

SFDR - CISD

Discipline Manual



2023 - 2024

DISCIPLINE MANUAL RECEIPT

Please fill out and return to:

Felisha Gomez

peimsdataquality@sldr-cisd.org

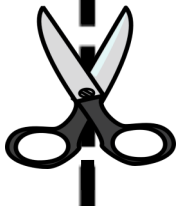
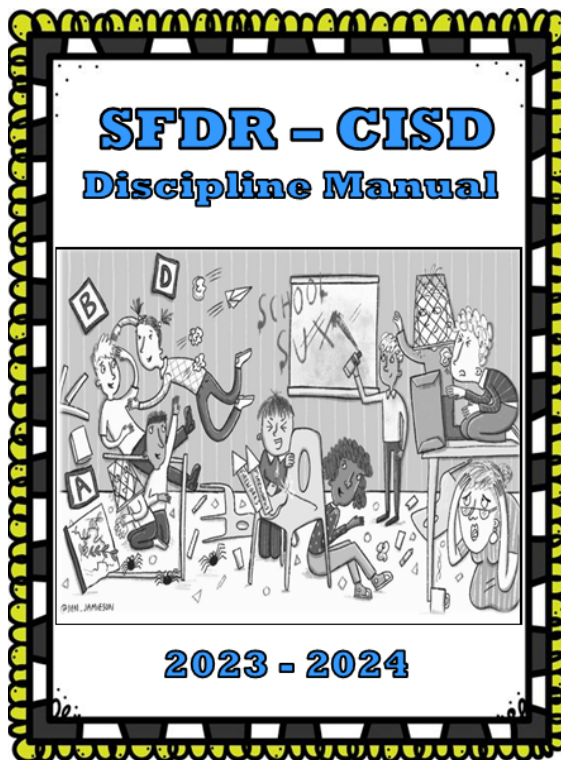
Annex III, Building 1

PEIMS Data Quality, Compliance and Accountability

Print _____

Sign _____

Date _____



1	Attendance & Discipline Entry Planner/PEIMS Reporting Requirements
2	Disciplinary Action Reason (<u>Offense</u>) Code Table
3	<u>Mitigating Factors</u> Code Table
4	Disciplinary <u>Action</u> Code Table
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6	PEIMS: Questions and Answers
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11	Chapter 37 Discipline Chart
12	2024 Discipline Training PowerPoint



Campus Attendance and Discipline Entry Planner 2023 - 2024

Campus	Responsible for completing data entry for the reported six weeks in accordance with the dates found under <u>column 4</u>	Please continue to input missing and incomplete data for internal auditing purposes.
PEIMS Data Quality	Responsible for generating discipline reports from Skyward and submitting data to the appropriate CIO	

Six Weeks	Begins	Ends	<u>CAMPUS REPORTED DATA ENTERED BY 4:00 P.M.</u>	School Board Meeting*
1	Monday, August 14, 2023	Friday, September 22, 2023	<i>Tuesday, September 26, 2023</i>	Monday, October 16, 2023
2	Monday, September 25, 2023	Friday, November 3, 2023	<i>Tuesday, November 7, 2023</i>	Monday, November 27, 2023
3	Monday, November 6, 2023	Friday, December 22, 2023	<i>Tuesday, January 9, 2024</i>	Monday, January 22, 2024
4	Tuesday, January 9, 2024	Friday, February 23, 2024	<i>Tuesday, February 14, 2023</i>	Monday, March 18, 2024
5	Monday, February 26, 2024	Friday, April 19, 2024	<i>Tuesday, April 23, 2024</i>	Monday, May, 20 2024
6	Monday, April 22, 2024	Friday, May 30, 2024	<i>Tuesday, June 4, 2024</i>	Monday, June 17, 2024

*Dates subject to change

Discipline Reporting Requirements*

Under TEC 37.008(m-1), failure to report all disciplinary removal actions as required by state and federal law may result in a review by the commissioner of education and notice to the local school board of any problems noted in the district's data, or a violation of a law or other rule. This review may also result in a notification to the county attorney, district attorney, criminal district attorney, as appropriate, and the attorney general. This provision can apply to missing, inaccurate, and/or falsified information/data.

