



BELMONT ACADEMY

CODE OF STUDENT CONDUCT 2018-2019

1476 SW Walter Ave
Lake City, FL 32024

Board Approved
March 5, 2018

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INTRODUCTION

The Code of Student Conduct has been prepared to provide consistency in developing standards of student conduct at Belmont Academy.

The Code recognizes that increasing age and maturity which accompany a student's progress through the grades carry increasing expectations of responsibility for one's actions. Variations in age, maturity and disabling condition, when applicable, are recognized in determining disciplinary action. The general procedures described in the Code apply to all students, grades Pre-K through Adult.

The Code is applicable at all times when a student is in school, participating in or is present at any school sponsored activity, is aboard a school bus, is awaiting a school bus at a school stop or is on school board property.

The Code is directed at maintaining a school environment conducive to the learning process. Student conduct is expected to be such that distractions, frictions and disturbances which interfere with the educational opportunity of others shall be eliminated. In keeping with these standards, Belmont Academy maintains that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful for all students and prohibits the unlawful possession, use or distribution of illicit drugs and alcohol by students on school premises or as part of any of its activities.

An environment conducive to the learning process shall be considered as one in which students and school personnel work cooperatively toward mutually accepted goals within a calm, friendly and business-like atmosphere.

Belmont Academy is Zero Tolerant for School Related Violent Crime and Substance Abuse. It is essential that schools be safe and orderly to provide environments that foster learning and high academic achievement. .

Corrective steps shall in all instances be directed toward improving a student's attitude, behavior, and conduct. The basic effort shall not be punitive in nature; informal disciplinary efforts should be exhausted by the teacher before formal efforts are instituted except in major infractions. A student may not be punished for speaking a language other than English.

Informal Disciplinary Efforts May Include:

- Student/Teacher Conferences
- Student/Counselor Conferences
- Student/Principal Conferences
- Student/Parent participation in any or all of the above
- Student Schedule/Program Revisions
- Peer Teacher Placement
- Other

Formal Disciplinary Efforts May Include:

- Student Schedule/Program Revision
- Detention (to include pre-detention parent notification and family transportation responsibility)
- Behavioral probation-exclusion from extra-curricular activities
- Work assignment
- Temporary removal from class or classes
- In-school suspension
- Suspension
- Alternative Programs
- Alternative to Suspension (ATS)
- Permanent Dismissal
- Other

THE PRINCIPAL OR DESIGNEE RESERVES THE RIGHT TO MOVE FROM ANY STAGE OF THE INFORMAL EFFORTS TO ANY STAGE OF THE FORMAL EFFORTS WHEN, IN HIS/HER JUDGMENT, THE SPECIFIC OFFENSE IS OF SUFFICIENT SEVERITY OR THE STUDENT INVOLVED HAS AN EXTENSIVE HISTORY OF MISCONDUCT REPORTS.

This Code of Conduct applies to any student who is:

1. on school property;
2. in attendance at school;
3. at any school sponsored activity; or
4. whose conduct at any other time or place (social media) has a direct and immediate effect on maintaining order and discipline or protecting the safety and welfare of the students or staff in the schools.

RECORD REQUIREMENTS

The principal shall keep records of each referral made for student misconduct. Teachers or bus drivers shall make every effort to correct students. When a teacher's or bus driver's judgment indicates that the assistance of the principal is appropriate, a written chronological summary will be provided to include all efforts made to correct the problem and the results prior to the referral. This summary shall be made a part of the discipline record so that a complete history will be made available to the principal in determining the most appropriate course of action considering the best interests of the student, the faculty and the student body in general.

It shall be considered a matter of routine procedure to involve parents at all stages, except for the most minor incidents, of the disciplinary process. This involvement may be accomplished through telephone contact or written reports which may be carried by the student. The nature of the communications including date and time will become a part of the disciplinary record.

Copies of the written communications and appropriately signed return receipts or certification of date and time of delivery by the attendance or security officer shall become a part of the student conduct record.

STUDENT/PARENT RIGHTS AND RESPONSIBILITIES

A. STUDENT RIGHTS

When student conduct reaches the point of, suspension, or permanent dismissal, the student shall:

1. Be advised of the reason for the punishment.
2. Have an opportunity to present his "side" of the charge.
3. Have an opportunity to submit names of witnesses who may assist in presenting his views.

B. STUDENT RESPONSIBILITIES

1. Attend school/classes daily and be punctual in attendance.
2. Prepare for class with assigned work and appropriate materials.
3. Account for one's own work.
4. Dress in a neat, clean and well-groomed manner.
5. Show respect for and consideration to all individuals and property.
6. Abide by the rules and regulations established.
7. Seek change in an orderly acceptable manner.

C. PARENTS RIGHTS AND RESPONSIBILITIES

Parents may expect to be contacted in all but minor incidents and will be expected to assist the school in correcting the problem. Parents of students who have reached the age of eighteen (18) may expect courtesy contact if the student still resides in the parent's household. This courtesy contact will have no bearing on the case and all specifics will be handled with the adult student directly.

School board policy shall be the final authority in any applicable situation.

D. GRIEVANCE/APPEAL

If a student or his/her parents feel they have a grievance or complaint, they should do the following:

1. Carefully analyze the problem – be sure you have ALL the FACTS.
2. Ascertain that you have a rational attitude about the problem.
3. Seek to resolve the problem with the teacher, if applicable.
4. If unable to resolve with teacher, a hearing by principal or designee is the next step. Following the hearing, the principal shall cancel, modify or affirm the original action.
5. Decision of the principal or designee is final. NOTE: THE IMPLEMENTATION OF DISCIPLINARY ACTION SHALL NOT BE DELAYED BY THE APPEAL PROCESS.

STATUTE REFERENCES

A. Florida Statutes permit a principal to suspend a student immediately, without the necessity of seeking parental assistance or employing other alternative measures, if the student commits a serious breach of conduct. A serious breach of conduct is defined as, but not limited to, willful disobedience, open defiance of authority of a member of the staff, violence against persons or property or any other act that substantially disrupts the conduct of the school.

B. Florida Statutes permit a principal or the designee to search a student's locker, vehicle or other area if there is reasonable suspicion that a prohibited or illegally possessed substance or object is contained within the area. Students may be subject to the use of electronic detecting devices (metal detectors).

C. REASONABLE FORCE

The use of reasonable force is prefaced by the use of good "common sense." Reasonable force is defined as appropriate professional conduct including physical force as necessary to maintain a safe and orderly learning environment. Instructional personnel may use reasonable force to protect themselves or others from injury according to standards

recommended by the Education Standards Commission and the Education Practices Commission and adopted by the State Board of Education, as outlined below:

The use of reasonable force is permitted to protect the student from:

1. conditions harmful to learning,
2. conditions harmful to student's mental health,
3. conditions harmful to student's physical health,
4. conditions harmful to safety, and
5. harm and/or injury to self, school personnel, and others.

Whether or not force is reasonable may be determined using a set of guidelines that would include but not be limited to:

1. severity of offenses,
2. size and physical condition of participants,
3. patterns of behavior,
4. potential danger, physical and other,
5. availability of assistance, and
6. actions taken prior to use of physical force. (F.S. 1006.11)

Reasonable force cannot be excessive or cruel or unusual in nature. Physical force being used should cease upon the restoration of a safe and orderly environment.

