

**Bullying and Retaliation Prohibited.** Uplift Education (“Uplift”) 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.

**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.

**Examples of Bullying.** Bullying may include, but is not limited to, the following:

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

**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.

### **Report of Bullying.**

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.

**Notice of Alleged Bullying.** 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.

### **Investigating a Report of Bullying.**

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.

### **Uplift Action – Bullying Confirmed.**

If an incident of bullying is confirmed, the campus director or designee shall promptly notify the parent or guardian 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.

**Uplift Action – Improper Conduct.** 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

**Reasonable Self-Defense.** 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.

#### **Report to Local Law Enforcement.**

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.

**Counseling Options.** 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.

**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.

**Prevention and 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.