activities.

The scholar's teachers will provide assignments that the scholar will be expected to complete during the period of suspension. Scholar assignments or other class work completed during a period of suspension will be accepted for grading if completed in a timely fashion.

# 10.0 EXPULSION OF SCHOLAR

## 10.1 Expulsion Process

If the School administrator or administrator's designee determines that the scholar's conduct warrants expulsion, the administrator shall provide written notice to the parent, guardian, or adult scholar of the proposed expulsion of the scholar. The written notice shall also include the reason(s) for the proposed expulsion and the date, time, location and procedure for the expulsion hearing. The scholar is entitled to a hearing with the network hearing officer or, if the network hearing officer is unavailable, with a designated official as appointed by Uplift Education's CEO. At the hearing the scholar and/or the scholar's representative (e.g., parent, guardian, attorney, other) will have the opportunity to review and present evidence and information. The hearing officer may place reasonable restrictions on the conduct of the hearing, including the length of the presentations. At the end of the hearing, the hearing officer may issue a decision immediately or may wait until a later date to communicate a decision, however, a decision should be rendered within 48 hours (or two School days) unless the hearing officer designates a later time. The hearing officer shall send written communication of the decision to the parent, guardian or adult scholar and to the School administration. If the hearing officer determines that expulsion is appropriate, the written decision ("Expulsion Decision") shall include the length of the term of expulsion.

The parent, guardian or adult scholar may choose to voluntarily waive the right to an expulsion hearing by signing a hearing waiver form provided by the administration. If the hearing is waived, or the parent, guardian or adult scholar fails to appear at the hearing, the hearing officer will review the relevant evidence and issue a written decision to the parent, guardian or adult scholar as described above.

The School will notify the independent School district in which the scholar resides of the scholar's expulsion within three business days of the Expulsion Decision.

## 10.2 Expellable Offenses

**Mandatory Expulsion:** Pursuant to the Gun Free Schools Act, a scholar shall be expelled for a period of at least one year for possessing a firearm\* on School property.

**Discretionary Expulsion:** A scholar may be expelled if he or she is found to have committed any of the acts listed below:

1. **Weapons.** The scholar used, exhibited, or possessed any of the following while on School property or while attending a School-sponsored or School-related activity on or off School property:
  - a. An illegal knife;
  - b. A club; or
  - c. A prohibited weapon.
2. **Violent Conduct.** The scholar engaged in conduct that could be punishable as one of the following offenses within the Texas Penal Code, regardless of location:
  - a. Aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, criminally negligent homicide, or continuous sexual abuse of a child or children;
  - b. Assault against another scholar, an employee, or a volunteer of the School;

- c. Deadly conduct;
  - d. A Title V felony under the Penal Code.
- 3. Disruptions.** The scholar engaged in conduct that could be punishable as one of the following offenses within the Texas Penal Code, regardless of location:
- a. False alarm or report or terroristic threat involving a public School;
  - b. An offense related to an abusable volatile chemical;
  - c. Breach of computer security if the conduct involves accessing a computer network, or computer system owned by or operated on behalf of a public School and the scholar knowingly alters, damages, or deletes School district property or information or commits a breach of any other computer, computer network, or computer system;
  - d. Criminal mischief if the conduct is punishable as a felony;
  - e. Public lewdness or indecent exposure.
- 4. Drugs and Alcohol.** The scholar engaged in conduct that could be punishable as one of the following offenses within the Texas Penal Code:
- a. On School property, at School-sponsored or School-related event, or within 300 feet of School property:
    - i. Sells, gives, or delivers to another person or possesses, uses, or is under the influence of any amount of marijuana, dangerous drug, or alcoholic beverage.
  - b. Regardless of location:
    - i. Sells, gives, delivers to another person or possesses or uses or is under the influence of marijuana or a dangerous drug, as defined by the Health and Safety Code, if the conduct is punishable as a felony.
    - ii. Sells, gives, delivers to another person an alcoholic beverage, as defined by the Alcoholic Beverage Code, commits a serious act or offense while under the influence of alcohol or possesses, uses, or is under the influence of an alcoholic beverage, and the conduct is punishable as a felony.
- 5. Intimate Visual Material.** A scholar, regardless of location, engages in conduct that involves intimate visual material\* and could be punishable as a misdemeanor or felony.
- 6. Certain Bullying\* Behavior.** A scholar may be expelled if he or she:
- a. Engages in bullying that encourages a scholar to commit or attempt to commit suicide;
  - b. Incites violence against a scholar through group bullying; or
  - c. Releases or threatens to release intimate visual material\* of a minor or a scholar who is 18 years of age or older without the scholar's consent.
- 7. Other.** The scholar, while on campus or at a School-sponsored or School-related event, on or off campus:
- a. Engages in conduct that could be punishable as a felony;
  - b. Engages in conduct that could be punishable as an assault;
  - c. Commits a severe instance of plagiarism or academic dishonesty\*;
  - d. Commits frequent violations of this Code that cause significant disruption to the School environment or substantial interference with the instructional process.



## 10.3 Terms of Expulsion

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The period of expulsion may be either (1) permanent or (2) temporary. A temporary expulsion is defined as through the end of the following school year. For example, if a scholar is expelled on a temporary basis at any point during the 2019-2020 school year, that scholar shall be eligible for re-enrollment for the 2021-2022 school year, assuming all requirements have been met per this Code.

## 10.4 Permanent Exclusion from Admission Permitted and Readmission

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A scholar who is permanently expelled is not eligible for readmission to Uplift. A scholar who is temporarily expelled may not be eligible for readmission to Uplift, unless the following terms are met: (1) the scholar must meet with the Readmission Committee to present a request for readmission; (2) the scholar must have no disciplinary history since he or she was expelled from Uplift; (3) the Readmission Committee must approve the readmission of the scholar; and (4) the scholar must submit an application pursuant to law and policy and be accepted pursuant to law and policy.

The Readmission Committee (“Committee”) will consist of two teachers and an administrator (appointed by the Campus Director), all of whom were not directly involved in the scholar’s expulsion. In considering the readmission of a scholar upon expiration of the period of expulsion, the Committee will consider, among other factors, the length of the expulsion, the nature of the violation that led to the expulsion and the circumstances justifying the expulsion. The Committee may also consider current teacher recommendations for the scholar, relevant commentary from any counselor with whom the scholar has consulted, as well as any other documentation pertinent to the application. The scholar or his parent may make a statement to support the request. The Committee will make a recommendation on whether the scholar should be allowed to apply for readmission within two business days of the date of the presentation and that decision will be communicated in writing to the scholar and his/her parent.

Any scholar who is expelled is prohibited from entering onto any Uplift property and attending any Uplift-sponsored or Uplift-related events. Failure to comply with this prohibition will result in Uplift immediately contacting law enforcement. Except as otherwise required by law, scholars will not receive educational services or receive course credits during a period of expulsion.

## 11.0 DISCIPLINE APPEAL PROCESS

With the exception of expulsions, scholar discipline decisions are final and not appealable. A parent, legal guardian, or adult scholar may appeal an expulsion decision to the Uplift Education Board of Directors (the “Board”) by filing a request for review with the Expulsion Hearing Officer within 5 business days of the date of the decision. The Board shall hear the appeal at a regular meeting or special meeting. The appealing party shall be notified of the location, date and time of the hearing in front of the Board. The Board will designate an allotted time for the appealing party to present its position against expulsion. Likewise, the Board will designate the same allotted time for a School official(s) to present its position in defense of the expulsion. The Board may deliberate in private but will communicate its decision orally in open meeting. The decision of the Board is final and not appealable. An expulsion will not be delayed during the appeal process.

## 12.0 BULLYING PREVENTION AND INTERVENTION

### 12.1 Bullying and Retaliation Prohibited

Uplift Education prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process, including but not limited to, a victim, witness, or another person, who in good faith provides information concerning an incident of bullying, is a violation of Uplift policy.

### 12.2 For purposes of this policy, “Bullying” is defined as the following:

Bullying means a single significant act or a pattern of acts by one or more scholars directed at another scholar that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that has the effect or will have the effect of physically harming a scholar, damaging a scholar’s property, or placing a scholar in reasonable fear of harm to the scholar’s person or of damage to the scholar’s property; is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a scholar; materially and substantially disrupts the educational process or the orderly operation of a classroom or School; or infringes on the rights of the victim at School; and includes cyberbullying.

For purposes of this policy, “Cyberbullying is defined as bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

Bullying applies to incidents that occur on, or that are, delivered to School property or to the site of a School-sponsored or School-related activity on or off School property; bullying that occurs on a publicly or privately owned School bus or vehicle being used for transportation of scholars to or from School or a School-sponsored or School-related activity; and cyberbullying that occurs off School property or outside of a School-sponsored or School-related activity if the cyberbullying interferes with a scholar’s educational opportunities or substantially disrupts the orderly operation of a classroom, School, or School-sponsored or School-related activity.

### 12.3 Examples of Bullying

Bullying may include, but is not limited to, the following: Bullying of a student may include discrimination, harassment, hazing, threats, taunting, teasing, confinement, assault, demands for money, destruction of property, theft of valued possessions, name calling, rumor spreading, or ostracism

### 12.4 Examples of Retaliation

Retaliation may include, but is not limited to, threats, rumor spreading, ostracism, assault, destruction of property, unjustified punishments, or unwarranted grade reductions. Unlawful retaliation does not include petty slights or annoyances.

## 12.5 Report of Bullying

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**Timely Reporting:** Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair Uplift’s ability to investigate and address the prohibited conduct.

**Scholar Reporting:** To obtain assistance and intervention, any scholar who believes that he or she has experienced bullying or believes that another scholar has experienced bullying should immediately report the alleged acts to a teacher, counselor, director, or other Uplift employee. A scholar who intentionally makes a false claim, offers false statements, or refuses to cooperate with an investigation regarding bullying shall be subject to appropriate disciplinary action.