D. SUSPENSION/ PERMANENT DISMISSAL FELONY:

1. The principal has the authority to provide for suspension upon the recommendation resulting from an administrative hearing of any student who is formally charged with a felony for an incident which allegedly occurred on other than public school property, but which is shown to have an adverse impact on the educational program, discipline, or welfare in the school in which the student is enrolled.
2. When a student is formally charged with a felony or with... [1006.09]...adult, by a proper prosecuting attorney, the principal shall proceed as prescribed in Section 6A-1.0956 of state board of education regulations.
3. Any student who is suspended as the result of such proceedings may be suspended from all classes of instruction on public school grounds during regular classroom hours for a period of time as determined by the principal. Such suspension shall not affect the delivery of educational services to the student, and the student shall be immediately enrolled in a daytime alternative education program. If the student is not subsequently adjudicated delinquent or found guilty, the suspension shall be terminated immediately. If the student is found guilty of a felony, the shall have the authority to determine if a recommendation for permanent dismissal shall be made to the school board; however, such suspension or permanent dismissal shall not affect the delivery of educational services to the

student in any residential or nonresidential program outside the public school. Any student who is subject to discipline or permanent dismissal for unlawful possession or use of any substance controlled under Chapter 893 shall be entitled to a waiver of the discipline or permanent dismissal:

- a. If the student divulges information leading to the arrest and a finding of guilty by a court of competent jurisdiction or a plea of guilty or a plea of nolo contendere by the person who supplied such controlled substance to him or her, or if he or she voluntarily discloses his or her unlawful possession of such controlled substance prior to his or her arrest. Any information divulged which leads to such arrest and conviction is not admissible in evidence in a subsequent criminal trial against the student divulging such information.
 - b. If the student commits himself or herself, or is referred by the court in lieu of sentence, to a state-licensed drug abuse program and successfully completes the program.
4. The principal or the principal's designee shall make a good faith effort to immediately inform a student's parent by telephone of a student's suspension and the reasons for the suspension. Each suspension shall be reported in writing within 24 hours to the student's parent. A good faith effort shall be made by the principal or the principal's designee to employ parental assistance or other alternative measures prior to suspension, except in the case of emergency or disruptive conditions which require immediate suspension or in the case of a serious breach of conduct as defined by rules of the school board. Such rules shall require oral and written notice to the student of the charges and an explanation of the evidence against him or her prior to the suspension. Each student shall be given an opportunity to present his or her side of the story. No student shall be suspended out-of-school for unexcused tardiness, lateness, absence, or truancy. The principal or the principal's designee may suspend or recommend for permanent dismissal any student transported to or from school at public expense from the privilege of riding on a school bus for violation of school board transportation policies, which shall include a policy regarding behavior at school bus stops, and the principal or the principal's designee shall give notice in writing to the student's parent board chairperson within 24 hours. School personnel shall not be held legally responsible for suspensions of students made in good faith. Any student who is suspended/permanently dismissed from school is not allowed on any school campus/school sponsored activity until after midnight of the last day of the suspension without prior permission of an onsite administrator or designee. Any student who is suspended/permanently dismissed from school shall not be permitted to represent his/her school or attend any school activity such as athletics, band, chorus, student organizations, etc., during the period of suspension whether the activity occurs at Belmont

Academy or outside of Belmont Academy. Any student, who transfers into Belmont Academy with pending disciplinary sanctions or charges, is subject to a continuation of the disciplinary actions before participating in any extra-curricular activities, including athletics.

E. PERMANENT DISMISSAL

The principal may suspend a student from school for a period not to exceed ten (10) days and may recommend that he/she be permanently dismissed from school. The principal shall review the student's records to determine if he/she has a disability and/or participates in an exceptional student education program. If the student is determined to be a student with a disability and/or participates in an exceptional student education program, the principal shall contact the Director of the Exceptional Student Education to assist in the review of the permanent dismissal process. Whenever possible, or if the conditions judiciously permit, the principal shall explain to the student his reasons for the suspension. Where possible, a conference shall be given the student and his/her parent(s) prior to the effective date of the suspension. Where the presence of a disruptive student interferes with the orderly discharge of normal school functions, such student shall be suspended forthwith and the parent(s) or guardian notified as provided herein with an offer of a conference subsequent to the effective date of the suspension. In any case, the principal shall conduct an investigation into the charge and shall obtain written and signed statements from any witness immediately after the incident. A tape recorder or similar recording device may be used with the knowledge of all parties concerned to record any proceedings with a parent(s), guardian or student(s) that might lead to a recommendation for permanent dismissal.

1. Where a student is suspended with a recommendation for permanent dismissal being made, the following procedures shall be observed:
 - a. The suspension letter or notice shall state the reasons for the suspension and the recommendation that the student be permanently dismissed.
 - b. The letter or notice shall be delivered to the parent(s) or guardian of a minor student and directly to the adult student, unless the student is a dependent student of such parents as defined in 26 U.S.C. § 152 by the principal or a member of his staff or sent certified mail with a return receipt. A copy of the suspension notice and recommendation of permanent dismissal shall be sent to the President of the Belmont Academy School Board.
 - c. The School Board President, upon receipt of the notice and, if he concurs in the recommendation for permanent dismissal, shall notify the parent, parents or guardian of the minor student or the adult student by certified mail with a

- return receipt requested, stating that a hearing on the recommendation for permanent dismissal will be held at a specified time and place to hear the charges before the Belmont Academy School Board. The parent(s) or guardian of the student and the student shall be fully advised of the right to appear before the Belmont Academy School Board. The principal and any witness shall also be informed as to the time and place of the hearing.
- d. Any student whose permanent dismissal is being considered shall be accorded due process of law prior to the permanent dismissal and during any such hearings. This shall include:
 - (i) A written copy of the charges against the student shall be provided to the student and his/her parent(s) or guardian.
 - (ii) The offer of a hearing at which the student may call witnesses and present evidence in his own behalf.
 - (iii) The right to cross-examine witnesses.
 - (iv) The right to defend his action or conduct.
 - (v) Legal counsel at his own expense or other person to assist the student in presenting his defense.
 - (vi) A written copy of the findings of fact and recommended order of the Belmont Academy School Board.
 2. The final decision for permanent dismissal of a student shall be made by the Belmont Academy School Board. The parent(s) or guardian of the student shall be notified by certified mail of the action taken by the School Board.
 3. Where the principal suspends a student and recommends his/her permanent dismissal, the Belmont Academy CEO may extend the suspension assigned by the principal beyond ten (10) days, if such suspension period will expire before the regular or special meeting of the Belmont Academy School Board.
 - a. Where such extension of a suspension is made by the Belmont Academy CEO, he shall notify the parent(s) or guardian in writing prior to the expiration of the suspension assigned by the principal. Such notice shall state the period of time for which the additional suspension is made.
 - b. A copy of the notice of the additional suspension shall be sent to the principal.
 4. For a student who is identified as disabled and/or participating in an exceptional student education program, the principal is responsible for taking appropriate action consistent with the Belmont Academy School Board policies and the Exceptional Student Education guidelines.

F. INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES

Any student who is convicted of a felony, or adjudicated to have committed a delinquent act which would have been a felony had the student been an adult, must satisfy a probationary period prior to participating in any extra-curricular activities. The probationary period shall be twelve (12) months, unless the student demonstrates rehabilitation during the initial six (6) months. A student may demonstrate rehabilitation by having:

1. No unexcused absences;
2. No founded disciplinary referrals;
3. No arrests by any law enforcement agency;
4. Completed all court ordered probationary tasks, community hours, restitution, etc.

G. ESTABLISHING A CLUB/ORGANIZATION

The establishment of a student/club organization must meet the following requirements:

1. Have a minimum of five (5) students – minimum may be waived by principal for curriculum based organizations:
2. Be sponsored by a full time faculty or staff member
3. Meet outside the regular instructional day
4. Have the approval of the principal for establishment and subsequent meetings and activities including fundraising
5. Student leadership of the club/organization must be in good standing in academics and behavior as evidenced by:
 - a. A minimum of a 2.0 GPA;
 - b. No more than two (2) Level 2 discipline referrals – current semester;
 - c. No Level 3 discipline referrals – current or previous semester
6. Deadline for establishing an organization must be approved annually by the principal.

Special Note: A student may be removed by the club sponsor or principal if grades, conduct or attendance becomes unsatisfactory.