For purposes of discipline data reported to TEA, the **attendance/ PEIMS data personnel** are only responsible for entering information that has been provided to them by the Superintendent or their designee(s) who are responsible for applying the Student Code of Conduct to student behavior. **In no case should attendance/PEIMS data personnel be responsible for determining a student's coding information for discipline actions taken.**

Reporting Requirements

Discipline records are reported at the end of the current school year, and are a part of Submission 3.

Discipline record data is required by TEC, Chapter 37, P.L. 114-95 - Every Student Succeeds Act (ESSA), and IDEA 2004, which includes students who are receiving special education and related services. TEA will maintain the privacy of this personally identifiable information in accordance with FERPA.

*A PEIMS discipline record **must** be reported for each disciplinary action that results in a removal of a student from any part of their regular academic program as required by TEC, Section 37. 020. A single student will have multiple discipline records if removed from his classroom more than once.*

Refer to the Data submission>Technical Resources>PEIMS Discipline Data guidance for additional information related to discipline reporting that includes detailed definitions of DISCIPLINARY-ACTION-CODES and DISCIPLINARY-ACTION-REASON-CODES.

*2023-2024 TSDS Web-Enabled Data Standards - Data Components-Complex Types - StudentDisciplineIncidentAssociationExtension

*2023-2024 TSDS Web-Enabled Data Standards - Data Submission - Technical Resources - PEIMS Discipline Data - Questions and Answers

2023 - 2024

Disciplinary Action Reason Codes¹

(PEIMS OFFENSE CODES)