**Staff Reporting:** If any staff member recognizes or receives a report from a scholar, parent or guardian regarding suspected bullying, it must be immediately reported to the Campus Director or designee. Reports may be given orally by staff but must be reduced to written form by the Campus Director or Designee.

**Anonymous Reporting:** Any scholar, parent or guardian may report an allegation of bullying anonymously through the Uplift website.

## 12.6 Notice of Alleged Bullying

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After receiving a report of an allegation of bullying, a campus director or designee shall provide notice to (1) a parent or guardian of the alleged victim on or before the third business day after the date the incident is reported, and (2) a parent or guardian of the alleged bully within a reasonable amount of time after the incident is reported.

## 12.7 Investigating a Report of Bullying

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The Campus Director or designee shall conduct an appropriate investigation based on the allegations in the report. The Campus Director or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the initial report alleging bullying; however, the Campus Director or designee shall take additional time if necessary, to complete a thorough investigation. The Campus Director or designee shall prepare a final, written report of the investigation. The report shall include a determination of whether bullying occurred, and if so, whether the victim used reasonable self-defense. A copy of the report shall be sent to the campus Managing Director.

## 12.8 Uplift Action – Bullying Confirmed

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If an incident of bullying is confirmed, the principal or designee shall promptly notify the parents of the victim and of the scholar who engaged in bullying.

If the results of an investigation indicate that bullying occurred, Uplift shall promptly respond by taking appropriate disciplinary action or corrective action reasonably calculated to address the conduct in accordance with the Uplift Scholar Code of Conduct.

A scholar may be removed from class and expelled if the scholar (1) engages in bullying that encourages a scholar to commit or attempt to commit suicide, (2) incites violence against a scholar through group bullying; or (3) releases or threatens to release intimate visual material, as defined by the Texas Civil Practices and Remedies Code, of a minor or a scholar who is 18 years of age or older without the scholar's consent. The discipline of a scholar with a disability is subject to applicable state and federal law in addition to the Scholar Code of Conduct.

## **12.9 Uplift Action – Improper Conduct**

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If the investigation reveals improper conduct that did not rise to the level of bullying, Uplift may take action in accordance with the Scholar Code of Conduct or any other appropriate corrective action

## **12.10 Reasonable Self-Defense**

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A scholar who is a victim of bullying and who used reasonable self-defense in response to the bullying shall not be subject to disciplinary action. The discipline of a scholar with a disability is subject to applicable state and federal law in addition to the Scholar Code of Conduct.

## **12.11 Report to Local Law Enforcement**

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A Campus Director may make a report to the police department of the municipality in which the campus is located or, if the campus is not in a municipality, the sheriff of the county in which the campus is located if, after an investigation is completed, the Campus Director has reasonable grounds to believe that a scholar engaged in conduct that constitutes an offense under Section 22.01 (assault) or 42.07(a)(7) (harassment) of the Texas Penal Code.

The Campus Director may designate a campus employee, other than a School counselor, who is under the supervision of the Campus Director to make the report to the police department.

A person who makes a report under this section may include the name and address of each scholar the person believes may have participated in the conduct.

## **12.12 Counseling Options**

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The principal or designee shall notify the victim, the scholar who engaged in bullying, and any scholars who witnessed the bullying of available counseling options. Each campus shall have access to a Social/Behavioral Counselor to provide support.

## **12.13 Confidentiality**

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To the greatest extent possible, Uplift shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

## **12.14 Access to Policy**

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Information regarding this policy shall be distributed annually to Uplift employees and included in the scholar handbook. Copies of the policy shall be readily available at each campus and Uplift's administrative offices.

## 12.15 Prevention and Training

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Uplift will implement research-based bullying prevention and intervention programs. Such programs shall provide training for Uplift scholars and staff for effectively responding to, intervening in, and reporting incidents of bullying.

# DEFINITIONS

The following definitions are provided to further detail and define the terms of this Code. The Uplift Education Board of Directors shall have final authority to interpret or amend any terms or provisions within this Code.

## 13.0 DEFINITIONS - LEVEL I VIOLATIONS OF THE CODE OF CONDUCT

**Cheating/ Copying Work:** The copying, selling, trading or purchase of another scholar's homework or other classwork, or committing academic dishonesty in some other capacity that does not rise to the level of significant plagiarism or cheating on a high-impact project, exam or other assessment.

**Destruction of Classroom Property:** The intentional destruction of, or behavior that results in, damage to classroom materials or classroom property or equipment.

**Dress Code Violation:** An instance in which a scholar's uniform is out of compliance with the School's dress code.

**Minor Inappropriate Use of Technology:** The use of an electronic device during a non-designated time.

**Insubordination:** Refusal to follow instructions provided by a classroom teacher, or other School personnel; or an instance in which a scholar is in defiance of the authority of School staff or personnel.

**Leaving Classroom without Permission:** An instance in which a scholar leaves a classroom, or other designated instructional environment, without first receiving permission from the teacher or other School personnel; or abusing time away from the classroom or other designated instructional environment by not returning promptly or loitering in other areas of the School without permission.

**Minor Classroom Disruption:** Behavior that directly impacts and/or disrupts the learning environment at the classroom or School level but does not rise to the severity of causing a School-wide disruption.

**Minor Physical or Verbal Aggression:** Inappropriate behavior that includes, but is not limited to, gestures, threats, comments, or any language or behavior of an intimidating nature that does not require seeking staff support or notifying campus administration.

**Minor Theft:** Without consent or approval of owner, an instance in which a scholar takes (steals) and does not willingly return items such as pens, pencils, paper, food or other small personal items in the classroom or School environment.

**Profanity/ Vulgar Language/ Gesture:** The use of language, and/or physical gestures, that are prohibited on campus and in a classroom, such as profanity or other derogatory terms.

**Tardy:** Late arrival to class or other assigned location.

**Other Level 1 Violation(s):** Scholar engaged in miscellaneous behavior or action that directly impacted the classroom learning environment, or others in the learning environment.

## 14.0 DEFINITIONS - LEVEL II VIOLATIONS OF THE CODE OF CONDUCT

**Assault:** Intentionally, knowingly, or recklessly causing bodily injury to another.

**Bullying:** A single significant act or a pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct that has the effect or will have the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm to the student's person or of damage to the student's property; is sufficiently severe, persistent, or pervasive enough that the action or threat creates an intimidating, threatening, or abusive educational environment for a student; materially and substantially disrupts the educational process or the orderly operation of a classroom or School; or infringes on the rights of the victim at School; and includes cyberbullying.

**Cyberbullying:** Cyberbullying means bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a social media application, an Internet website, or any other Internet-based communication tool.

**Major Classroom Disruption:** Behavior that significantly impacts and/or disrupts the learning environment in a classroom or another location.

**Destruction of School Property:** The intentional destruction or, and/or significant damage to School materials or other School or district property.

**Disruption of School Activities and Operations:** Behaviors or scholar actions that result in a direct impact/ disruption of the normal operations of the School, and/or activities in the classroom or on campus.

**Major Inappropriate Use of Technology/ Electronic Media:** The use of an electronic device or other electronic media that creates or results in a significant and/or wide-spread distraction or disruption of the educational environment or School or district operations. Refers to all forms, kinds and types of electronic devices, communication systems, networks, software, websites, and any other technology resources including, but not limited to, social media, text messaging, instant messaging, electronic mail (e-mail), Web logs (blogs), electronic forums (chat rooms), video-sharing or file sharing Web sites, cellular telephones, portable electronic devices, computers.

**False Alarm:** Knowingly initiating, communicating, or circulating a report of a present, past, or future bombing, fire, offense, or other emergency that is known to be false or baseless and that would ordinarily: (1) cause action by an official or volunteer agency organized to deal with emergencies; (2) place a person in fear of imminent serious bodily injury; or (3) prevent or interrupt the occupation of a building, room, or place of assembly.

**False Report:** Knowingly and intentionally providing false information to implicate an innocent scholar, or to otherwise disrupt School activities/operations, or disrupt an investigation or other administrative function.

**Fighting:** A situation in which a scholar is an active participant in a verbal and/or physical fight; includes behaviors such as postures and gestures that could lead to a fight and or commotion on campus.

**Frequent Minor Violations:** Recurrent pattern of violations of the Code of Conduct (typically Level I offenses).

**Gambling:** Engaging in a gambling related game or event, or organizing a gambling system, associated with the exchange of money or other items of value.

**Gang Activity:** Engaging in activity such as gang signs, gang related gestures and branding gang paraphernalia; or activity such as making gang related threats, using gang related intimidation methods, or being an active participant in gang violence



**Gang:** An organization, combination, or association of persons composed wholly or in part of scholars that: (1) seeks to perpetuate itself by taking in additional members on the basis of the decision of the membership rather than on the free choice of the individual, or (2) that engages in illegal and/or violent activities. In identifying gangs and associated gang attire, signs, or symbols, the School will consult with law enforcement authorities.

**Harassment:** Threatening to cause harm or bodily injury to another, engaging in sexually intimidating conduct, causing physical damage to the property of another, subjecting another to physical confinement or restraint, maliciously taking any action that substantially harms another's physical or emotional health or safety, alone or in combination with other conduct prohibited by School policy, rules or the Code.

**Hazing:** Any act, occurring on or off campus, by one person alone or acting with others, directed against a scholar, that endangers the mental or physical health or safety of a scholar for the purposes of pledging, initiation into, affiliation with, holding office in, or maintaining membership in an organization or group. Consent to or acquiescence in the hazing activity does not excuse the scholar of responsibility for the misconduct.

**Profanity Towards School Personnel:** The use of language, and/or physical gestures, that are prohibited on campus/classroom, including profanity or other derogatory terms directed towards staff or other school personnel.