CLASSIFICATIONS OF VIOLATIONS

Violations of the Code are grouped into three classes - minor, intermediate and major. Each classification is followed by a disciplinary procedure which is to be implemented by the principal and/or designees. In the following classes of violations and disciplinary procedures it is understood that the principal or the principal's designee shall hear the student's explanation and consult further with school personnel, if necessary, before determining the classification of the violation. Each classroom teacher will deal with general classroom disruption by taking in-class disciplinary action, by making a personal call to the parents or guardians when feasible, and by scheduling conferences with parent(s) or guardian and other school staff. Only when the action taken by the teacher is ineffective, or the disruption is sufficiently severe, should the student be referred to the principal or his designee. Failure to bring notebook, pencil, books, required materials and equipment to class or to work in class is not cause for disciplinary referrals. The classroom teacher should have made an attempt to notify the parent of academic problems and after the teacher's efforts have not brought about change, the student should be referred to the guidance counselor. However, if classroom disruption results from the student refusing to work in class, this is cause for a disciplinary referral.

A. Class I - Minor Offenses

1. Distraction of another student - Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any other similar grouping for instruction.
2. Illegal organization - Any participation in prohibited or secret societies.
3. Tardiness - Reporting late to school or class. (Continued tardies - more than four - become a Class II).
4. Inappropriate public display of affection.
5. Selling of items (candy, etc.) at school for any outside organization or for personal gain.
6. Dress code violation.
7. Food or drink violation.

Disciplinary Actions for Class I Offenses

Elementary Students:

First Offense: In-school conference and parental contact when warranted.

Second Offense: Parental contact, disciplinary action.

Subsequent Offenses: Parental contact, disciplinary actions as follows: in-school disciplinary actions, such as probation, detention, work assignments before or after school. Suspension may be administered at the discretion of the principal or designee.

Secondary Students:

The principal has the discretion to recommend any of the following actions depending on the severity of the incident.

Parental contact and/or disciplinary action as follows: in-school disciplinary actions, such as probation, detention, work assignments before or after school. In-school suspension and/or driving suspension may be administered at the discretion of the principal or designee.

B. Class II - Intermediate Offenses

1. Students shall not be permitted to be in possession of and/or use of tobacco products, imitation tobacco products or facsimiles while on Belmont Academy property or at a school sponsored activity. There shall be no use or possession of any tobacco products, tobacco pipes, imitation tobacco products or facsimiles on school buses, in gymnasiums, classrooms, lunchrooms or any other school facility of Belmont Academy or the Columbia County School District. It is unlawful for any person under 18 years of age to purchase, possess, sell or use tobacco products.

First Offense:

- Notification of parent/guardian;
- Completion of tobacco education program;
- In-school suspension;
- Ticket administered by sanctioned law enforcement entity resulting in financial obligation of \$25 and/or 16 hours of community service.

Second Offense:

- Notification of parent/guardian with mandatory conference between student, administrator and parent or guardian;
- Suspension;
- Completion of tobacco education program;
- Ticket Administered by sanctioned law enforcement entity resulting in financial obligation of \$25 and/or 16 hours of community service.

Each Subsequent Offense:

- Notification of parent/guardian with mandatory conference between student, administrator and parent/guardian;
- Suspension;
- Completion of tobacco education program;
- Ticket administered by sanctioned law enforcement entity resulting in financial obligation of \$25 and/or 16 hours of community service.

A person under 18 can have their driver license suspended, revoked, or withheld if they fail to comply with any of the provisions above or have three (3) violations in a twelve (12) week period per Florida Statute 569.11. Students 18 years of age and older must comply with these provisions while on Belmont Academy or Columbia County School District grounds, buses or participating in school related activities.

2. Assault, threat, harassment, or intimidation of students - The intentional, unlawful threat by word, act, or electronically to do violence to another student, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in a person that such violence is imminent.
3. Hitting or any physical conflict between two or more individuals.
4. Vandalism - Intentional and deliberate action resulting in injury or damages of less than \$200 to public property or the real estate or personal property of another.
5. Stealing/Larceny/Petit Theft - The intentional unlawful taking and/or carrying away of property valued at less than \$100 belonging to or in the lawful possession or custody of another.
6. Trespassing - Willfully entering or remaining in any structure, conveyance, or property without being authorized, licensed, or invited; or having been authorized, licensed, or invited, is warned by an authorized person to depart and refuses to do so. Violators are subject to being turned over to the police.
7. Gross inappropriate public display of affection.
8. Use of profane or obscene language.
9. Possession of objects or materials (including electronic messages) with profane or obscene language or use of profane or obscene language (including electronic messages).
10. Leaving school grounds without permission.
11. False Information - Intentionally providing false information to a Belmont Academy employee including giving false student information data and concealment of information directly relating to school business. This includes forgery of school notes, readmit slips, tardy slips, excuse blanks, report cards, hall passes, field trip forms, scholarship warnings, use of another student's identification number, notes from parents or guardian or any other related material.
12. Wireless Communications
 - a. A student may be in possession of a wireless communications device, while the student is on school property or in attendance at school or at a school function provided, should be stored in a locker back pack. Students may use their phone after 3:15. Use in a criminal act will result in criminal penalties (Section 1006.07, Florida Statutes).
 - b. Use of personal wireless communication devices at any time in any school situation where a reasonable expectation of

- personal privacy exists (i.e., locker rooms, shower facilities, restrooms) is prohibited.
- c. Use of personal wireless communications to capture/record/store/send/or transmit the spoken word or visual image (i.e., audio, video, text or photographs) of any person, including other students or staff members without express prior notice and explicit, written consent is prohibited.
 - d. In addition to other Level II consequences, a first offense may result in confiscation of the device which may be released only to the parent/guardian. A second subsequent offense or a serious first-time violation (such as school disruption, etc.) will move the event to Level III.
13. Students shall not be permitted to be in possession of and/or use laser pointers while on school board property, including school bus, or at a school sponsored activity unless given specific direction by teacher or faculty member to use a school owned laser pointer.
 14. Gambling - Any participation in games of chance for money and/or other things of value.
 15. Unauthorized absence from class.
 16. Insubordinate nonconformity to dress code.
 17. Possession of materials or items which promotes or sensationalizes the use of drugs, alcohol, sex, racism, beer, tobacco, including tattoos, body paintings, jewelry or any other related material with suggestive phrases or are against community values and standards, including electronic messages.
 18. Possession of matches, lighters, or any other items capable of starting a fire.
 19. Hazing - There shall be no type of hazing in any club, organization, athletic activity or extracurricular activity within the school. The principal shall see that the provision of the rule is strictly enforced (Columbia County School Board Policy 5.16 (d.)).
 20. Excessive Distraction of other student - Any conduct and/or behavior which is disruptive to the orderly educational process in the classroom or any other similar grouping for instruction which cannot be corrected by appropriate classroom management.
 21. On and off campus use of social networking and/or electronic devices causing a disruption to the school day.

Disciplinary Actions for Class II Offenses

Elementary Students:

First and Second Offense:	Parental contact and/or disciplinary action. In-school suspension may be included.
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Subsequent Offense:	Special detention time; extended work assignments before or after school; suspension, in or out of school, for 1 to 5 school days.
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Secondary Students:

The principal has the discretion to recommend any of the following actions pending the severity of the incident.

