

LEVEL IV OFFENSES

4A - Alcohol \*

4B - Arson \*

4C - Threat/Intimidation \*

4D - Aggravatd Battery \*

4E - Threats to the School \*

4F - Drug Use/Possession \*

4H - Weapons Possession \*

4I - Disruption on Campus - Major \*

4J - Grand Theft (\$750 or over) \*

4K - Other Dangerous Objects

4L - Repeated Misconduct of a More Serious Nature

4M - Robbery \*

4N - Sexual Battery \*

4O - Sexual Harassment \*

4P - Sexual Offenses \*

4Q - Violation of Early Re-entry Plan

4S - Criminal Mischief (\$1000 or over) \*

4T - Other Major \*

4U - Drug Sale/Distribution, Excluding Alcohol \*

4V - Bullying \*

4X - Hazing \*

4Y - Simple Battery \*

4Z - Sexual Assault \*

4AA - Electronic Device Violation

4CC - Burglary \*

4DD - Homicide \*

4EE - Kidnapping \*

4FF - Tobacco/Vaping/Nicotine Selling/Buying/Distribution \*

4GG - Igniting

4JJ Trespassing \*

\*Must Report to Law Enforcement

VISION

To ensure every student has a promising and successful future

MISSION

With the support of families and the community, we create enriching and diverse pathways to lead our students to success

WE VALUE

Equity  
Integrity  
Inclusion  
Collaboration  
Respect  
Innovation

SCHOOL BOARD

Teresa Jacobs  
School Board Chair

Angie Gallo  
Vice-Chair, District 1

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District 2

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District 3

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District 4

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District 5

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District 6

Melissa Byrd  
District 7

Maria F. Vazquez, Ed.D.  
Superintendent



Orange County  
Public Schools

OCPS EEO Non-Discrimination Statement

The School Board of Orange County, Florida, does not discriminate in admission or access to, or treatment or employment in its programs and activities, on the basis of race, color, religion, age, sex, national origin, marital status, disability, genetic information, sexual orientation, gender identity or expression, or any other reason prohibited by law.

The following individuals at the Ronald Blocker Educational Leadership Center, 445 West Amelia Street, Orlando, Florida 32801, attend to compliance matters: Equal Employment Opportunity (EEO) Officer & Title IX Coordinator: Keshara Cowans; ADA Coordinator: Jay Cardinali; Section 504 Coordinator: Tajuana Lee-Wenze. (407.317.3200)

LEVEL IV  
PROCEDURES

Quick Reference Guide  
2023 -2024



SCAN HERE  
for the complete  
23-24 Student  
Code of Conduct



Orange County  
Public Schools

LEVEL IV PROCEDURES

- Step 1:** The principal/designee must inform the student of the reason(s) for consideration of expulsion.
- Step 2:** The student shall be given the opportunity to present his or her side of the matter either verbally or in writing and must have the opportunity to offer witnesses to the incident.
- Step 3:** The principal or designee shall make a determination in writing as to whether the evidence supports the offense. If so, the principal/designee determines the appropriate discipline response according to the Code. The student shall be informed of the Level IV offense. If the principal/designee determines that there are sufficient grounds for expulsion, then the principal/designee shall inform the student that he or she is being suspended from school for ten (10) days and a recommendation that the student be expelled is being considered.
- Step 4:** The principal/designee shall report in writing to the student's parent/guardian and the district that the student has been suspended for ten (10) days and a recommendation that the student be expelled from school is being considered. The report shall be mailed or delivery initiated within 24 hours of the start of the initial ten (10) day suspension or on the next regular school day. Reasonable effort shall be made to contact the parent/guardian prior to the start of the suspension. If the parent/guardian cannot be reached prior to the start of the suspension, the principal/designee may determine that the suspension will start without the prior contact with the parent/guardian.
- Step 5:** The student and parent/guardian have a right to request a conference with the principal/designee to review the Level IV offense. All such requests must be made within three (3) school days of the first notification of suspension that the parent/guardian receives.
- Step 6:** After the discipline investigation is complete, the parent/guardian may request a copy of all documentary evidence upon which the proposed expulsion is based; however, if available and used as evidence for disciplinary purposes, video evidence may only be reviewed, a copy will not be provided.
- Step 7:** The area administrator shall convene a Discipline Team Meeting (DTM) as soon as possible. The OCPS employees present at the DTM shall include the area administrator, principal/designee and other appropriate personnel, including, but not limited to, a counselor, school psychologist, administrative dean, or Positive Pathways Transition Center staff. The school will also request that the parent/guardian and student attend the DTM. The purpose of the DTM is to:
1. Review all documentary evidence upon which the proposed expulsion is based;
  2. Ensure the student received due process during the investigation;
  3. Provide the student and parent/guardian the opportunity to present new information and/or explain the student's involvement; and
  4. Determine whether a referral will be made to an alternative program/school or expulsion.
- Step 8:** No later than one (1) school day prior to the DTM, parents/guardian/students must notify the school principal/designee of all parties that will attend the DTM on behalf of the student. The parent/guardian/student may elect to bring parties to the DTM of their choosing. If the parent/guardian retains legal counsel the Office of Legal Services must be notified prior to the DTM at (407) 317-3411.
- Step 9:**If the decision is made by the area administrator to verify the Level IV and the consequence is a full exclusion, without continuing educational services, the Superintendent may invoke Section 1006.08, Florida Statutes, and either extend the student's suspension or temporarily