**Soliciting:** Requesting, commanding, or attempting to induce another scholar to engage in specific conduct that would constitute a violation of the Code, and with the intent that a violation of the Code be committed.

**Skipping:** Includes instances when a scholar is intentionally absent for part of a School day, or the whole day, without a valid excuse from parent and/or guardian.

**Excessive Tardies:** Late arrival to class or other assigned location on multiple occasions.

**Major Theft:** Without consent or approval of owner, an instance in which a scholar takes (steals) and does not willingly return items belonging to the School, another organization or entity, or an individual.

**Trespassing:** Behavior that involves a scholar in, on or around the School, or any other Uplift Education property, without permission.

**Prohibited Items:** Scholar is in possession and/or use of a prohibited object that could be presumed as a weapon to cause harm to another but that is not a firearm or does not meet specified criteria as a prohibited weapon.

**Other Level II Violation(s):** Scholar engaged in miscellaneous behavior or action that directly impacted the School environment or School operations, the academic environment, or others in the learning environment rising to the severity of the need for School or district administrator involvement.

## 15.0 DEFINITIONS - LEVEL III VIOLATIONS OF THE CODE OF CONDUCT

**Alcohol (possession or distribution):** Scholar possesses, uses or delivers alcohol or alcohol paraphernalia to another or intends use or deliver to another.

**Arson:** Deliberately setting fire, attempting to start a fire, or engaging in conduct that results in a fire, to property.

**Deadly conduct:** Recklessly engaging in conduct that places another in imminent danger of serious bodily injury or knowingly discharging a firearm in the direction of an individual, habitation, building, or vehicle.

**Drugs (possession or distribution):** Scholar possesses, uses, or delivers drugs, including controlled substances, illegal drugs, and/or drug paraphernalia; or scholar intends use or delivery of controlled substances, illegal drugs, and/or drug paraphernalia to another.

**Extreme Bullying:** Bullying as defined elsewhere in the Code that is pervasive; and includes bullying situations that are designated by Texas Statute as potentially criminal and/or expellable offenses, such as: inciting (or attempting to incite) group violence; encouraging another scholar to commit self-harm or self-injury; or bullying involving the transmission of intimate visual material (as defined elsewhere in the code).

**Felony Conduct (Felony 5 Conduct):** Scholar was engaged in behavior or acts that are considered to be a felony either on or off campus. Offenses against the person that, depending on the circumstances, may include the following offenses under the Penal Code: murder; capital murder; transport; assault; aggravated assault; sexual assault; aggravated sexual assault; improper relationship between educator and scholar; indecency with a child; injury to a child, an elderly person, or a disabled person; abandoning or endangering a child; improper photography or visual recording; coercing, soliciting, or inducing gang membership; deadly conduct; terroristic threat; aiding a person to commit suicide; harassment by a person in a correctional facility; continuous sexual abuse of a young child or children; and tampering with a consumer product.

**Firearm:** (1) any weapon, including a starter gun that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; (2) the frame or receiver of any such weapon; (3) any firearm muffler or firearm weapon; or (4) any destructive device, such as an explosive, incendiary, or poison gas bomb, or grenade.; or any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use.

**Frequent Violations of the Code of Conduct:** Recurrent misconduct and other violations of the Code of Conduct that are persistent, pervasive and rise to the severity of a Level 3 offense.

**Indecent Exposure:** A scholar is intentionally naked, or displays his or her sexual organs, in public.

**Intimate Visual Material:** Scholar is in possession of or responsible for the transfer of "Intimate visual material" means visual material that depicts a person: (A) with the person's intimate parts exposed; or (B) engaged in sexual conduct.

**Severe Instance of Plagiarism or Academy Dishonesty:** Includes, but is not limited to, intent to deceive, habitual behavior, and/or multiple scholars colluding together with the intent to plagiarize or engage in academic dishonesty.

**Prohibited Weapon:** Scholar is in possession of a prohibited weapon. Prohibited Weapons includes the following items: armor-piercing ammunition, clubs, chemical dispensing device, explosive weapon, firearm silencer, knuckles, machine gun, short-barrel firearm, switchblade knife, illegal knife, zip gun, taser gun, BB gun, pellet gun, air gun, toy gun, water gun, look-alike gun, and a look-alike weapon.

**Public Lewdness:** Scholar is engaged in sexual activity, which includes but is not limited to, sexual contact of any kind and intercourse.

**Security Breach:** A security breach is any incident that results in unauthorized access of data, applications, services, networks and/or devices by bypassing their underlying security mechanisms. A security breach occurs when an individual or an application illegitimately enters a private, confidential or unauthorized logical IT perimeter.

**Serious Bodily Injury:** Serious bodily injury refers to bodily injury which involves substantial risk of death, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member or organ or mental faculty. Serious bodily injury is more than a minor or superficial injury.

**Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that has the purpose or effect of unreasonably interfering with a scholar's performance or creates an intimidating, hostile, or offensive educational environment.

**Terroristic Threat:** Threats to commit an offense involving violence to any person or property with intent to: (1) cause a reaction by an official or volunteer agency organized to deal with emergencies; (2) place any person in fear of imminent serious bodily injury; (3) prevent or interrupt the occupation or use of a building, room, place of assembly, place to which the public has access, place of employment or occupation, aircraft, automobile, or other form of conveyance, or other public place; (4) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service; (5) place the public or a substantial group of the public in fear of serious bodily injury; or (6) influence the conduct or activities of a branch or agency of the federal government, the state, or a political subdivision of the state (including the School).

**Violent Conduct:** The scholar engaged in conduct that could be punishable as one of the following offenses within the Texas Penal Code, regardless of location: a. Aggravated assault, sexual assault, aggravated sexual assault, arson, murder, capital murder, criminal attempt to commit murder or capital murder, indecency with a child, aggravated kidnapping, aggravated robbery, manslaughter, criminally negligent homicide, or continuous sexual abuse of a child or children; b. Assault against another scholar, an employee, or a volunteer of the School; c. Deadly conduct; d. A Title V felony under the Penal Code.

## 16.0 OTHER DEFINITIONS

**Abusable volatile chemicals:** Those substances as defined in Texas Health and Safety Code §485.001.

**Alcoholic Beverage:** Those substances as defined in Texas Alcoholic Beverage Code § 1.04.

**Club:** An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument, including a blackjack, nightstick, mace, and tomahawk.

**Controlled substance:** Substances as defined in Chapter 481 of the Texas Health & Safety Code or 21 U.S.C. § 801 et seq.

**Illegal knife:** A knife with a blade over 5 ½ inches; hand instrument designed to cut or stab another by being thrown; dagger, including but not limited to a dirk, stiletto, and poniard; bowie knife; sword; or spear.

**Paraphernalia:** Any article or device used or intended for use to inject, ingest, inhale, or otherwise introduce marijuana, a controlled substance, or a dangerous drug into the human body, including but not limited to roach clips, rolling papers, needles, baggies with residue, razor blades, bong and pipes.

**Possession:** Regardless of the scholar's knowledge or intent to possess the item, to have in or on: (1) a scholar's person or in the scholar's personal property, such as the scholar's clothing, purse, or backpack; (2) in any vehicle used by the scholar for transportation to or from School or School-related activities, such as an automobile, truck, motorcycle, or bicycle; or (3) any other School property used by the scholar, such as a locker or desk.

**Retaliation:** Harming or threatening to harm another: (1) on account of their service as a School employee or volunteer, (2) to prevent or delay another's service to the School, or (3) because the person intends to report a crime or violation of this Code.

**Self-defense:** When the person who is not the aggressor in an encounter uses the minimum force required to remove himself or herself from immediate danger of harm. Actions that escalate or continue the encounter will not be considered self-defense.

**Short-barrel firearm:** A rifle with a barrel length of less than 16 inches or a shotgun with a barrel length of less than 18 inches, or any weapon made from a rifle or shotgun if, as altered, it has an overall length of less than 26 inches.

**Switchblade knife:** Any knife with a blade that folds, closes, or retracts into the handle or sheath and that opens automatically by pressing a button or other device located on the handle or opens or releases a blade from the handle or sheath by the force of gravity or centrifugal force.

**Under the influence:** When in an employee's professional judgment, a scholar's faculties reflect use of marijuana, a controlled substance, dangerous drug or alcoholic beverage. Such impairment may be evidenced by the symptoms typically associated with drug or alcohol use or other abnormal or erratic behavior. The scholar need not be legally intoxicated.

**Use:** With respect to substances, voluntarily injecting, ingesting, inhaling, or otherwise introducing a prohibited substance into the body. With respect to objects or devices, putting into action or service or carrying out an action or purpose with the object or device.

**Zip gun:** A device or combination of devices that was not originally a firearm and is adapted to expel a projectile through a smooth-bore or rifled-bore barrel by using the energy generated by an explosion or burning substance



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## **(B) ANTI-BULLYING POLICY**

**Bullying Prohibited:** Uplift Education (“Uplift”) prohibits bullying as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of Uplift policy.

**DEFINITION:** The following definition shall apply for the purposes of this policy:

**Bullying** means systematically and chronically inflicting physical hurt or psychological distress on one or more scholars. Bullying of a scholar may include hazing, threats, taunting, teasing, confinement, assault, demands for money, extortion, destruction of property, theft of valued possessions, ridicule, name-calling, rumor spreading, slurs, jokes, innuendos, demeaning comments, and ostracism of the person or another.

It is further defined as any unwanted purposeful gesture or written, verbal, graphic or physical act (including electronically transmitted acts – i.e., internet, cell phone, personal digital assistant (PDA), or wireless handheld device) that is reasonably perceived as being motivated either by any actual or perceived characteristic such as race, ethnicity, color, religion, ancestry, national origin, gender, sex, sexual orientation, gender identity and expression, marital status, socio-economic background, social/family background, linguistic preference, political beliefs, or a mental, physical, or sensory disability, difference, or impairment, or by any other distinguishing characteristic or because of one’s association with a particular person or group of persons.