- Suspension for 1 to 10 days;
- In-school suspension;
- Parental/principal disciplinary conference;
- Detention;
- Non-attendance at school functions while on suspension for any reason.
- Permanent Dismissal

C. CLASS III - Major Offenses

1. ALCOHOL AND DRUGS:

The use and unlawful possession/use of illegal drugs and alcohol are severe violations. You may not possess, sell, transfer, distribute or use:

- any alcoholic beverage,
 - any controlled drugs,
 - hallucinogens,
 - facsimile, or
 - similar substances on school property, including buses, and at school-sponsored activities, except medications specifically prescribed by a licensed physician.
- a. Violation of this prohibition is a serious breach of conduct. The school will notify law enforcement officials and parent(s) or guardian(s).
 - b. If a student possesses, uses, or is under the influence of any item listed above, except under the direction of a licensed physician, you will be suspended from school for a period of ten (10) days for the first offense and the principal may recommend that you be permanently dismissed. For a second offense, you will be suspended for ten (10) days and the principal will recommend permanent dismissal. The principal may consider the student's record in other schools and school districts.
 - c. If a student sells any item or is charged by law enforcement with intent to sell any item listed above (or that represents to be any item listed above), they will be suspended from school for ten (10) days for the first offense and the principal will recommend that they be permanently dismissed. . If they solicit a sale or transfer or distribute, other than selling, any item listed above (or that they represent to be any item listed above), they will be suspended from school for (10) days and the principal may recommend that they be permanently dismissed. For a second transfer or distribution offense, they

- will be suspended for ten (10) days and the principal will recommend that you be permanently dismissed.
- d. Students may not use any legal substance to attain a mood-altering effect and may not possess any equipment or device for preparing or taking drugs.
 - e. If a student is found to be guilty of a felony under Chapter 893, Florida Statutes, they may be recommended for permanent dismissal.
 - f. A student may be entitled to a waiver of discipline or permanent dismissal if they divulge information leading to the arrest and conviction of the person who supplied such controlled substance or if they voluntarily disclose the unlawful possession of such controlled substance prior to their arrest. A waiver of permanent dismissal successfully completes a state-licensed drug abuse treatment program. [F.S. 1006.09]
 - g. If a student is charged with any drug or alcohol offense, they will be referred to a Belmont Academy School Board approved counseling program and may be granted a reduction in consequence if they satisfactorily participate in and complete such program, i.e., family counseling, substance abuse awareness, etc. Failure to complete such program will result in the reinstatement of the original consequence. If a student has a doctor's orders to take prescription medicine at school, it is important to first notify the school principal/designee so that they know the proper procedures to follow.

For students with disabilities, the mandatory penalties provided by this policy shall be subject to the procedures for discipline of students with disabilities.

2. ASSAULT AND BATTERY OF SCHOOL BOARD EMPLOYEE PROHIBITED:

Any student who assaults an employee of the School Board shall be subject to suspension or dismissal from school. When a student assaults or batters an employee of the School Board the following procedure will be observed. When the principal, upon investigation, determines that assault or battery has occurred, the incident shall be reported to the appropriate law enforcement agency, and to the School Board through the Belmont Academy CEO. Immediate disciplinary action shall be administered as follows:

- a. Assault or Battery
 Grades K-5 - Disciplinary action as determined by the principal.
 Grades 6-12 - Mandatory suspension for 1 to 10 days (length of suspension decided on a discretionary basis with the principal) and/or recommendation for permanent dismissal by the principal.
- b. Aggravated Assault or Aggravated Battery
 Mandatory ten (10) days of suspension and/or permanent dismissal. If a recommendation for permanent dismissal is made by the principal, the suspension shall be extended by the CEO until adoption of final order by the Board on the recommendation. Any hearing which may result in the permanent dismissal of a student shall provide for the due process.

In the application of this rule, assault and battery shall be defined as follows:

- 1) Assault - "An 'assault' is an intentional, unlawful threat by word or act to do violence to the person of another, coupled with an apparent ability to do so, and doing some act which creates a well-founded fear in such other person that such violence is imminent."
- 2) Aggravated Assault - "An 'aggravated assault' is an assault:
 - (a) With a deadly weapon without intent to kill; or
 - (b) With an intent to commit a felony."
- 3) Battery - "A person commits battery if the person:
 - (a) Actually and intentionally touches or strikes another person against the will of the other; or
 - (b) Intentionally causes bodily harm to an individual."
- 4) Aggravated Battery - "A person commits aggravated battery who in committing battery:
 - (a) Intentionally or knowingly causes great bodily harm, permanent disability, or permanent disfigurement;
 - (b) uses a deadly weapon; or
 - (c) a person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant."

- 3. ARSON
 The willful and malicious burning of any part of a building or its contents.

4. **ROBBERY**
The taking of money or other property which may be the subject of larceny from the person or custody of another by force, violence, assault, or putting in fear of same.
5. **STEALING - LARCENY – GRAND THEFT**
The intentional unlawful taking and/or carrying away of property belonging to or in the lawful possession or custody of another. Property valued less than \$100 is a Misdemeanor. Property valued at \$100 or more is grand theft.
6. **BURGLARY OF SCHOOL PROPERTY**
Breaking, entering or remaining in a structure or conveyance without justification during the hours the premises are closed to the public.
7. **CRIMINAL MISCHIEF**
Willful and malicious injury or damages at or in excess of \$200 to public property, or to real or personal property belonging to another.
8. **WEAPONS:**
Possession of weapons and use of weapons are prohibited on school board property, including buses, at school-sponsored activities, and in any vehicle brought onto school property or to a school sponsored activity. Violation of this policy shall be considered a serious breach of conduct. The term “weapon” shall include all items or materials which have no legitimate educational purpose for the student at school and shall include but not be limited to, firearms, explosives, knives, box cutters, razor blades, razors or facsimile, or any pointed, sharp or blunt instrument and such items that closely resemble weapons and operate similarly, such as pellet guns, BB guns and starter pistols.

If a student makes a threat involving a weapon he/she shall be referred to the Columbia County Sheriff’s Office for investigation. This action will be in addition to disciplinary action taken by the school.

FIREARMS:

In compliance with the Guns Free School Act of 1994, a student who brings a firearm to school shall receive an expulsion for at least one full calendar year. A student discharging, possessing, transferring, or selling any firearm, (including a starter gun) whether operable or inoperable, loaded or unloaded, or is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame, the receiver or firearm silencer, or any similar destructive device will be recommended for expulsion. State law provides for felony charges against persons displaying or discharging firearms on a school campus.

EXPLOSIVES:

In compliance with Guns Free School Act of 1994, a student who brings any explosive, incendiary or poison gas such as a bomb, grenade, rocket having a propellant charge of more than four ounces; missile having an explosive or incendiary charge of more than one-quarter ounce; mine, or similar device shall receive an expulsion for at least one full calendar year.

The possession of and/or igniting of fireworks and/or firecrackers by any student is prohibited.

The possession of and/or use of pepper gas, mace, chemical weapon or similar device by any student is prohibited.

OTHER WEAPONS:

The possession of and/or igniting of fireworks and/or firecrackers by any student is prohibited.

The possession of and/or use of pepper gas, mace, chemical weapon or similar device by any student is prohibited.

A student using, possessing, selling, distributing, displaying or transferring a weapon or facsimile of any type other than a firearm/explosive, shall be suspended from school for up to ten (10) days, or the principal or his designee may recommend expulsion.

NON-WEAPONS USED AS WEAPONS:

A student using any article or substance not normally considered to be a weapon (e.g. rocks, pens, pencils, etc.) as a weapon shall be suspended for up to ten days, or the principal may recommend expulsion.

Under (Other Weapons/Non-Weapons) above, at the elementary school level (PreK-5 only), the principal may exercise discretion concerning recommendation for expulsion based on the grade level of the child involved in an incident. Principals may use discipline or alternative behavior management measures.

For students with disabilities, the mandatory penalties provided by this policy shall be subject to the Procedures for Expulsion of Students with Disabilities.

9. All Threats - Any such communication(s) directed at School Board employees or students which has the effect of interrupting the educational environment, including electronic messages, on or off campus.
10. Possession of objects or materials (including electronic messages) with obscene manifestations (verbal, written, gesture) or use of obscene manifestations (including electronic messages), (verbal, written, gesture) toward another person.