- administratively place a student in an alternative setting pending the final decision of expulsion from the Board.
- If a decision is made by the area administrator to verify the Level IV and the consequence is an alternative placement, Section 1006.08, Florida Statutes, will be invoked and the student will be administratively placed at the alternative school within Orange County. It is important to note, once the student is withdrawn from their home school the only OCPS school the student may attend is the school designated by the area administrator at the DTM, however, the parent/guardian may instead elect to enroll their child in home school, or Florida Virtual School, private school, or another county, if permissible.
- Step 10:** If the decision is made by the area administrator to verify the Level IV and the parent/guardian believes the student is entitled to further procedural safeguards or would like to dispute documentary evidence upon which the proposed expulsion is based, the parent/guardian may request an administrative hearing by providing notice of such request to the applicable area administrator or designee. Failure of the parent/guardian to request an administrative hearing from the applicable area administrator or his/her designee within fourteen (14) days after the Discipline Team meeting shall be deemed a waiver of any challenge to the procedures utilized by the Discipline Team in making its decision. Administrative hearings shall be granted or denied within fifteen (15) days from the time they are requested unless an extension is agreed upon in writing. The area administrator and the principal/designee may attend the administrative hearing. The parent/guardian shall notify the applicable area administrator of all parties attending the administrative hearing on behalf of the student no later than three (3) school days prior to the administrative hearing. If the parent/guardian retains legal counsel the Office of Legal Services must be notified prior to the Administrative Hearing at (407) 317-3411..
- If the student is recommended for a full exclusion without educational services, the administrative hearing will be governed by the provisions in Sections 120.569 and 120.57(2), Florida Statutes.
- Step 11:** The Administrative Hearing Officer will either recommend to uphold the DTM decision or recommend to overturn the decision based on the specific facts and charges upon which the proposed consequence is based. Both the principal/designee and the parent/guardian shall have the right, but not obligation, to submit a recommended order to the Administrative Hearing Officer containing proposed findings of facts and conclusions of law. The Administrative Hearing Officer may, in his/her discretion, use a proposed order submitted by either the principal/designee or the parent/guardian; provided however, the Administrative Officer may reject both proposed orders and issue his/her own order.
- Step 12:** If the recommendation of the Administrative Hearing Officer is to uphold the Level IV, the student/parent/guardian may request a meeting with Executive Director (Discipline) to discuss the recommendation of the area administrator and Administrative Hearing Officer. The Executive Director (Discipline) will review the documentary evidence and procedural safeguards and provide a recommendation to the Superintendent for review.
- For Level IV consequences of alternative placement or participation in continuing education services:**The Superintendent shall then review the Executive Director's (Discipline) recommendation and shall have the authority to take whatever action he/she deems appropriate (which may include a lesser discipline consequence). The decision of the Superintendent shall be final and binding.
- For Level IV consequences that result in an expulsion as defined in Section 1003.01(6), Florida Statutes:** The Superintendent shall then review the Executive Director (Discipline) recommendation and shall have the authority to recommend to the Board that the student be expelled or take whatever action he/she deems appropriate. The Superintendent shall notify the

parent/guardian and the principal/ designee prior to the Board meeting at which the Board will consider his/her recommendation.

**Steps 13 and 14 only apply for Level IV consequences that result in an expulsion as defined in Section 1003.01(6), Florida Statutes.**

**Step 13:** The parent/guardian/student shall have the right to appear before the Board. Factual evidence, which was not properly presented either at the DTM or the Administrative Hearing may not be presented to the Board. The parent/guardian/student is limited to challenging whether the facts as found at the DTM may appropriately lead to the consequence under the Code. The School Board may reject the hearing officer's findings of fact only if it determines that there is no competent substantial evidence to support the findings of fact. The School Board may reject the conclusions of law only if it determines that Board Policy JIC, Code of Student Conduct, was misinterpreted or applied incorrectly. The School Board may reduce or increase the penalty only upon a review of the complete record and must state with particularity its reasons by citing to the record to justify the action.

**Step 14:** For full exclusions brought before the School Board, the School Board will execute a Final Order memorializing the discipline consequence.

**LEVEL IV: CONSEQUENCES**  
Students will receive school consequences and district consequences for all Level IV offenses.

**SCHOOL CONSEQUENCES**

1. Parent/guardian contact mandatory\*
2. Counseling and direction\*
3. Up to a 10 day suspension with a recommendation for expulsion (mandatory)\*
4. Refer to the District for a Discipline Team Meeting\*
5. Temporary or permanent removal from participation in extracurricular/co-curricular programs or activities, e.g., to include, but not limited to, senior graduation
6. Restorative Practice
7. Schedule change
8. Supervision plan
9. No contact contract
10. SAFE/Guidance referral

**DISTRICT CONSEQUENCES**

1. Expulsion from the school district
2. Assignment to an alternative school
3. Referral to an intervention program
4. Bus expulsion
5. Referral to mental health services

*\*Mandatory Consequences*