Bullying also includes, but is not limited to, any threatening, insulting, or dehumanizing gesture, by a scholar, that has the potential to create an intimidating, hostile, or offensive educational environment or cause long-term damage, cause discomfort or humiliation, or unreasonably interfere with the individual’s school performance or participation, or is carried out repeatedly and is often characterized by an imbalance of power.

Bullying may involve, but is not limited to:

1. Verbal: Hurtful name-calling, teasing, gossiping, making threats, making rude noises, or spreading hurtful rumors.
2. Nonverbal: Posturing, making gang signs, leering, staring, stalking, destroying property, using graffiti or graphic images, or exhibiting inappropriate and/or threatening gestures or actions.
3. Physical: Hitting, punching, pushing, shoving, poking, kicking, tripping, strangling, hair pulling, fighting, beating, biting, spitting, or destroying property.
4. Emotional (Psychological): Rejecting, terrorizing, extorting, defaming, intimidating, humiliating, blackmailing, manipulating friendships, isolating, ostracizing, using peer pressure, or rating or ranking personal characteristics.

Bullying occurs when a scholar or a group of scholars engages in written or verbal expression or physical conduct that:

1. Will have the effect of physically harming a scholar, damaging a scholar's property, or placing a scholar in reasonable fear of harm to the scholar's person or of damage to the scholar's property;
2. Is so sufficiently severe, persistent, or pervasive that the action or threat creates an intimidating, threatening, or abusive educational environment for a scholar; or  
Has the effect of substantially negatively impacting a scholar's emotional or mental well-being.

**Timely Reporting:** Reports of bullying shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to promptly report may impair Uplift's ability to investigate and address the prohibited conduct.

**Reporting Procedures:** Any scholar who believes he or she has experienced bullying or believes that another scholar has experienced bullying should immediately report the alleged acts to a teacher, counselor, director, or other school or Uplift employee. A report may be made orally or in writing.

**Notice of Report:** Any Uplift employee who receives notice that a scholar has or may have experienced bullying shall immediately notify the Campus Director or designee.

**Investigation of Report:** If a report is made orally, the Campus Director or designee shall reduce the report to written form.

The Campus Director or designee shall determine whether the allegations in the report, if proven, would constitute prohibited conduct as defined in the Scholar Code of Conduct and if so, will proceed under that policy instead.

The Campus Director or designee shall conduct an appropriate investigation based on the allegations in the report. The Campus Director or designee shall promptly take interim action calculated to prevent bullying during the course of an investigation, if appropriate.

**Concluding the Investigation:** Absent extenuating circumstances, the investigation should be completed within ten business days from the date of the report; however, the Campus Director or designee shall take additional time if necessary to complete a thorough investigation.

The Campus Director or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred and send a copy to the CEO or designee.

**District Action:** If the results of an investigation indicate that bullying occurred, Uplift shall promptly respond by taking appropriate disciplinary action or corrective action reasonably calculated to address the conduct in accordance with the Scholar Code of Conduct.



Uplift may take action based on the results of an investigation even if Uplift concludes that the conduct did not rise to the level of bullying under this policy.

**Confidentiality:** To the greatest extent possible, Uplift shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation.

**Appeal:** A parent, legal guardian, or adult scholar who is dissatisfied with the outcome of the investigation or plan of action may appeal through the Uplift grievance process, beginning at the appropriate level.

**Access to Policy:** Information regarding this policy shall be distributed annually to Uplift employees and included in the scholar handbook. Copies of the policy shall be readily available at each campus and Uplift's administrative offices.

**Training:** Uplift will implement research-based bullying prevention and intervention programs. Such programs shall provide training for Uplift scholars and staff for effectively responding to, intervening in, and reporting incidents of bullying.



## **(C) FREEDOM FROM DISCRIMINATION, HARASSMENT, AND RETALIATION - SCHOLAR**

Uplift Education prohibits discrimination, including harassment, against any scholar on the basis of gender, gender identity, sex, sexual orientation, race, color, religion, national origin, disability, age, or any other basis prohibited by law. Uplift prohibits dating violence, as defined by this policy. Retaliation against anyone involved in the complaint process is a violation of Uplift policy and is prohibited.

**Discrimination.** Discrimination against a scholar is defined as conduct directed at a scholar on the basis of gender, gender identity, sex, sexual orientation, race, color, religion, national origin, disability, age, or any other basis prohibited by law, that adversely affects the scholar.

**Prohibited Harassment.** Prohibited harassment of a scholar is defined as physical, verbal, or nonverbal conduct based on the scholar's gender, gender identity, sex, sexual orientation, race, color, religion, national origin, disability, age, or any other basis prohibited by law that is so severe, persistent, or pervasive that the conduct:

1. Affects a scholar's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the scholar's academic performance; or
3. Otherwise adversely affects the scholar's educational opportunities.

Prohibited harassment includes dating violence as defined by this policy.

### **Sexual Harassment.**

Sexual harassment of a scholar by an Uplift employee includes both welcome and unwelcome sexual advances; requests for sexual favors; sexually motivated physical, verbal, or nonverbal conduct; or other conduct or communication of a sexual nature when:

1. An Uplift employee causes the scholar to believe that the scholar must submit to the conduct in order to participate in a school program or activity, or that the employee will make an educational decision based on whether or not the scholar submits to the conduct; or
2. The conduct is so severe, persistent, or pervasive that it:
  - a. Affects the scholar's ability to participate in or benefit from an educational program or activity, or otherwise adversely affects the scholar's educational opportunities; or
  - b. Creates an intimidating, threatening, hostile, or abusive educational environment.

Romantic or inappropriate social relationships between scholars and Uplift employees are prohibited. Any sexual relationship between a scholar and an Uplift employee is always prohibited, even if consensual.

Sexual harassment of a scholar, including harassment committed by another scholar, includes unwelcome sexual advances; requests for sexual favors; or sexually motivated physical, verbal, or nonverbal conduct when the conduct is so severe, persistent, or pervasive that it:

1. Affects a scholar's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the scholar's academic performance; or
3. Otherwise adversely affects the scholar's educational opportunities.

**Gender Based Harassment.** Gender-based harassment includes physical, verbal, or nonverbal conduct based on the scholar's gender, the scholar's expression of characteristics perceived as stereotypical for the scholar's gender, or the scholar's failure to conform to stereotypical notions of masculinity or femininity. For purposes of this policy, gender-based harassment is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a scholar's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the scholar's academic performance; or
3. Otherwise adversely affects the scholar's educational opportunities.

**Dating Violence.** Dating violence occurs when a person in a current or past dating relationship uses physical, sexual, verbal, or emotional abuse to harm, threaten, intimidate, or control the other person in the relationship. Dating violence also occurs when a person commits these acts against a person in a marriage or dating relationship with the individual who is or was once in a marriage or dating relationship with the person committing the offense.

For purposes of this policy, dating violence is considered prohibited harassment if the conduct is so severe, persistent, or pervasive that the conduct:

1. Affects a scholar's ability to participate in or benefit from an educational program or activity, or creates an intimidating, threatening, hostile, or offensive educational environment;
2. Has the purpose or effect of substantially or unreasonably interfering with the scholar's academic performance; or
3. Otherwise adversely affects the scholar's educational opportunities.

**Retaliation.** Uplift prohibits retaliation by a scholar or Uplift employee against a scholar alleged to have experienced discrimination or harassment, including dating violence, or another scholar who, in good faith, makes a report of harassment or discrimination, serves as a witness, or participates in an investigation.



**False Claim.** A scholar who intentionally makes a false claim, offers false statements, or refuses to cooperate with an Uplift investigation regarding discrimination or harassment, including dating violence, shall be subject to appropriate disciplinary action.

**Prohibited Conduct.** In this policy, the term “prohibited conduct” includes discrimination, harassment, dating violence, and retaliation as defined by this policy, even if the behavior does not rise to the level of unlawful conduct.

### **Reporting**

Any scholar who believes that he or she has experienced prohibited conduct or believes that another scholar has experienced prohibited conduct should immediately report the alleged acts to a teacher, school counselor, academic director, other Uplift employee, or the appropriate Uplift official listed in this policy.

Any Uplift employee who suspects or receives notice that a scholar or group of scholars has or may have experienced prohibited conduct shall immediately notify the appropriate Uplift official listed in this policy and take any other steps required by this policy.

For the purposes of this policy, Uplift officials are the Title IX coordinator, the ADA/Section 504 coordinator, and the Superintendent

Reports of discrimination based on sex, including sexual harassment or gender-based harassment, may be directed to the designated Title IX coordinator for scholars.

Reports of discrimination based on disability may be directed to the designated ADA/Section 504 coordinator for scholars.

The Superintendent shall serve as coordinator for purposes of Uplift compliance with all other nondiscrimination laws.

A scholar shall not be required to report prohibited conduct to the person alleged to have committed the conduct. Reports concerning prohibited conduct, including reports against the Title IX coordinator or ADA/Section 504 coordinator, may be directed to the Superintendent.

A report against the Superintendent may be made directly to the Board. If a report is made directly to the Board, the Board shall appoint an appropriate person to conduct an investigation.

Reports of prohibited conduct shall be made as soon as possible after the alleged act or knowledge of the alleged act. A failure to immediately report may impair Uplift’s ability to investigate and address the prohibited conduct.

The Uplift official or designee shall promptly notify the parents of any scholar alleged to have experienced prohibited conduct by an Uplift employee or another adult.

### **Investigation**

Uplift may request, but shall not require, a written report. If a report is made orally, the Uplift official shall reduce the report to written form.