11. Accessing or possession of lewd or pornographic material (including electronic messages.)
12. Sexual Acts - Act of sexual nature, written or verbal propositions to engage in sexual acts.
13. Directing obscene or profane language to a Belmont Academy employee.
14. Battery Upon Students/Fighting - Actually and intentionally touching or striking another student against the will of the other, or intentionally causing bodily harm to an individual.
15. Sexual Battery - Actually and intentionally touching of a person in a sexual nature against the will of another.
16. Aggravated Battery - Intentionally or knowingly causing great bodily harm, disability or permanent disfigurement; use of a deadly weapon. A person commits aggravated battery if the person who was the victim of the battery was pregnant at the time of the offense and the offender knew or should have known that the victim was pregnant (784.045, F.S.)
17. Aggravated Assault - assault with a deadly weapon without intent to kill or with an intent to commit a felony.
18. Inciting or Participating in Major Student Disorder - Leading, encouraging or assisting in (major) disruptions which result in destruction or damage of private or public property or personal injury to participants or others.
19. Unjustified activation of a fire alarm system.
20. Possession of stolen property with the knowledge that it is stolen.
21. Threats/Extortion - Any communication, oral, written or electronic, maliciously threatening an injury or death to another, with or without the intent to extort money or any pecuniary advantage whatsoever; or with or without intent to compel the person so threatened, or any other person, to do any act or refrain from doing any act against his or her will.
22. Forging a Doctor's Note.
23. Any other offense which is reasonably likely to cause great bodily harm or to seriously disrupt the educational process.
24. Defiance or disrespect of School Board employee's authority - Any verbal or non-verbal refusal to comply with a lawful and reasonable direction or order of a School Board employee or conduct that is rude or discourteous.
25. Gang Activity - Belmont Academy students, while on the school campus or participating in a school activity, shall not join, form, participate in, or become a member of a gang or secret society or any group not sanctioned by the Belmont Academy School Board that functions in a manner similar to a gang. Indicators of gang activity include, but are not limited to the following:
 - a. Unauthorized gathering of suspected gang members.
 - b. Wearing or possessing gang identification of any kind.
 - c. Wearing clothing or colors in a manner designed to show gang membership.

- d. Displaying hand signals or other non-verbal signs for the purpose of showing gang membership.
- e. Writing or displaying items showing gang insignias.
- f. Distributing or possessing gang related literature.
- g. Displaying physical characteristics or expressing verbal comments, phrases or words reflecting gang membership. The school administrator or administrator's designee will make the final decision concerning whether or not an incident is gang related in any way and proceed accordingly. On the first offense, a student will receive a ten day suspension with a recommendation for permanent dismissal if the severity of the incident so warrants. For the second offense, the student will receive a mandatory ten day suspension and mandatory recommendation for permanent dismissal.

Students, school personnel and parents will be notified and informed about the Belmont Academy School Board policy concerning gang activity.

26. Bullying and Harassment (See appendix A)

It is the policy of Belmont Academy that all of its students have an educational setting that is safe, secure and free from harassment and bullying of any kind. The school will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.

Belmont Academy upholds that bullying or harassment of any student is prohibited:

- a. During any education program or activity conducted by a public K- 12 educational institution or;
- b. During any school-related or school-sponsored program or activity;
- c. On a school bus of a public K-12 educational institution;
- d. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of a public K- 12 education institution within the scope of the School District, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
- e. Through the use of data or computer software that is accessed at a non-school related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the school, if the bullying substantially interferes with or limits the victim's

ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school related activity, function, or programs

Definitions of bullying include cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students or employees. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

- a. Teasing;
- b. Social Exclusion;
- c. Threat;
- d. Intimidation;
- e. Stalking;
- f. Physical violence;
- g. Theft;
- h. Sexual, religious, or racial harassment;
- i. Public or private humiliation; or
- j. Destruction of property.

The term *bullying* shall include cyberbullying whether or not specifically stated.

Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student or school employee that

- a. Places a student or school employee in reasonable fear of harm to his/her person or damage to his/her property;
- b. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
- c. Has the effect of substantially disrupting the orderly operation of a school.

Bullying and harassment also encompass retaliation against a student or school employee by another student or school employee for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.

Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by:

- a. Incitement or coercion;
- b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.

Cyber-stalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

Disciplinary Actions for Class III Offenses

Elementary and Secondary Students:

The principal has the discretion to recommend any of the following actions depending on the severity of the incident.

Suspension for 1 to 10 days;

Permanent Dismissal;

Parental/principal disciplinary conference;

Non-attendance at school functions while on suspension_for any reason.

RIDING THE BUS IS A PRIVILEGE. DO NOT ABUSE IT.

Parents or guardians may not board a Belmont Academy School Bus or form of transport at any time without the prior written permission of the Principal or his/her designee.

BUS MISCONDUCT

Florida Statute 316.6145 (2) requires that “Each passenger on a school bus that is equipped with safety belts or restraint systems shall wear a properly adjusted and fastened safety belt at all times while the bus is in operation...” The law requires the proper usage of the safety belt; therefore the student must be seated in a seat with an operable belt, adjusted and fastened.

Nothing in this section shall make the owner or operator of a school bus liable for injuries for failure to properly adjust or fasten a seat belt or other child restraint system that is in conformity with applicable federal standards when a passenger sustains injury as a result of the passenger’s failure to be seated and belted or restrained.

Any disruptions of the bus conduct standards or failure to follow directions of driver exactly, may result in disciplinary action.

Video/Audio Surveillance: Warning! Your activity on school buses is subjected to monitoring/recording at any time.

A. Instructions for Student Riding Buses

THE DRIVER IS IN FULL CHARGE OF THE BUS AND STUDENTS. STUDENTS MUST OBEY DRIVER AND FOLLOW DIRECTIONS THE FIRST TIME THEY ARE GIVEN.

1. Observe the proper rules of conduct while waiting for the bus, stay off the road and private property other than that on which the stop is established.
2. Stand off the roadway on the loading side while awaiting the bus in the morning.
3. Be on time; the bus cannot wait for those who are tardy.
4. Follow proper procedures for getting on and getting off the bus.
5. Remain in your seat at all times; facing forward with your legs and feet in front.
6. Use courteous and appropriate language. No cursing, swearing, or loud talking on the bus or at the bus stop. Do not use rude gestures or tease anyone.
7. Do not eat or drink on the bus.

8. Keep the bus clean. Do not spit or throw anything in or out of the bus. Do not mark on or damage the bus in any way. Do not touch or bother anything that belongs to others.
9. Keep all parts of your body inside the bus and to yourself at all times.
10. Do not bring toys, games, animals (dead or alive), weapons or glass containers on the bus.
11. Do not trip others on the bus. Do not push, shove or fight on the bus or at the bus stop.
12. No possession or use of drugs, alcohol or tobacco products on the bus or at the bus stop.
13. Be absolutely quiet at all railroad crossings.
14. Do not tamper with the emergency door.
15. The driver has the right to assign students to a seat.
16. Wireless communications devices must not be visible, in use, or turned on while a student is on a school bus; however, while on a school-sponsored activity and under the supervision of a school official or chaperone, a student may use a wireless communications device.

When leaving the bus in the afternoon, if you must cross the road, walk in front of the bus. Wait for the driver's signal before crossing.

B. Responsibilities of Parents

The parent or guardian of the transported students shall have the following responsibilities:

1. To require the student to be at the bus stop and on the loading side in the morning on time in accordance with the bus schedule.
2. To provide the necessary protection for the student in going to and from the bus stop where adequate shelter is not provided.
3. To assume joint responsibility with school authorities for the proper conduct of the student.
4. To make a reasonable effort to understand the transportation rules and to cooperate with school personnel responsible for student transportation.
5. Any parent or guardian of a special education student shall have the following additional responsibilities:
 - a. To provide the necessary assistance to the child while he is en route to and from the bus stop and to provide the necessary supervision of the child at the bus stops.
 - b. To provide instructions in writing to the bus driver as to any special symptoms the child may have or non-medical care which the child may need while on the bus.
 - c. A parent, guardian or adult designee may meet the student at the bus stop for afternoon drop off.

C. Offense Categories

Bus misconduct will be placed in three categories. Example of the types of misconduct by categories, are given. Examples of punishment for each type of misconduct are listed. All referrals are to be based upon the driver's personal knowledge and observation. The principal shall have the discretion to move any misconduct from one category to another.