Location Code	Offense Code	Short Description	Long Description	PEIMS Description
01	01	PERM REMOVAL	PERMANENT REMOVAL BY TEACHER	Permanent removal by a teacher from class
01, 02, 03, 04, 05	02	CONDUCT FELONY	CONDUCT PUNISHABLE AS FELONY	Engages in Conduct Punishable as a Felony
01, 02, 03	04	MARI/CONT SUBST	MARIHUANA/CONTROLLED SUBSTANCE	Marihuana or Controlled Substance or Dangerous Drug
01, 02, 03	05	ALCOHOL	ALCOHOL USE/SELL/GIVE/DELIVER	Alcohol
01, 02, 03	06	VOLATILE CHEM	VOLATILE CHEMICAL ABUSE	Abuse of a Volatile Chemical
01, 02, 03	07	PUB LEWDNESS	PUBLIC LEWDNESS/INDECENT EXPOS	Public Lewdness/Indecent Exposure
01, 02, 03, 04	08	RETALIATION EMP	RETALIATION SCHOOL EMPLOYEE	Retaliation against School Employee
04	09	O/C FELNY 5	OFF CAMPUS- TITLE 5 FELONY	Title 5 Felony Committed Off Campus
04	10	O/C FELNY NOT 5	OFF CAMPUS- NON TITLE 5 FELONY	Non-Title 5 Felony Committed Off Campus
01, 02, 03, 05	11*	FIREARM	FIREARM OBTAIN/USE/EXHIBIT	Firearm
01, 02, 03, 05	12*	ILLEGAL KNIFE	ILLEG. KNIFE BLADE LONGER 5.5"	Location Restricted Knife
01, 02, 03, 05	14*	PROHIB WEAPON	PROHIBITED WEAPON	Prohibited Weapon
01, 02, 03, 05	16*	ARSON	ARSON- START FIRE, EXPLOSION	Arson
01, 02, 03, 05	17*	MURDER	MURDER- CAP./CRIM. ATPT/COMMIT	Murder, Capital Murder, or Criminal Attempt to Commit Murder/Capital Murder
01, 02, 03, 05	18*	INDEC W/CHILD	INDECENCY W/ CHILD YOUNGER 17	Indecency with a Child
01, 02, 03, 05	19*	AGRVATED KIDNAP	AGGRAVATED KIDNAPPING	Aggravated Kidnapping
00	21	CONDUCT CODE	VIOLATION STUDENT CODE CONDUCT	Violation of Student Code of Conduct
00	22	CRIM MISCHIEF	CRIMINAL MISCHIEF	Criminal Mischief
00	23	EMERG PLACEMENT	EMERGENCY PLACEMENT/EXPULSION	Emergency Placement/Expulsion
01, 02, 03, 04, 05	26	TERRORISTIC THR	TERRORISTIC THREAT	Terroristic Threat
01, 02, 03	27	ASL TO EMPLOYEE	ASSAULT- TO EMPLOYEE	Assault of School Staff
01, 02, 03	28	ASL NON EMPL	ASSAULT- TO NON EMPLOYEE	Assault of Someone other than School Staff
01, 02, 03, 04, 05	29*	AG ASSAULT EMPL	AGGRAVATED ASSAULT- TO EMPLOYEE	Aggravated Assault against School Staff
01, 02, 03, 05	30*	AGGRAV ASL STUD	AGGRAVATED ASSAULT- TO STUDENT	Aggravated Assault against Student
01, 02, 03, 05	31*	SEX ASL EMPL	SEXUAL ASSAULT- TO EMPLOYEE	Sexual Assault/Aggravated Sexual Assault against School Staff
01, 02, 03, 05	32*	SEX ASL NON EMP	SEXUAL ASSAULT- TO NON EMPLOYEE	Sexual Assault/Aggravated Sexual Assault against Student
01, 02, 03, 04, 05	35	FALSE ALARM	FALSE ALARM/FALSE REPORT	False Alarm/False Report
01, 03, 05	36*	FEL CONTRL SUB	FELONY CONTROLLED SUBSTANCE	Felony Controlled Substance Violation (Confirmed)
01, 03, 05	37*	FELONY ALCOHOL	FELONY ALCOHOL VIOLATION	Felony Alcohol Violation (Confirmed)
00	41	FIGHTING	FIGHTING/MUTUAL COMBAT	Fighting/Mutual Combat (2 or More/Same Incident)
01, 02, 03, 04, 05	46*	AG ROBBERY	AGGRAVATED ROBBERY	Aggravated Robbery
01, 02, 03, 04, 05	47*	MANSLAUGHTER	MANSLAUGHTER	Manslaughter
01, 02, 03, 04, 05	48*	HOMICIDE	CRIMINALLY NEGLIGENT HOMICIDE	Criminally Negligent Homicide
01, 02, 03	49*	DEAD CONDUCT	DEADLY CONDUCT	Deadly Conduct
00	55	SEX OFF-CRT	RG SEX OFFENDER- SUPRVISED	Student Is Required To Register As A Sex Offender Under And Court Supervision
00	56	SEX OFF-NO CRT	RG SEX OFFENDER- NON SUPERVIS	Student Is Required To Register As A Sex Offender Under And Is Not Under Court Supervision
01, 02, 03, 05	57*	CONT SEX ABUSE	CONTINUOUS SEX ABUSE OF CHILD	Continuous Sexual Abuse Of Young Child Or Children Under Penal Code §21.02
01, 02, 03, 04, 05	58	BREACH OF COMP	BREACH OF COMPUTER SECUR (AUP)	Breach of Computer Security Under Penal Code §33.02 – TEC 37.007
01	59	SERIOUS MISBEH	SERIOUS MISBEHAVIOR (SGLC ONLY)	Serious Misbehavior, as defined by TEC §37.007(c), while expelled to/placed in a DAEP
01, 02, 03	60	HARASS EMPLOYEE	HARASSMENT TO EMPLOYEE OF DISTRICT	Harassment To Employee of School District Employee under Texas Penal Code

1 - Refer to Tab 8 for additional guidance

* - Unsafe School Code

2023 - 2024
Disciplinary Action Reason Codes
(LOCAL OFFENSE CODES)