Upon receipt or notice of a report, the Uplift official shall determine whether the allegations, if proven, would constitute prohibited conduct as defined by this policy. If so, the Uplift shall immediately undertake an investigation, except as provided below at Criminal Investigation.

If the Uplift official determines that the allegations, if proven, would not constitute prohibited conduct as defined by this policy, the Uplift official shall refer the complaint for consideration under the Scholar Code of Conduct.

If appropriate, and regardless of whether a criminal or regulatory investigation regarding the alleged conduct is pending, Uplift shall promptly take interim action calculated to address prohibited conduct or bullying prior to the completion of Uplift's investigation.

The investigation may be conducted by an Uplift official or a designee, such as the academic director, or by a third party designated by Uplift, such as an attorney. When appropriate, the academic director shall be involved in or informed of the investigation.

The investigation may consist of personal interviews with the person making the report, the person against whom the report is filed, and others with knowledge of the circumstances surrounding the allegations. The investigation may also include analysis of other information or documents related to the allegations.

If a law enforcement or regulatory agency notifies Uplift that a criminal or regulatory investigation has been initiated, Uplift shall confer with the agency to determine if Uplift investigation would impede the criminal or regulatory investigation. Uplift shall proceed with its investigation only to the extent that it does not impede the ongoing criminal or regulatory investigation. After the law enforcement or regulatory agency has finished gathering its evidence, Uplift shall promptly resume its investigation.

Absent extenuating circumstances, such as a request by a law enforcement or regulatory agency for Uplift to delay its investigation, the investigation should be completed within ten Uplift business days from the date of the report; however, the investigator shall take additional time if necessary, to complete a thorough investigation.

The investigator shall prepare a written report of the investigation. The report shall include a determination of whether prohibited conduct or bullying occurred. The report shall be filed with the Uplift official overseeing the investigation.

Notification of the outcome of the investigation shall be provided to both parties in compliance with FERPA.

### **Uplift Action**

If the results of an investigation indicate that prohibited conduct occurred, Uplift shall promptly respond by taking appropriate disciplinary action in accordance with the Scholar Code of Conduct and may take corrective action reasonably calculated to address the conduct.

If the results of an investigation indicate that bullying occurred, as defined by the Anti-Bullying Policy, the Uplift official shall refer to the Anti-Bullying Policy for appropriate notice to parents and Uplift action.



If the investigation reveals improper conduct that did not rise to the level of prohibited conduct or bullying, the Uplift may take disciplinary action in accordance with the Scholar Code of Conduct or other corrective action reasonably calculated to address the conduct.

**Confidentiality.** To the greatest extent possible, Uplift shall respect the privacy of the complainant, persons against whom a report is filed, and witnesses. Limited disclosures may be necessary in order to conduct a thorough investigation and comply with applicable law.

**Appeal.** A scholar or parent who is dissatisfied with the outcome of the investigation may appeal through the Parent Grievance Policy, beginning at the appropriate level. A scholar or parent shall be informed of his or her right to file a complaint with the United States Department of Education Office for Civil Rights.

**Records Retention.** Uplift shall retain copies of allegations, investigation reports, and related records regarding any prohibited conduct in accordance with Uplift's records retention schedules, but for no less than the minimum amount of time required by law.

**Access to Policies and Procedures.** Information regarding this policy and any accompanying procedures shall be distributed annually in the employee and scholar handbooks. Copies of the policy and procedures shall be posted on the Uplift's website, to the extent practicable, and readily available at each campus and Uplift's administrative offices.



## **(D) ACCEPTABLE USE POLICY (TECHNOLOGY)**

### Introduction

Uplift Education provides scholars and employees with extensive technology resources, including computing facilities, local area networks, Internet access, and e-mail addresses. Our goal is to promote educational excellence by facilitating resource sharing, innovation and communication within our own community and the world.

As a member of the Uplift community, I agree to follow School rules and commit to the School's values. To maintain these values as related to technology, we must all agree to support the needs of the School community even if they may conflict with one's personal desires.

### Uplift Education Technology Ownership

- Uplift Education owns all systems, software, and e-mail addresses. Content created with the School's technology tools and saved on the School network is the property of the School.
- Computer resources at Uplift are a limited resource and are reserved for educational and school-related business.
- If I leave the School community, I may take copies of anything I have created. However, this content can continue to be used by the School for educational purposes.

### My Use of School Computing Resources

- I will help to create a positive atmosphere by allowing those engaged in academic work priority use of the computers.
- I will respect the work and privacy of others throughout the Uplift Education network.
- I will use my applications, e-mail accounts, and Uplift Education network space appropriately for school-related activities.
- I will not save or install files and/or software on School equipment without the authorization of a teacher or the network administrators.
- I will not use Uplift technology resources for commercial activity, for seeking monetary gain, or for political purposes.

### System Security

- I will log on to the network only as myself.



- I am responsible for my individual account and will take all reasonable precautions to prevent others from being able to use my account.
- I will immediately notify a faculty or staff member if I have identified a possible security problem.
- I will not intentionally introduce a virus or other harmful code anywhere on the Uplift Education network, and I will make an effort to keep my home computer free from viruses and other destructive materials. If my files are accidentally infected, I will seek help from a member of the technology staff.
- I know that any electronic devices brought on this campus are subject to search without notice or warning. I will refrain from using any device or software that masks my use of the school resources. This includes but is not limited to anonymizers and any application or hardware device that circumvents network security, logging, or tracking procedures.

#### Use of Uplift Content or School Information on Non-Uplift Websites

- Content about Uplift Education anywhere on the World Wide Web should observe all aspects of the School's Acceptable Use Policy.
- Official School files or documents are not to be posted on non-Uplift sites.
- Individuals who post content on World Wide Web sites away from Uplift should not present content as if it represents any official views of Uplift Education.
- The official Uplift Education website represents the School. No representation of Uplift should be made on any other website.

#### Intellectual Property and Privacy

- I will not copy or transfer any copyrighted software to or from computers on the Uplift School network without the permission of the technology staff in my building. This includes but is not limited to web browsers, MP3 players, and games.
- I will not plagiarize words or phrases that I find in books, on the Internet, on CD-ROMs, or on other online resources.
- I will respect the rights of copyright owners, including those who have created music, images, video, software, etc.
- I should have no expectation of privacy when I use on-line resources since materials are owned by the site and can be redistributed without an author's permission. I should check



each site's privacy and security policies carefully before posting or adding content I may not wish viewed by others presently or in the future.

- I will not repost a message sent to me privately without the permission of the person who sent the message.
- I will not post private or false information about another person.

#### Inappropriate Language and Harassment

- I will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language on any and all uses of computers at Uplift, whether in public or private messages.
- I will not post information that could cause danger or disruption or engage in personal attacks, including prejudicial or discriminatory attacks.

I understand the following:

- I continuously represent Uplift Education whenever and wherever I use school computing resources, even if I am using these resources away from or outside of the School's network.
- I may be held responsible for any on-line behavior or content that connects me to the School or implicates the School in that behavior.
- If I knowingly enable others to violate these rules, I may lose my School network, e-mail, or World Wide Web access.
- Uplift Education has software and systems in place that monitors and records all activities and traffic on the School computing resources. I should expect only limited privacy in the contents of my personal files on the School network.
- Tampering with Uplift technology tools or another person's work is unacceptable, and I could lose all rights to use computers at the School, including my user account and network access.
- Violations of the Uplift Education policy including social media policy and AUP are subject to disciplinary action ranging from loss of computing privileges up to and including suspension and/or expulsion (or termination for employees).
- Uplift Education makes no guarantee that the services provided will be error-free or without defect. The School will not be responsible for any damage suffered including, but not limited to, loss of data or disruption of service.





***Parents and scholars will be expected to sign and return this acknowledgement that they have read and understand the AUP. This form will be distributed and returned at the beginning of each school year.***

Parent Permission Form and User Agreement

I have read, understood, explained, and discussed the Acceptable Use Policy to my scholar.

Scholar's Name (PLEASE PRINT) \_\_\_\_\_

Name of Parent/Guardian (PLEASE PRINT) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

I have read the Acceptable Use Policy and discussed it with my parent(s)/guardian(s).

Scholar's Full Name (PLEASE PRINT) \_\_\_\_\_

Scholar's  
Signature \_\_\_\_\_ Date \_\_\_\_\_



### **(E) Uplift First Day of School Attendance Policy:**

At Uplift, we believe that every school day is critical. In order to develop effective school cultures that set clear expectations for students and that signal instructional time is sacred and not wasted, all students are expected to be present on the first day of school.

If a student fails to show up on the first day of the official school year, the student will not be counted as enrolled and the student's enrollment spot may be forfeited. If the parent/guardian of the student has not notified the school prior to noon on the first day of school that the student will be absent and that the reason for such absence is due to a reason which would be excused under the student handbook guidelines, then the student will be dropped from enrollment. If the student has been dropped from enrollment, the student will not be allowed to re-enroll unless the parent/guardian submits evidence that that the absence was due to an excusable reason under the student handbook guidelines. The decision on whether the failure to attend is an excusable absence will be determined by the school director or designee.

If a student is dropped from enrollment at an Uplift school and the school director or designee determines that there was not an excusable reason for not being present, the parent may appeal in writing to the Uplift CEO no later than 5 pm on the 10<sup>th</sup> day after school begins. The CEO will respond to appeals within three school days of receipt of appeal and may render a decision in writing without a hearing if the CEO, in the CEO's sole discretion, determines that a hearing is not necessary. The decision of the CEO is final and may not be appealed. During the appeal timeline, the student will not be enrolled.

This policy will apply to all students, whether previously enrolled in the school or newly admitted.