Category One Offenses

MISCONDUCT

Loud talking on bus; eating on the bus; offenses peculiar to the age level; wireless_communications device violation; carrying unauthorized items on the bus; chewing gum; unnecessary conversation with the bus driver, similar type misconduct as those listed, and any other offense deemed Category One by the Administration.

CONSEQUENCES

Conference with student; contact parent; warnings; note in file; bus suspension; similar type consequences as those listed, and any other offense deemed Category One by the Administration.

Category Two Offenses

MISCONDUCT

Throwing items out of the bus; standing up; multiple referrals; fighting; vulgar speech and actions, continued vulgar and abusive language; disrespect toward school personnel; disrespect toward other students; disrespect of property of school board and/or property of other people; use and/or possession of tobacco products or facsimiles; talking at a railroad crossing; violation of seat belt policy; wireless communications device violation; similar type misconduct as those listed, and any other offense deemed Category Two by Administration. Improper exiting of the bus.

CONSEQUENCES:

Bus suspension; school suspension; conference with student, parent, and bus driver; payment for damages to school board property; and similar type consequences as those listed.

Category Three Offenses

MISCONDUCT:

Multiple offenses; possession of drugs and alcohol; possession of weapons; fighting; willful endangering the safety of students and personnel; similar type misconduct as those listed; and other offense deemed Category Three by the Administration.

CONSEQUENCES:

Bus suspension of ten days; recommendation to School Board for bus suspension/permanent dismissal of more than ten days, school suspension, and similar type consequences as those listed.

ALL RULES ARE ENFORCED FOR THE SAFETY AND WELL-BEING OF STUDENTS. ALL VIOLATIONS OF RULES ARE CONSIDERED SERIOUS SINCE SUCH VIOLATIONS ENDANGER EACH PERSON RIDING THE BUS OR WHILE WAITING FOR THE BUS.

DRESS CODE

Please refer to the Belmont Academy Dress Code for dress code specifics. Information regarding consequences for not adhering to the dress code is below.

Adherence to appropriate dress and other codes of student conduct is a prerequisite for a student to be eligible to participate in interscholastic extracurricular student activities.

Any student who violates the dress policy is subject to the following disciplinary actions/interventions:

1. For a first offense, a student shall be given a verbal warning and the school principal (or designee) shall call the student's parent or guardian.
2. For a second offense, the student is ineligible to participate in any extracurricular activity for a period of time from one (1) to five (5) days and the school principal shall meet with the student's parent or guardian.
3. For a third or subsequent offense, a student shall receive an in-school suspension for one (1) to three (3) days pursuant to s. 1003.01(5). The student is ineligible to participate in any extracurricular activity for a period of six (6) to thirty (30) days, and the school principal shall call the student's parent or guardian and send the parent or guardian a written letter regarding the student's in-school suspension and ineligibility to participate in extracurricular activities.

NOTE: The school administrators will make the final decision on the appropriateness of clothing, jewelry, tattoos, or body piercing worn to school or anything else which does not reflect community values and standards or causes disruption to the educational process or becomes a health hazard to self or others.

DISCIPLINARY ACTIONS

Violation of the dress code will result in disciplinary action in accordance with penalties set forth in the Code of Student conduct for Class I Offenses.

Repeated violation will move the offense to Class II and subject the student to disciplinary action prescribed for these classifications.

ADDITIONAL INFORMATION

A. Sexting

A student commits the offense of sexting if he or she knowingly: Uses a computer, or any other device capable of electronic data transmission or distribution, to transmit or distribute to another minor any photograph or video of any person which depicts nudity, as defined in s. [847.001\(9\)](#), and is harmful to minors, as defined in s. [847.001\(6\)](#) or possesses a photograph or video of any person that was transmitted or distributed by another minor which depicts nudity, as defined in s. [847.001\(9\)](#), and is harmful to minors, as defined in s. [847.001\(6\)](#).

B. Confiscated items

Teachers and administrators will not be responsible for any items that are confiscated from students. Confiscated items may be retained at the school site for a period of time to be determined by the school administration for multiple offenses.

C. Containers

All containers brought to campus are subject to be checked, confiscated, and/or destroyed.

D. Internet Policy

1. General Policy and Guidelines

- a. Inappropriate use of the Internet by students may result in school disciplinary action and/or cancellation of user privileges.
- b. Inappropriate use of the Internet by school employee may result in disciplinary action and/or cancellation of user privileges.

2. Use of Internet, Wide Area Network, Local Area Networks, Computers and Related Technology

- a. All use of a network must be in connection with education and research and be consistent with the educational purposes of the Belmont Academy
- b. Students and staff shall not use the school's computer network to solicit sales or conduct business (e.g., by posting an advertisement to a news group). Students shall not set up web pages for any reason without prior approval by a school administrator.
- c. Any use of a network for private or personal gain is prohibited.
- d. Any use of a network for product advertisement or political lobbying is prohibited.
- e. Users shall not intentionally seek information or obtain copies of data or passwords or modify files belonging to other users, or misrepresent other users on a network,

identifications and passwords are confidential. If users give their identification or password to others, they may lose their right to use the system. Examples of identifying information include student's last name, home address and phone number. Students may be identified by their first names.

- f. Students and staff should have no expectation of privacy or confidentiality in the content of electronic communications or other computer files sent and received on the school computer network's system operator, or other designated school board employee, may, at any time, review the subject, content and appropriateness of electronic communications or other computer files, and remove them if warranted, reporting any violation of rules to the school administration or law enforcement officials.
- g. Use of a network shall not disrupt other users on the network.
- h. Neither hardware nor software shall be destroyed, modified or abused in any way.
- i. Malicious use of a network to develop programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
- j. Hate mail, harassment, discriminatory remarks, profanity, obscenity or language which is offensive to another user or other antisocial behaviors are prohibited on the network.
- k. Use of a network to access or process pornographic materials, inappropriate text files or files dangerous to the integrity of the local area network and/or the wide area network is prohibited.
- l. The illegal installation of copyrighted software for use on any school computer is prohibited. Copyrighted material is anything written by someone else. It could be an e-mail message, a game, a story, an encyclopedic entry or software.
- m. Students and staff shall not copy and forward, copy and download, or copy and upload to the network or Internet server any copyrighted material, without approval by a school or district administrator.
- n. The user shall maintain the integrity of the school's electronic mail system. The user is responsible to report all violations. The user is also responsible for making sure all e-mails sent by him or her do not contain pornographic material, inappropriate information, or text-encoded files that are potentially dangerous to the integrity of the local area network or the Internet. Materials received which contains pornographic material, inappropriate information or text-encoded files that are dangerous to the integrity of the local

- area network or the Internet should be reported to a teacher or an administrator immediately.
- o. Students and staff shall not infiltrate, or “hack,” outside computing systems or networks. Examples: the release of viruses, worms or other programs that damage or otherwise harm an outside computing system or network. Students and staff shall not disrupt a system or interfere with another’s ability to use that system (e.g., by sending “e-mail bombs” that cause a disk to fill up, a network to bog down or a software application to crash) nor shall students or staff do any of these things to the Belmont Academy computer system.
 - p. Student access to the network or the Internet will be monitored by a staff member.
 - q. Students and staff shall not access any type of instant messaging system via the school’s equipment or network.
 - r. Students shall not access the network or Internet for e-mail or chat except while closely supervised by a staff member as part of an educational activity.
 - s. Any violation of the use of the Internet shall be reported to the assigned teacher or the assigned principal or administrator.
3. **User Responsibility and Security**
Other forms of misconduct arising from, or connected with, the use of the Internet, local area or wide area networks may result in suspension and/or revocation of the offender’s privilege of network access.
 4. **Disciplinary Action for Violation of Policy**
Failure to adhere to these guidelines will result in disciplinary action. Disciplinary action for students will be Class I, II or III offenses. The severity of the violation will dictate the action of the principal.