Location Code	Offense Code	Description	Explanation	PEIMS CODE	PEIMS Description
00	L04	DRUG PARAPHERNALIA	Devices that can be used for inhaling, ingesting, injecting, or otherwise introducing a controlled substance into a human body	21	Violation of Student Code of Conduct
00	L05*	BULLYING-BASIS OF SEX/SEXUAL ORIENTATION	1) Sexual Harassment includes: unwelcome verbal, physical, or visual conduct that is based on sex and that a reasonable person would find so severe, persistent, and pervasive that it effectively denies the victim equal access to the district's education program or activity. Such harassment can include words, gestures, requests for sexual favors, or any other unwelcome sexual conduct. Harassment is unwelcome if the student did not incite the attention or considers the attention undesirable or offensive. 2) Gender-based harassment such as physical, verbal, or nonverbal conduct based on a student's gender, or a student's failure to conform to stereotypical notions of masculinity or femininity.	61	Bullying - TEC 37.0052(b)
00	L10*	BULLYING-RACE,COLOR,NTL ORIGIN	Discrimination on the basis of race, color, or national origin in any educational program or activity that receives federal funds. Ex: Calling someone a terrorist	61	Bullying - TEC 37.0052(b)
00	L15*	BULLYING-BASIS OF DISABILITY	Discrimination on the basis of disability in programs or activities receiving federal financial assistance. Applies to all students; not just those identified with a disability	61	Bullying - TEC 37.0052(b)
00	L20	BULLYING- BASIS OF RELIGION	Discrimination on the basis of race, color, or national origin in any educational program or activity that receives federal funds	61	Bullying - TEC 37.0052(b)
00	L25	BULLYING-CYBER*	Cyberbullying is bullying that is done through the use of any electronic communication device, including through the use of a cellular or other type of telephone, a computer, a camera, electronic mail, instant messaging, text messaging, a communication tool	61	Bullying - TEC 37.0052(b)
00	L30	BULLYING-GROUP (2 OR MORE)*	Bullying means a single significant act or pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct	61	Bullying - TEC 37.0052(b)
00	L35	BULLYING-PERSISTENT BEHAVIOR*	Bullying means a single significant act or pattern of acts by one or more students directed at another student that exploits an imbalance of power and involves engaging in written or verbal expression, expression through electronic means, or physical conduct	61	Bullying - TEC 37.0052(b)
00	L40	INSUBORDINATION	1) Failure to comply with directives given by school personnel 2) Leave school grounds or school-sponsored events without permission 3) Disobey rules for conduct in district vehicles 4) Refuse to accept discipline management techniques assigned by a teacher or principal	21	Violation of Student Code of Conduct
00	L42	ASSAULT W/O BODILY INJURY TO EMPLOYEE	Physical contact that did not result in bodily injury <u>Two or more students cannot assault each other</u>	21	Violation of Student Code of Conduct
00	L44	ASSAULT W/O BODILY INJURY TO STUDENT	Physical contact that did not result in bodily injury <u>Two or more students cannot assault each other</u>	21	Violation of Student Code of Conduct
00	L50	POSSESSION OF PROHIBITED ITEMS	fireworks, smoke or stink bombs, pyrotechnic devices, razor, box cutter, knife under 5.5" (SSC)	21	Violation of Student Code of Conduct
00	L59	DESTRUCTION SCHOOL PROPERTY	Deface or damage school property (with graffiti or by other means) including: 1) Textbooks 2) Technology 3) Electronic resources 4) Lockers 5) Furniture 6) Other equipment	21	Violation of Student Code of Conduct

*Refer to TAB 9 "BULLYING CHECKLIST" to determine if behavior meets the definition of bullying.

2023 - 2024

Disciplinary Action Reason Codes (LOCAL OFFENSE CODES)