## (F) UPLIFT CREDIT AND ACADEMIC POLICY

### CREDIT POLICY

- Health is no longer an Uplift requirement
- All Uplift scholars are required to take a yearlong Professional Communications course as their Speech credit or to meet the Speech Proficiency requirements under the Foundation Graduation Plan.
- **Awarding Credit:** During the academic school year, a scholar will receive full credit for a yearlong course if the combined average of both semesters is 70 or higher (*also subject to attendance guidelines*)
- **Repeating a Course:** If a scholar repeats a course due to a previous failure, the grades recorded in the original course as well as in the repeated course are used in calculating the scholar's cumulative GPA. *Courses with a passing grade may not be repeated for credit.*
- **Credit Recovery:** All credit recovery attempts must first be approved by the Campus Director.
  - If a scholar fails a course for the year, they must obtain a 70 or higher for each semester failed to receive full credit.
    - If they fail both semesters, they must repeat both semesters to receive credit.
    - If they fail one semester, they must repeat the semester failed to receive credit.
    - *See the Credit Matrix in the appendix for details regarding credit recovery options.*
  - Scholars who are taking credit recovery classes can take courses from the following programs (subject to approval):
    - PLATO Credit Recovery online
    - UT K-16 Online Learning (full course or credit by exam)
    - Texas Tech K-16 Online Learning
    - Uplift Summer School Courses
    - Dual Credit course through Dallas County or Tarrant County Community Colleges can only be used as credit recovery for elective courses, Government and Economics
    - Other options require pre-approval from the Campus Director
- **Summer School policy:**
  - Scholars can take no more than 2 full year courses during summer school
  - If a scholar fails a course during the academic year, they are required to attend summer school the following summer (pending course offering)
  - If a scholar fails the course and EOC exam for an Algebra I, Biology I, English I, English II, or US History content course they must retake the course during the following academic year and cannot complete the credit during summer school

- **Incomplete Grades:**
  - Scholars who experience unforeseen circumstance that prevent them from completing course requirements during the time provided may request an extension, in which case a temporary INCOMPLETE (I) will be awarded in lieu of a numeric grade
  - Awarding an Incomplete requires pre-approval from campus leadership.
  - Specific criteria and deadlines for making up assignments and assessments will be determined by course instructor and campus leadership
  - The incomplete will be replaced with a final numeric grade once all requirements are met.
  - Failure to adhere to the guidelines set by campus leadership will result in potential failure of the course and need for recovery of the credit during summer school or the following academic school year.

### **TRANSFER CREDITS**

Uplift accepts credits from other accredited schools. Credits will be evaluated in terms of (1) whether the credits meet Texas state requirements for graduation and (2) whether the credits meet Uplift requirements.

- **Accredited Schools:** All transfer grades earned in accredited schools will be converted to the Uplift grading scale and designated so that they are consistent with those established by Uplift Education.
- **Non Accredited Schools:** Scholars from non-accredited schools or from home schooling programs must take a credit-by-exam (CBE) test approved by Uplift Education in order to receive credit for work completed. The scholar and/or the scholar's family will pay any applicable fees for these exams. Scholars must achieve a CBE score acceptable by Uplift standards in order to receive credit.

### **PROMOTION & RETENTION POLICY**

High school scholars are promoted/retained according to (1) semesters completed, (2) completion of state assessment requirements and (3) the number of state credits earned in grades 9-12.

- Classification is based on the following:
  - Grade 10 (sophomore)
    - Received a passing score on at least two of the following EOC exams: Algebra I, Biology I, and English I EOC exams.
    - Earned 5 or more credits (must include 1 credit in each of the following: Math, Science, ELA and humanities).
  - Grade 11 (Junior)
    - Received a passing score on each of the following EOC exams: Algebra I, Biology I, and English I EOC exams.
    - Earned 12 or more credits (must include 2 credits in each of the following: Math, Science, ELA and Humanities).

- Grade 12 (Senior)
  - Received a passing score on the following EOC exams: Algebra I, Biology I, English I and English II.
  - Earned 19 or more credits (must include 3 credits in each of the following: Math, Science, ELA and Humanities).
- Scholars are not allowed to take the next level course in a core subject area if they do not receive credit for the previous level.
- Scholars must follow appropriate course sequence for ELA and Math
  - ELA Sequence: English I, English II, English III OR AP English Language and Composition OR IB English, English IV OR AP English Literature and Composition OR IB English.
  - Math Sequence: Algebra I, Geometry, Algebra II, Pre-Calculus, approved Advance Math Course OR IB Mathematics.
- EOCs are given in April/May, retakes occur during July and December.
- Classification is established at the beginning of each semester.
- Scholars transferring from a school that does not require state testing will need to attend Summer School for the EOC prep and take the appropriate EOC exams the summer before entering an Uplift School unless they qualify for an exemption.
- Exceptions require High School Campus Director recommendation and then Managing Director approval.

## **ACCELERATION**

The MYP and DP programs at the Middle and Upper School level are based on a balanced curriculum each year of the program. Required subjects are studied simultaneously and interdisciplinary teaching and learning between subjects promotes higher level thinking in scholars. Therefore, scholars will not be accelerated into courses past the most advanced level of study for their grade level as outlined on the graduation plan.

## **DUAL CREDIT**

**Dual Credit** is an opportunity for high school scholars to earn college credit.

- Qualification based on requirements outlined by Dallas County Community College District and Tarrant County Community College District.
- Please consult the Road to College Office for more information about particular Dual Credit Courses approved for Uplift scholars.

## **ELIGIBILITY FOR COMMENCEMENT**

To be eligible to participate in Commencement, the May graduation exercise, seniors must have met the following requirements:

- Completed all state graduation requirements, as per Chapter 74, Subchapter F (Class of 2017) or Subchapter B (Class of 2018+)
- Passed all STAAR EOC requirements or be eligible for approval through the Individual Graduation Committee (please refer to the Uplift Individual Graduation Committee Policy for details)

- Accepted to a 2 or 4 year college/university
- Completed a minimum of 100 Community Service Hours or a CAS Project (for DP campuses) during High School.
- ***The following exceptions apply:***
  - 5<sup>th</sup> Year scholars who have completed all graduation requirements by the end of the 1st Semester need not be enrolled for the 2nd Semester.
  - Scholars who experience unforeseen circumstances of an emergency nature may appeal to the Campus Director for permission to participate in graduation exercises.

## GPA POLICY

The Grading system is as follows:

	<u>On 100 scale</u>	<u>On 4.0 Scale</u>
A+	100-97	4.0
A	96-93	4.0
A-	92-90	3.7
B+	89-87	3.3
B	86-83	3.0
B-	82-80	2.7
C+	79-77	2.3
C	76-73	2.0
C-	72-70	1.7
F	69 and Below	0.0

## CALCULATION OF GPA

- ***Weighted GPA:*** to weight the GPA, the semester grade in each course is added to the course weight. All weighted courses are totaled and divided by the total number of courses to get to the weighted GPA.
  - Example: A scholar earns a grade of 4.0 in an AP English class for the fall semester. Since this course is an AP level course, the scholar earns an additional point. Therefore the scholar's weighted GPA is a 5.0 ( $4.0 + 1.0 = 5.0$ ) for the semester class.
  - Weights are based on the following scale:
    - Advance placement/IB - 1
    - Dual Credit/Pre-AP/Honors - 0.5
    - All other courses - 0
  - ***Quality Points:*** Scholars transferring to an Uplift high school will only receive additional weighting for AP/Pre-AP/Honors/Dual Credit courses that were also offered by at the Uplift Campus for their original cohort.

- **Un-weighted GPA:** Un-weighted GPA is the sum of the un-weighted grades on a 4.0 scale divided by the total number of courses.
- **Communication on Transcript:** The scholar's transcript will show both (1) weighted GPA on a 5.0 scale and (2) un-weighted GPA on a 4.0 scale.

## RANKING POLICY

- Rank is calculated at the end of the first semester of the 9<sup>th</sup> grade. PowerSchool will automatically begin to rank scholars as soon as they have acquired credit in the 9<sup>th</sup> grade.
- Rank will be calculated all semester grades and will be based on weighted GPA. The following courses are not included in the GPA:
  - Pass/Fail Courses do not receive GPA points. Without a numeric grade no GPA points can be awarded.
  - HS credits earned in middle school do not count towards class ranking or GPA. Local credits earned do not count towards class ranking or GPA.
  - Credit by exam courses do not count toward class ranking or GPA. *Credit by exam is only offered upon approval of managing director.*
  - If a scholar repeats a course where credit has already been earned, then the first course will have to be listed as a state credit and the second time will be local credit. For example: *If a scholar took Art 1 in the 9<sup>th</sup> grade and took it again in the 10<sup>th</sup> grade, then the 10<sup>th</sup> grade Art 1 would count as a local credit*
- **Valedictorian & Salutatorian:** Graduating seniors with the highest and second highest cumulative weighted grade point average as determined at the end of the eighth semester senior year and carried out three decimal places will be eligible to serve as a valedictorian and salutatorian, respectfully.
  - In the event of a tie for valedictorian or salutatorian, the scholars will share the honor
  - Valedictorian and salutatorian eligibility requires attendance at Uplift high school for 6 consecutive semesters preceding graduation.
  - A scholar who is in violation of school code of conduct, honor code, or has criminal charges pending may be deemed ineligible to represent school as the valedictorian or salutatorian.
- **Internal Communication of Rank:** Rank will be communicated to scholars and their families who are in the top 25% at the end of freshman year and at the end of every semester that follows. For those scholars below the top 25%, scholars and their families will be told what quartile they are in.
- **External Communication of Rank:** Each campus at Uplift will communicate rank by doing the following:
  - The Rank field on transcripts will read DNR (Do Not Rank)
  - Rank will only be communicated in the college and scholarship process when necessary for automatic acceptance or scholarship selection.



