

Freedom from Bullying and Cyberbullying

EKHLA prohibits bullying as defined by this section, as well as retaliation against anyone involved in the complaint process. Bullying means 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 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; or
- Materially and substantially disrupts the educational process or the orderly operation of a classroom or the School; or
- Infringes on the rights of the victim at school.

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.

The school's bullying policy applies to:

- Bullying that occurs on or is 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 students 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 student's educational opportunities; or
 - Substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity.

Reporting Procedures

Any student who believes that he or she has experienced any form of bullying or believes that another student has experienced bullying should immediately report the alleged acts to the Principal or designee, a teacher, counselor, or other school employee. A report may be made orally or in writing, and may be submitted anonymously. Any school employee who receives notice that a student has or may have experienced bullying shall immediately notify the Principal or designee. The Principal or designee will notify the victim, the student who engaged in bullying, and any student witnesses of available counseling options.

The Principal or designee shall provide notice of an incident of alleged bullying to:

- A parent or guardian of the alleged victim on or before the third business day after the date the incident is reported; and
- A parent or guardian of the alleged bully within a reasonable amount of time after the incident.

Investigation of Report

The Principal or designee shall determine whether the allegations in the report, if proven, would constitute prohibited harassment and, if so, proceed under that policy instead. The Principal or designee shall conduct

an appropriate investigation based on the allegations in the report, and shall take prompt interim action calculated to prevent bullying during the course of an investigation, if appropriate.

The Principal or designee shall prepare a written report of the investigation, including a determination of whether bullying occurred. If the results of an investigation indicate that bullying occurred, the school shall promptly respond by taking appropriate disciplinary or corrective action reasonably calculated to address the conduct in accordance with the Student Code of Conduct. EKHLA may take action based on the results of an investigation, even if the school concludes that the conduct did not rise to the level of bullying under this policy.

Discipline for bullying of a student with disabilities shall comply with applicable requirements under federal law, including the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 *et seq.*). EKHLA may not impose discipline on a student who, after an investigation, is found to be a victim of bullying, based on that student's use of reasonable self-defense in response to the bullying.

The Principal, or the Principal's designee, may make a report to the police department of the municipality in which the school is located or, if the school is not in a municipality, the sheriff of the county in which the school is located if, after an investigation is completed, the Principal or designee has reasonable grounds to believe that a student engaged in conduct that constitutes an offense under Section 22.01 (Assault) or 42.07(a)(7) (Harassment), Texas Penal Code.

Confidentiality

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

Appeal

A student or parent who is dissatisfied with the outcome of the investigation may appeal through the EKHLA grievance procedure.