

Uplift Education Board Meeting
 Wednesday, November 6, 2019 at 8:00 a.m.
 Location: Uplift Education Central Management Office – 1st Floor Conference Room
 1825 Market Center Blvd., Dallas, TX, 75207

Called to Order: 8:07 a.m.

Adjourned: 9:19 a.m.

Governors Present:

1. Ryan Moss
2. Richard Frapart
3. Gerardo Fuentes
4. Dawn Mann
5. Cameron Johnson

<i>TOPIC</i>	<i>DISCUSSION/CONCLUSIONS</i>
I. Call to Order	<p>A quorum being present, the meeting was called to order at 8:07 a.m. by R. Moss, Chair. R. Moss explained the purpose of the special meeting was to hear the expulsion appeal of Scholar JD. The family of Scholar JD was not present for the hearing. R. Moss asked Administration to present.</p>
II. Scholar JD Expulsion Appeal	<p>Present for the Appeal:</p> <ol style="list-style-type: none"> 1. A. Berk, Hearing Officer 2. Jordan Pratt, Dean at Mighty High School 3. David Giddens, Attorney for the Board of Governors <p>The Board elected to hear the grievance in OPEN SESSION.</p> <p>Alex Berk introduced himself and stated that because he served as the hearing officer for the expulsion of Scholar JD he was not serving in his capacity of Chief Legal Officer.</p> <p>For background purposes, A. Berk stated that Scholar JD was an 11th grade scholar at Mighty High School and was recommended for expulsion for, as stated in the Student Code of Conduct, “inciting violence against a scholar through bullying.” A. Berk stated that the decision to expel Scholar JD was greatly influenced by his significant discipline history.</p> <p>Alex Berk next discussed what led to the expulsion. According to A. Berk, Scholar JR was in a stall in the boys’ restroom trying to use the restroom when, according to Scholar PN’s witness statement, Scholars JD, JJ, and BC shook the stall, recorded Scholar JR over the walls of the stall, and stole Scholar JR’s backpack.</p> <p>Alex Berk next discussed a written statement from Interventionist Dora Brunson, who witnessed Scholar JR very agitated and that, when she interviewed all the Scholars to determine what happened, Scholars JD, JJ, and BC laughed.</p> <p>Alex Berk next discussed Scholar JR’s witness statement. According to Mr. Berk, Scholar JR says the following in his statement: Scholar JD and the other scholars came into the boys’ restroom, “were playing like usual,” and took his backpack. In a follow-up interview, A. Berk stated that Scholar JR told J. Pratt that when he says “playing like usual” that means “jumping, making funny noises, take my stuff, shaking the stall door.” A. Berk also stated that Scholar JR told J. Pratt that he remembered one of the scholars “probably” recording him, that the physical reaction he had “only happens when I get scared or my fears,” and that if it happened again it would be helpful to have “quiet time, take glasses off, close hoodie over my head, not talk to anyone, drink of water.”</p>

Alex Berk said there is no question the incident was a significant episode of group bullying and that underscoring the severity of it is that the Texas Penal Code creates a state jail felony for recording another person in a bathroom without their permission.

Alex Berk next discussed Scholar JD's disciplinary history. A. Berk stated that this incident was the second episode of bullying Scholar JD had engaged in against Scholar JR. In addition, A. Berk stated this incident of bullying is actually one of two cases of bullying that Scholar JD engaged in on the same day, but made clear that campus administration was still investigating the second allegation of bullying, which was against a different scholar. A. Berk also noted the record included thirteen different incidences of misconduct engaged in by Scholar JD, and that records show Scholar JD had served numerous placements in OSS and ISS.

Alex Berk stated that campus administration understandably found Scholar JD to have violated the Student Code of Conduct for engaging in "extreme bullying" and to have incited violence against a scholar through group bullying, and that such misconduct warranted expulsion under 10.2 of Expellable Offenses. A. Berk stated that campus administration and the Board of Governors have a duty to ensure the health of its scholars, as well as to uphold the Student Code of Conduct, and we ask the Board to uphold the expulsion decision and deny the appeal.

Upon motion to uphold the expulsion of Scholar JD by R. Frapart, and seconded by G. Fuentes, the Board voted unanimously to uphold the expulsion of Scholar J.D.

R. Moss adjourned the hearing at 8:19 a.m.

Present for the Appeal:

1. A. Berk, Attorney for the Board of Governors
2. David Giddens, Attorney for the Administration
3. Wes Kline, Dean at Mighty Middle School
4. Brandon Watts, Hearing Officer
5. William Stubbs, Managing Director of Mighty Middle School
6. Scholar GJ and the family of Scholar GJ

III. Scholar GJ
Expulsion Appeal

The family of Scholar GJ elected the expulsion hearing be heard in CLOSED SESSION. At 8:25 a.m. the Board retired to CLOSED SESSION pursuant to 551.082 of the Texas Government Code. A certified agenda of the closed session was maintained.

At 8:59 a.m. the Board retired to CLOSED SESSION pursuant to 551.071 of the Texas Government Code to consult with its attorney.

At 9:18 a.m. the Board returned to OPEN SESSION. No decision or action was made during CLOSED SESSION. Upon motion to uphold the expulsion of Scholar GJ through the end of the 2019-2020 school year by R. Frapart, and seconded by D. Mann, the Board unanimously voted to uphold the expulsion of Scholar GJ through the end of the 2019-2020 school year.

IV. Adjournment

There being no further action before the Board, the meeting was adjourned at 9:19 a.m. by R. Moss.

Respectfully submitted, Alexander S. Berk, Secretary.