- Communication of rank will be included in the Counselor Recommendation Letter or in the form of a standardized letter/report such as the Common Application secondary school report, mid-year report, and final year report.
- For scholars in the top 25%, counselors will note scholar as Valedictorian, Salutatorian, “Top 10%” or “Top 25%”.
- For the University of Texas at Austin and Texas A&M University at College Station, we will adhere to their admissions requirements and communicate rank accordingly for those scholars meeting automatic admission requirements.
- Communication on individual campus profiles will communicate the following: rank policy, grade distribution for current seniors based on sixth semester grades, and weighting methodology.



## **(G) Uplift Education Grading Policy for Grades 6-12**

### **Grading Philosophy**

Uplift Education is committed to ensuring equity and achievement for all of our scholars. To make sure that we are maximizing our intentional efforts to provide a holistic educational experience for all of our scholars, we understand that how we measure and represent scholar learning is critical to the success of our learning communities. Listed below are the five core tenets of our network-wide grading philosophy:

1. Grades reflect mastery of content
2. Grades should be fair and have consideration for the scholars that we serve
3. Grading practices should be aligned to the IB standards and practices and required policies
4. Grades should be more indicative of scholars' performance on future standardized assessments
5. Grades across the network should be normative and reliable indicators of scholar ability and areas of opportunity

### **Teacher Grading Practices**

Grades shall be a fair reflection of each scholar's skills and knowledge using a variety of assessment tools. Classroom grading procedures shall be directly related to clear criteria and standards that show evidence of scholar contribution to their development. Included in *Appendix A* are recommended teacher grading practices to be reviewed by each teacher in the network when establishing fair and equitable practices in the classroom. Below is a list of guidelines that each campus grading policy must adhere to:

- a. Grading criteria shall be made available to students prior to attempting an assessment.
  - i. Teachers shall provide a written overview of course requirements and expectations to scholars and parents during the first week of classes in each course. This will include assessment measures and grading scale.
  - ii. Teachers shall provide scholars with a rubric before administering each summative assessment (i.e. end of unit exam, research papers, performance tasks, projects).
  - iii. Self-assessment and the monitoring of progress by scholars shall be a component of the overall assessment process.
- b. Achievement of skills and knowledge shall be the primary basis for grades**

- c. If measurements beyond mastery are included within a grade, such as effort, participation, attitude, and other behaviors, these measurements should represent only a minor basis of any grade and be categorized in isolation from the assessments measuring mastery. Examples of this include *Approaches to Learning* and *Habits of Scholarship*.
- d. Late/Incomplete summative work (i.e. projects, essays, labs, etc.) will be handled as follows:
  - i. Teachers will set due dates and deadlines for all summative assessments that will be part of a scholar's grade. Due dates and deadlines must be clearly stated for scholars.
  - ii. Scholars are expected to complete all required summative assessments and will be given opportunities to do so. It is the scholars' responsibility to work with the instructor and identify missed summative assessments. In addition, teachers shall notify scholars and/or parents of missed work. Notice on major works and due dates should be provided at the beginning of the unit. Teachers are encouraged to provide scholars and parents with progress monitoring sheets indicating missing work.
  - iii. Summative assessments that are handed in late, if penalized, will not earn a grade higher than the maximum grade allowed under the reassessment policy. For example, if a school allows scholars to retake an assessment for a maximum grade of 80%, summative assessments that are handed in late will not earn a grade higher than an 80%.
  - iv. Campuses shall establish a timeline in which late work, if accepted, is given credit. For example, all late assignments must be reconciled by the end of each three week Progress Report period.
  - v. Scholars may be exempt from penalties for extenuating circumstances
  - vi. When a scholar does not turn in a summative assessment by the original deadline, teachers must do the following within two school days:
    - i. Notify scholar of late penalty policy and provide a date for submission
    - ii. Notify parents in writing and/or via phone

## **Grade Reporting**

Uplift Education campuses report grades on a nine-week grading cycle. All Uplift Education campuses will provide Individual Progress Reports at the 3-week and 6-week mark (exceptions can be approved by Managing Director) of a grading cycle and Report Cards at the end of each 9-week grading cycle.

## **Gradebook Guidelines**

Grades shall be posted/recorded in a timely manner. Formative assessments shall be posted/recorded no later than within five instructional days. Summative assessments shall be posted/recorded no later than within ten instructional days. Grades shall be based on scholar mastery of standards (Texas Essential Knowledge and Skills) and the district curriculum. Grades should reflect a scholar's academic achievement for the grading period, semester, or course.

Teachers should have a sufficient quantity and variety of assessments during the grading period to accurately reflect academic achievement. Teachers will record a minimum of one formative/summative grade per week. ICS will provide further specifications.

Grades of “0” assigned for work not completed may be changed upon the completion and submission of such assignments by the scholar. The teacher will have discretion over the grade assigned within the parameters of the campus or department grading procedures. Scholars with grades of “0” for missing work may be assigned mandatory tutorial session(s) until the assignments are completed. A system of interventions with the scholar should be such that receiving a “0” for work not completed will be a rare occurrence and involve a great deal of time and effort on the part of the scholar.

Furthermore, it is the position of Uplift Education that giving a grade of a zero for incomplete or late work is not a best practice and runs counter to our grading philosophy. The first tenet of our grading philosophy is that **“grades reflect mastery of content”**. Teachers shall deeply consider whether assigning a zero for an assignment based off of behavior (not turning in work, not attending class, etc.) results in an overall course grade that reflects mastery of content.

**Additionally, research has shown that a grade of zero for a short term failure is a key contributing factor for long term failure in demotivating students.** A zero disproportionately skews the overall grade downward compared to failures for other reasons, such as not adequately grasping the concepts presented. Finally, it should be noted that the effectiveness of giving grades of zero as a disciplinary tool has been roundly rejected by academic research into the matter. A best practice is, if after every effort has been made to intervene with the scholar to complete the course work and the scholar still does not complete the work, that the scholar receives a minimum grade of 50%-60% to avoid sabotaging the scholar’s overall chances at passing the course, thus maintaining an incentive to remain engaged in the classroom.

### **Extra Credit Policy**

The purpose of grading and reporting grades is to provide an accurate reflection of a scholar’s knowledge of the most essential concepts in the stated curriculum. Given this purpose, teachers should not create extra credit activities or assignments. Extra credit assignments tend to be misaligned with the mission of grading by creating grades that are *not* achievement based, spending extra time on an objective that is already adequately tested, or giving assignments that do not cover the essential knowledge and skills. Instead of providing extra credit, teachers should adhere to the reassessment policies outlined in this Guideline and in their Individual Campus Supplement (ICS).

## Grading Scale and Grade Point Scale

The grade scale at Uplift Education campuses is as follows:

Raw Score	Letter Grade	Grade Points (for credit classes only)
97-100	A+	4.0
93-96	A	4.0
90-92	A-	3.7
87-89	B+	3.3
83-86	B	3.0
80-82	B-	2.7
77-79	C+	2.3
73-76	C	2.0
70-72	C-	1.7
69 and Below	F	0

For AP and IB courses, 1 additional grade point will be added to the grade point scale below. For example, a scholar who earns a B in an AP class will be awarded 4 grade points. In order to qualify for the 1 point addition, the course must be represented on a scholar's official transcript as an AP course. Dual Credit and Honors courses are given a weight of 0.5 extra points. Also, please note that all failing grades receive an F. Since anything below a 70 is considered a failure, a D is not included in the scale.

### Academic Dishonesty

Treatment of Academic Dishonesty

If a scholar is suspected of plagiarism or any other form of academic dishonesty, the following procedure will be followed:

- The scholar’s paper, exam, test, quiz, or assignment will be confiscated by the teacher.
- The paper, exam, test, quiz, or assignment will be submitted to an administrator for consideration.
- The scholar will be required to meet with the teacher and a Campus administrator for review of the scholar’s work and, if found in violation of this policy and the Uplift Scholar Code of Conduct, receive appropriate consequences in line with the severity of the offense. These may include:
  - Formal Choice Management Referral write-up
  - Grade reduction on plagiarized work
  - Re-do of plagiarized work
  - Counseling and attendance at Academic Integrity Roundtable with the Dean of Scholars
  - Completion of community service hours
  - Enrollment in academic probation

Severe instances of plagiarism or academic dishonesty may lead to suspension or expulsion.

## **Reassessment Policy**

Across all Uplift campuses, scholars should be given access to reassessment. The intent of this policy is to provide scholars with additional opportunities to demonstrate mastery of the content.

### **Reassessment Expectations**

Scholars that score below mastery (80%) will have the opportunity to take reassessments at all Uplift campuses to improve their grade up to an 80%. Certain assessments may be excluded from the reassessment policy, through a joint decision of the teacher and his/her campus leadership team. The ICS should explain how teachers and campus leadership teams craft communications around assignments that are not eligible for reassessment or use a different reassessment policy. Final exams and Uplift common assessments do not have opportunities for reassessment.

For any given assessment, providing at least one reassessment is required. After that, it is up to the discretion of the teacher and administration.

### **Reassessment Timeline**

Campuses will determine when opportunities exist for scholars to retest. Scholars may be required to attend tutorials, complete test corrections, or perform other tasks prior to retesting, as expressed in the Individual Campus Supplement.



Quarter grades, *including* all reassessment grades, shall be finalized by the deadline for completing grade verification sheets.

### **Test Format**

The reassessment must cover the same material, or objectives, as the original assessment. However, the test or assignment may be in a different format or have new questions. The Individual Campus Supplement contains campus specific guidelines about the test format.

### **Communication to Scholars and Parents**

The reassessment policies in the individual campus supplement should be shared with scholars and parents at the beginning of each school year. Teachers should communicate and plan for the retest within a reasonable time period after the teacher notifies the scholar of a grade eligible for reassessment.