E. Student Records and Directory Information

Students’ parent(s) defined by Florida Statutes shall be notified annually in the Code of Student Conduct that the Belmont Academy School Board may release “directory information” to the general public.

1. Directory information includes the following data about a student:
 - a. Name;
 - b. Address;
 - c. Telephone number, if listed;
 - d. Participation in officially recognized activities and sports;
 - e. Weight and height, if an athletic team member;
 - f. Name of the most recent previous school or program attended;
 - g. Dates of attendance at schools in the District and degrees and honors received; and,
 - h. Date and place of birth.

2. Information described in subsections 1. a., d., e., f., and g. herein may be published routinely by the School Board in conjunction with press releases about school activities, honor roll announcements, athletic events, and other school-related activities.
3. Directory information requested in writing by educational organizations, school officials, or other agencies identified in Florida Statutes, may be released. Written parental consent is required before the release of personal information for all other persons and agencies not listed in Florida Statutes.
4. Directory information shall not be published when the student's parent(s) submits written notification to the principal within ten (10) days of distribution of the Code of Student Conduct. Failure to advise the student's principal shall be deemed a waiver of any right to preclude release of such directory information pursuant to Florida Statutes or federal laws.

NOTICE OF LIMITED SUPERVISORY TIMES

THIS SCHOOL WILL PROVIDE SUPERVISION TO ITS STUDENTS:

DURING THE TIME HE OR SHE IS ATTENDING SCHOOLS;

AND

**DURING THE TIME THE STUDENT IS ON THE SCHOOL PREMISES
PARTICIPATING WITH AUTHORIZATION IN A SCHOOL-SPONSORED ACTIVITY;**

AND

**DURING A REASONABLE TIME (30 MINUTES) BEFORE AND AFTER A STUDENT
IS ON THE PREMISES FOR ATTENDANCE AT SCHOOL OR FOR AUTHORIZED
PARTICIPATION IN A SCHOOL-SPONSORED ACTIVITY.**

STUDENTS AND PARENTS SHOULD NOT RELY ON ADDITIONAL SUPERVISION.

Appendix A: BULLYING AND HARRASSMENT

I. Statement Prohibiting Bullying and Harassment

- A. It is the policy of Belmont Academy Charter School that all of its students have an educational setting that is safe, secure and free from harassment and bullying of any kind. Belmont Academy will not tolerate bullying and harassment of any type. Conduct that constitutes bullying and harassment, as defined herein, is prohibited.
- B. Belmont Academy upholds that bullying or harassment of any student is prohibited
 - 1. During any education program or activity conducted by Belmont Academy;
 - 2. During any school-related or school-sponsored program or activity;
 - 3. Involving any Belmont Academy school related transportation;
 - 4. Through the use of data or computer software that is accessed through a computer, computer system, or computer network of Belmont Academy, meaning regardless of ownership, any computer, computer system, computer network that is physically located on school property or at a school-related or school-sponsored program or activity; or
 - 5. Through the use of data or computer software that is accessed at a non- school related location, activity, function, or program or through the use of technology or an electronic device that is not owned, leased, or used by the school, if the bullying substantially interferes with or limits the victim's ability to participate in or benefit from the services, activities, or opportunities offered by a school or substantially disrupts the education process or orderly operation of a school. School staff is not required to monitor any non-school related activity, function, or program.

II. Definitions

- A. Bullying includes cyberbullying and means systematically and chronically inflicting physical hurt or psychological distress on one or more students. It is further defined as unwanted and repeated written, verbal, or physical behavior, including any threatening, insulting, or dehumanizing gesture, by a student or adult, that is severe or pervasive enough to create an intimidating, hostile, or offensive educational environment; cause discomfort or humiliation; or unreasonably interfere with the individual's school performance or participation; and may involve but is not limited to:

1. Teasing;
2. Social Exclusion;
3. Threat;
4. Intimidation;
5. Stalking;
6. Physical violence;
7. Theft;
8. Sexual, religious, or racial harassment;
9. Public or private humiliation; or
10. Destruction of property.

The term bullying shall include cyberbullying whether or not specifically stated.

- B. Cyberbullying means bullying through the use of technology or any electronic communication, which includes, but is not limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic system, photo-electronic system, or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyberbullying includes the creation of a webpage or weblog in which the creator assumes the identity of another person, or the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyberbullying also includes the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.
- C. Harassment means any threatening, insulting or dehumanizing gesture, use of data or computer software, or written, verbal or physical conduct directed against a student that
1. Places a student in reasonable fear of harm to his/her person or damage to his/her property;
 2. Has the effect of substantially interfering with a student's educational performance, opportunities, or benefits; or
 3. Has the effect of substantially disrupting the orderly operation of a school.

- D. Bullying and harassment also encompass
1. Retaliation against a student by another student for asserting or alleging an act of bullying or harassment. Reporting an act of bullying or harassment that is not made in good faith is considered retaliation.
 2. Perpetuation of conduct listed in the definition of bullying or harassment by an individual or group with intent to demean, dehumanize, embarrass, or cause emotional or physical harm to a student or school employee by
 - a. Incitement or coercion;
 - b. Accessing or knowingly and willingly causing or providing access to data or computer software through a computer, computer system, or computer network within the scope of the District school system;
 - c. Acting in a manner that has an effect substantially similar to the effect of bullying or harassment.
- E. Cyberstalking as defined in s. 784.048(1)(d), F.S., means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

III. Behavior Standards

- A. Belmont Academy expects students to conduct themselves as appropriate for their levels of development, maturity, and demonstrated capabilities with a proper regard for the rights and welfare of other students and school staff, the educational purpose underlying all school activities, and the care of school facilities and equipment.
- B. Belmont Academy believes that because students learn by example, school administrators, faculty, staff, and volunteers will demonstrate appropriate behavior; treat others with civility and respect, and refuse to tolerate bullying or harassment.
- C. Students are expected to conform to reasonable standards of socially acceptable behavior; respect the person, property, and rights of others;

IV. Consequences

- A. Committing an act of bullying or harassment
 - 1. Concluding whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances. The physical location or time of access of a computer-related incident cannot be raised as a defense in any disciplinary action.
 - 2. Consequences and appropriate remedial action for students who commit acts of bullying or harassment may range from positive behavioral interventions up to and including suspension or permanent dismissal, as outlined in the Code of Student Conduct.
 - 3. Consequences and appropriate remedial action for a visitor or volunteer, found to have committed an act of bullying or harassment, shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.
- B. Wrongful and intentional accusation of an act of bullying or harassment
 - 1. Consequences and appropriate remedial action for a student, found to have wrongfully and intentionally accused another as a means of bullying or harassment, range from positive behavioral interventions up to and including suspension or permanent dismissal, as outlined in the Code of Student Conduct.
 - 2. Consequences and appropriate remedial action for a visitor or volunteer, found to have wrongfully and intentionally accused another as a means of bullying or harassment shall be determined by the school administrator after consideration of the nature and circumstances of the act, including reports to appropriate law enforcement officials.

V. Reporting an Act of Bullying or Harassment

- A. The principal or the principal's designee shall be responsible for receiving complaints alleging violations of this policy.
- B. All school employees are required to report alleged violations of this policy to the principal or the principal's designee.
- C. All other members of the school community, including students, parents/legal guardians, volunteers, and visitors are encouraged to report any act that may be a violation of this policy anonymously or in person to the principal or principal's designee.

- D. Belmont Academy shall establish and prominently publicize to students, staff, volunteers, and parents/legal guardians, how a report of bullying or harassment may be filed either in person or anonymously and how this report will be acted upon.
- E. The victim of bullying or harassment, anyone who witnessed the bullying or harassment, and anyone who has credible information that an act of bullying or harassment has taken place may file a report of bullying or harassment.
- F. A school employee, school volunteer, student, parent/legal guardian or other person who promptly reports in good faith an act of bullying or harassment to the appropriate school official and who makes this report in compliance with the procedures set forth in this policy is immune from a cause of action for damages arising out of the reporting itself.
- G. Submission of a good faith complaint or report of bullying or harassment will not affect the complainant or reporter's future grades, or learning environment.
- H. Any written or oral reporting of an act of bullying or harassment shall be considered an official means of reporting such act(s).
- I. Reports may be made anonymously, but formal disciplinary action may not be based solely on the basis of an anonymous report.