### **Additional Guidelines for Reassessment**

Campuses may determine additional guidelines to further specify the implementation of the reassessment policy.

Approved by Uplift Board - 6/27/2017

## **(H) PARENT GRIEVANCE POLICY**

The Uplift Education (“Uplift”) Board of Trustees (“Board”) has adopted this grievance policy in order to provide parents an opportunity to be heard and in an effort to hear and resolve parent grievances in a timely manner and at the lowest administrative level possible. “Parent” is defined as parent, guardian, a person with legal custody over a scholar, and scholars 18 years of age and older. For purposes of this policy, “grievance” and “complaint” have the same meaning.

Parent grievances shall be filed and addressed in accordance with this policy, except for complaints alleging one or more of the following:

1. Complaints alleging discrimination or harassment based on gender, gender identity, sex, sexual orientation, race, color, religion, national origin, age, disability, or any other basis prohibited by law shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
2. Complaints alleging dating violence shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
3. Complaints concerning retaliation related to discrimination and harassment shall be filed and addressed pursuant to the “Discrimination, Harassment, and Retaliation – Scholar” policy.
4. Complaints concerning expulsion shall be filed and addressed pursuant to the Scholar Code of Conduct.
5. Complaints concerning identification, evaluation, educational placement, or discipline of a scholar with a disability within the scope of the Individuals with Disabilities Education Act shall be submitted in accordance with the procedural safeguards handbook provided to parents of all scholars referred to special education.
6. Complaints concerning identification, evaluation, or educational placement of a scholar with a disability within the scope of Section 504 shall be submitted in accordance with the procedural safeguards handbook.
7. Complaints concerning issues addressed by a specific policy.

### **Informal Process**

Parents are encouraged to discuss their concerns with the appropriate teacher, campus director, or other campus administrator who has the authority to address the concerns. Concerns should be expressed as soon as possible to allow early resolution at the lowest administrative level.

Seeking an informal resolution shall not extend any deadline in this policy with respect to filing a formal grievance, except by written mutual consent.

## **Formal Process**

While informal resolution is encouraged, a parent may initiate the formal grievance process by timely filing a written grievance.

The process described in this policy shall not be construed to create new or additional rights beyond those granted by law or Board policy, nor to require a full evidentiary hearing or “mini-trial” at any level.

A parent whose grievance is resolved informally may withdraw a formal grievance at any time.

## **Freedom from Retaliation**

Neither the Board nor any Uplift employee shall unlawfully retaliate against a parent for bringing a concern or complaint, either informally or formally.

## **Notice to Parents**

All parents shall be given notice of this policy by Uplift. Receipt of the Scholar Handbook constitutes parent notification.

## **Filing**

All written grievances and appeal notices may be filed by hand-delivery, by electronic communication, including email and fax, or by U.S. Mail.

Hand-delivered filings shall be timely filed if received by the appropriate administrator or designee by the close of business on the deadline. Fax or email filings shall be timely filed if they are received on or before the deadline, as indicated by the time/date shown on the fax copy of on the email receipt notice. Mail filings shall be timely filed if they are postmarked by U.S. mail on the deadline and received by the appropriate administrator or designee no more than three business days after the deadline.

## **Days**

“Days” shall mean Uplift business days, unless otherwise noted. The day a document is filed is “day zero.” The following day is “day one.”

## **Representative**

“Representative” means any person or organization designated by the parent to represent the parent in the grievance process. The parent may designate a representative through written notice to Uplift at any level of the process. If the parent designates a representative for the first time before





a scheduled conference, Uplift may reschedule the conference to a later date, if desired, in order to include Uplift's counsel or other representative.

### **Related Grievances**

Grievances arising out of an event or series of related events shall be addressed in one grievance. Parents shall not bring separate or serial grievances arising from any event or series of events that have been or could have been addressed in a previous grievance.

When two or more grievances are sufficiently similar in nature and remedy sought to permit their resolution through one proceeding, Uplift may consolidate the grievances.

### **Untimely Filings**

All time limits shall be strictly followed unless modified by written consent of both parties.

If a written grievance or appeal notice is not timely filed, the grievance may be dismissed, on written notice to the parent. The parent may appeal the dismissal by seeking review in writing within ten business days of the dismissal date, starting at the level at which the grievance was dismissed. Such appeal shall be limited to the issue of timeliness.

### **Expenses Incurred**

Each party shall pay its own expenses incurred in the course of the grievance process.

### **Grievances, Appeal Notices and Submission of Documentation**

Grievances under this policy must be filed in writing.

Copies of any documents that support the grievance should be attached to grievance. If the parent does not have hard copies of the documents, they may be presented at the Level One conference. No documentation may be submitted by a parent after the Level One conference.

A written grievance that is incomplete in any material aspect may be dismissed, but may be re-filed with all the requested information so long as the re-filing is within the designated time for filing a complaint.

### **Scheduling Hearing Conferences**

Uplift shall make reasonable attempts to schedule hearing conferences at a mutually agreeable time with the scholar or parent. If unsuccessful, Uplift will schedule the hearing and notify the parent. If the parent fails to appear at the scheduled conference, Uplift may hold the conference and issue a decision in the parent's absence.

## **Level One**

A written grievance must be filed within 10 business days of the date the parent first knew, or with reasonable diligence should have known, of the decision or action giving rise to the grievance with the appropriate administrator or designee.

The Level One administrator assigned to hear the grievance shall be the campus director for the school which the parent's child attends; however, the CEO reserves the right to appoint another administrator to serve as hearing officer.

The Level One administrator shall hold a conference with the parent within ten business days after the receipt of the grievance form. The parent shall bring copies of any documents the parent requests to be considered to the Level One conference. An audio recording shall be made of the Level One conference.

The Level One administrator shall have ten business days following the conference to issue the parent a written decision. The Level One administrator may attach any relevant documentation to the Level One decision that supports the decision.

## **Level Two**

If the parent did not receive the relief requested at Level One or if the time for a decision has expired, the scholar or parent may file a written appeal to the Managing Director of the School or designee.

The appeal notice must be filed within ten business days after receipt of a decision or, if no decision was received, within ten business days of the Level One decision deadline.

The Level Two administrator assigned to hear the grievance shall be the Managing Director for the school which the parent's child attends; however, the CEO reserves the right to appoint another administrator to serve as hearing officer.

The Level Two administrator shall hold a conference with the parent within ten business days after the receipt of the appeal notice. An audio recording shall be made of the Level Two conference. At the conference, the Level Two administrator shall consider only the issues and documents presented at Level One.

The Level Two administrator shall have ten business days following the conference to issue the parent a written decision. The Level Two administrator may attach any relevant documentation to the Level Two decision that supports such decision.



### **Level 3 – Final Appeal to the Uplift Board of Governors**

If the scholar or parent did not receive the relief requested at Level Two or if the time for a decision has expired, the scholar or parent may file a written appeal to the Board of Governors.

The Board of Governors shall hear grievances at Level Three. The parent will be informed of the date, time, and place of the Board meeting at which the grievance shall be heard. The date, time, and place of the Board meeting shall only be rescheduled if a quorum of the board is not present.

The Board shall consider only those issues and documents presented at the Level One, except that if at the Level Two hearing, the administration intends to rely on documentation not previously submitted, the administration shall provide the parent or scholar with notice of the nature of the documentation at least three business days before the Level Three hearing.

The presiding officer of the Board may set reasonable time limits and guidelines for the presentation, which may be in open or closed meeting as determined by the presiding officer in accordance with the Texas Open Meeting Act and other applicable law.

The Board shall consider the grievance and may give notice of its decision orally or in writing at any time up to and including the next regularly scheduled Board meeting. The Board may attach and relevant documentation to its decision that supports such decision. If for any reason the Board fails to reach a decision regarding the grievance by the end of the next regularly scheduled meeting, the lack of decision by the Board upholds the decision of the Level Two administrator.

The Decision of the Board is Final.



### **(I) UPLIFT CHILD NUTRITION PROGRAM CHARGE POLICY**

Uplift Education wants every scholar to eat a healthy breakfast and lunch each day. We regard it as the responsibility of the parent or guardian to complete the federal lunch application provided by Uplift. The lunch application is used to determine eligibility for Free or Reduced Lunch (FRL). Families that are not eligible for free meals are expected to pay either the reduced cost, or the full cost of the meals provided by Uplift's Child Nutrition Program. Parents may also provide their children with means from home. Instructions for establishing meal accounts are provided by the school.

The following restrictions apply to our Child Nutrition Program as it relates to scholars charging meals to their meal accounts (charging refers to receiving meals on credit):

- If an Uplift scholar's meal account balance has reached zero, the scholar will only be able to charge up to \$10 worth of reimbursable meals (a la carte items such as ice cream, chips, etc. are not reimbursable meals). Once a scholar has reached a negative balance of \$10 or more, that scholar will be served an alternate meal until the negative balance is brought current.
- No a la carte items may ever be charged at any campus, and no a la carte items may be purchased when a scholar has a negative account balance.
- Parents or guardians of scholars with negative balances may work with the leadership of the school to agree to a payment plan on the negative balance and be given up to 60 calendar days to bring the meal account current.
- Applications for a new school year are available annually after July 1<sup>st</sup>; parents will receive multiple reminders to fill out an application during the first 2 weeks of July. Parents are strongly encouraged to fill out applications during the first 2 weeks of July to avoid the possibility of accrued charges on their scholar's meal account.
- Parents who qualify for FRL and fill out the application within the recommended timeframe will be eligible for FRL on the first day of school.
- While parents may fill out an application at any time during the school year, parents that apply after the recommended July timeframe are responsible for the accrued cost of meals until the application has been processed.
- Scholars are not allowed to charge meals during the last 3 weeks of school if they do not have funds in their account.

**This policy was adopted by the Uplift Education Board of Directors on 9/12/15.**