VI. Investigation of a Report of Bullying or Harassment

- A. The investigation of a reported act of bullying or harassment is deemed to be a school-related activity and shall begin with a report of such an act.
- B. Documented interviews of the victim, alleged perpetrator, and witnesses shall be conducted privately, separately, and shall be confidential. Each individual (victim, alleged perpetrator, and witnesses) will be interviewed separately and at no time will the alleged perpetrator and victim be interviewed together.
- C. The investigator shall collect and evaluate the facts including but not limited to
 - 1. Description of incident(s) including nature of the behavior;
 - 2. Context in which the alleged incident(s) occurred;
 - 3. How often the conduct occurred;
 - 4. Whether there were past incidents or past continuing patterns of behavior;
 - 5. The relationship between the parties involved;

6. The characteristics of parties involved, i.e., grade, age;
 7. The identity and number of individuals who participated in bullying or harassing behavior;
 8. Where the alleged incident(s) occurred;
 9. Whether the conduct adversely affected the student's education or educational environment;
 10. Whether the alleged victim felt or perceived an imbalance of power as a result of the reported incident; and
 11. The date, time, and method in which the parents/legal guardians of all parties involved were contacted.
- D. Whether a particular action or incident constitutes a violation of this policy shall require a determination based on all the facts and surrounding circumstances and shall include
1. Recommended remedial steps necessary to stop the bullying and/or harassing behavior; and
 2. A written final report to or by the principal.
- E. The maximum of ten (10) school days shall be the limit for the initial filing of incidents and completion of the investigative procedural steps.
- F. The highest level of confidentiality possible will be upheld regarding the submission of a complaint or a report of bullying and/or harassment and the investigative procedures that follow.

VII. Investigation to Determine Whether a Reported Act of Bullying or Harassment is Within the Scope of Belmont Academy

- A. The Belmont Academy Principal will make a determination if the reported act of bullying is within the scope of the school.
1. If it is within the scope of the school a thorough investigation shall be conducted.
 2. If it is outside the scope of the school and determined a criminal act, the principal shall refer the incident(s) to appropriate law enforcement.
 3. If it is outside the scope of the school and determined not a criminal act, the principal or designee shall inform the parents/legal guardians of all students involved.

VIII. Notification to Parents/Guardians of Incidents of Bullying or Harassment

- A. Immediate notification to the parents/legal guardians of a victim of bullying or harassment.
 - 1. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated.
 - 2. If the bullying incident results in the perpetrator being charged with a crime, the principal, or designee, shall by telephone or in writing by first class mail, inform the parents/legal guardian of the victim(s) involved in the bullying incident about the Unsafe School Choice Option (No Child Left Behind, Title IX, Part E, Subpart 2, Section 9532) that states “. . .a student who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school.”
- B. Immediate notification to the parents/legal guardians of the perpetrator of an act bullying or harassment. The principal, or designee, shall promptly report via telephone, personal conference, and/or in writing, the occurrence of any incident of bullying or harassment as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident(s) has been initiated.
- C. Notification to local agencies where criminal charges may be pursued. Once the investigation has been completed and it has been determined that criminal charges may be pursued against the perpetrator, appropriate local law enforcement will be notified by telephone and/or in writing

IX. Referral of Victims and Perpetrators of Bullying or Harassment for Counseling

When bullying or harassment is suspected or when a bullying incident is reported, counseling services shall be made available to the victim(s), perpetrator(s), and parents/guardians.

- A. The teacher or parent/legal guardian may request informal consultation with school staff, to determine the severity of concern and appropriate steps to address the concern. The teacher may request that the involved student's parents or legal guardian are included.
- B. School personnel or the parent/legal guardian may refer a student to the school, the Principal, or their designee for the consideration of appropriate services.
- C. If a formal discipline report or formal complaint is made, the Principal or their designee must consider the impact on the child and refer the child for appropriate services, if necessary. Parent or legal guardian involvement shall be required.
- D. In appropriate cases, the School may contract with third party providers to offer mental health counseling to victims of bullying.

X. Reporting Incidents of Bullying and Harassment

- A. Incidents of bullying or harassment shall be recorded in the school's report of data as required under s.1006.09(6), F.S. The report shall include each incident of bullying or harassment and the resulting consequences, including discipline and referrals. Cyberbullying incidents shall be included within the bullying incidents category. The report shall also include each reported incident of bullying or harassment that did not meet the criteria of a prohibited act under this section with recommendations regarding such incident
- B. If the bullying or harassment results in any of the following incidents, the incident will be coded appropriately using the relevant code. Such incidents are:
 - a. Alcohol;
 - b. Arson;
 - c. Battery;
 - d. Breaking and Entering;
 - e. Disruption on Campus
 - f. Drug Sale/Distribution Excluding Alcohol;
 - g. Drug Use/Possession Excluding Alcohol;
 - h. Major Fighting;
 - i. Homicide;
 - j. Kidnapping;

- k. Larceny/Theft;
- l. Robbery;
- m. Sexual Battery;
- n. Sexual Harassment;
- o. Sexual Offenses;
- p. Threat/Intimidation;
- q. Trespassing;
- r. Tobacco;
- s. Vandalism;
- t. Weapons Possession;
- u. Other Major Incidents.

- C. Belmont Academy shall comply with reporting requirements regarding discipline and referral data to its district sponsor and/or the Florida Department of Education as required.
- D. Data reporting on bullying, harassment, unsubstantiated bullying, unsubstantiated harassment, sexual harassment, and threat/intimidation incidents as well as any bullying-related incidents that have as a basis sex, race, or disability shall include the incident basis. Victims of these offenses shall also have the incident basis (sex, race, or disability) noted in their student records.

XI. Instruction on Identifying, Preventing, and Responding to Bullying or Harassment

- A. Belmont Academy shall sustain a healthy, positive, and safe learning environment for all students. It is committed to maintain a social climate and social norms in all schools that prohibit bullying and harassment. This requires the efforts of everyone in the school environment – teachers; administrators; counselors; school nurses; other nonteaching staff such as bus drivers, custodians, cafeteria workers; school librarians; parents/legal guardians; and students.
- B. Students, parents/legal guardians, teachers, school administrators, counseling staff, and school volunteers shall be given instruction at a minimum on an annual basis on the school's policy and regulations against bullying and harassment. The instruction shall include evidence-based methods of preventing bullying and harassment as well as how to effectively identify and respond to bullying in schools.

XII. Reporting to a Victim's Parents/Legal Guardians the Actions Taken to Protect the Victim

The principal or designee shall by telephone and/or in writing report the occurrence of any incident of bullying as defined by this policy to the parent or legal guardian of all students involved on the same day an investigation of the incident has been initiated. According to the level of infraction, parents/legal guardians will be notified by telephone and/or writing of actions being taken to protect the child; the frequency of notification will depend on the seriousness of the bullying or harassment incident. Notification must be consistent with the student privacy rights under the applicable provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA).

XIII. Publicizing the Policy

- A. At the beginning of each school year, the Principal or designee shall, in writing, inform school staff, parents/legal guardians, or other persons responsible for the welfare of a student of the school's student safety and violence prevention policy.
- B. Belmont Academy shall provide notice to students and staff of this policy through appropriate references in the *Code of Student Conduct* and employee handbooks and through other reasonable means.
- C. The Principal shall also make all contractors contracting with Belmont Academy aware of this policy.
- D. The principal shall develop an annual process for discussing the school's policy on bullying and harassment with students.
- E. Reminders of the policy and bullying prevention messages such as posters and signs will be displayed on school property.