Location Code	Offense Code	Description	Explanation	PEIMS CODE	PEIMS Description
00	L60	FORGERY/PLAGERISM	Engage in academic dishonesty which includes: 1) Cheating 2) Copying the work of another student 3) Plagiarism 4) Unauthorized communication between students during an examination	21	Violation of Student Code of Conduct
00	L61	THEFT	Steal from students, staff, or the school	21	Violation of Student Code of Conduct
00	L62	SKIPPING CLASS	Did not report to scheduled class	21	Violation of Student Code of Conduct
00	L63	SCUFFLE/HORSEPLAY	1) Play Fighting 2) Rough/Boisterous play	21	Violation of Student Code of Conduct
00	L64	VIOLATION CELL PHONE POLICY	Use of telecommunication device, including a cell phone, or other electronic device in violation of district and campus policy	21	Violation of Student Code of Conduct
00	L65	LEAVE CLASS W/O PERMISSION	Reported to class then left the classroom without permission	21	Violation of Student Code of Conduct
00	L66	SEXUAL HARASSMENT	Engages in sexual or gender-based harassment or sexual abuse whether by: 1) Word 2) Gesture 3) or any other conduct directed toward another person, including a district student, employee, board member, or volunteer	21	Violation of Student Code of Conduct
00	L67	POSSESSION OF PORNOGRAPHY	In possession of obscene material (digital or paper copy)	21	Violation of Student Code of Conduct
00	L68	DISTRIBUTION OF PORNOGRAPHY	Intentionally or knowingly displays or distributes obscene material	21	Violation of Student Code of Conduct
00	L72	DRESS CODE VIOLATION	Violate dress and grooming standards as communicated in the Student Handbook	21	Violation of Student Code of Conduct
00	L73	PROFANITY-VERBAL/GESTURES	1) Profanity Language 2) Vulgar 3) Obscene gestures	21	Violation of Student Code of Conduct
00	L75	BUS CONDUCT	Misconduct on school bus	21	Violation of Student Code of Conduct
00	L76	TARDIES	*Excessive tardies - *refer to campus policy	21	Violation of Student Code of Conduct
00	L80	PERSISTENT/HABITUAL MISEBEHAVIOR ON CAMPUS	5 or more referrals (not demerits) documented in Skyward. *Refer to campus policy regarding demerit system	21	Violation of Student Code of Conduct
00	L85	CLASSROOM DISRUPTIONS	Engage in actions or demonstrations that substantially disrupt or materially interfere with school or classroom standard of conduct	21	Violation of Student Code of Conduct
00	L90	DISREGARD OF PERSONAL SPACE	Hands/Feet - more comonally used at the elementary level	21	Violation of Student Code of Conduct
00	L95	NAME CALLING	Engages in inappropriate verbal conduct toward another person	21	Violation of Student Code of Conduct
00	L96	LEAVE CAMPUS W/O PERMISSION	Reported to campus then left the campus without permission	21	Violation of Student Code of Conduct
00	LD7	7 DEMERITS WITHIN 6 WEEK PERIOD	7 DEMERITS WITHIN 6 WEEK PERIOD	21	Violation of Student Code of Conduct
01, 02, 03	VPC	VAPE - CONTROLLED SUBSTANCE - THC	Electronic vape containing THC	04	Marijuana or Controlled Substance
00	VAP	VAPE - NOT CONTROLLED SUBSTANCE	Students in possession of an e-cigarette, vaping device, parts of a vaping device, or any associated paraphernalia	21	Violation of Student Code of Conduct

*Refer to TAB 9 "BULLYING CHECKLIST" to determine if behavior meets the definition of bullying.

2023 - 2024 Mitigating Factor Codes

Code	Short Description	Long Description
BU	BULLYING	PERPETRATING BULLYING BEHAVIOR
DIS	DISABILITY	DISABILITY SUBSTANTIALLY IMPAIRS CAPACITY
GA	GANG AFFILIATE	GANG AFFILIATION/INITIATION
HIS	DISC HISTORY	DISC HISTORY - LACK OF
INT	INTENT	INTENT
LOI	LACK OF INTENT	LACK OF INTENT
MB	MOB MENTALITY	MOB MENTALITY
RE	RETALIATION	RETALIATION FOR PRIOR ACTION
SD	SELF DEFENSE	SELF DEFENSE
TA	TAUNTING	ACTION AS A RESULT OF BEING TAUNTED

TIP: Where to add/edit Motivation Code

PATH: WS\ST\TB\DI

- 1. EDIT Offense**
- 2. Select Mitigating Factors Code**
- 4. SAVE**

The screenshot shows the 'Edit Offense' form in the Discipline Tab software. The interface includes a navigation menu on the left with categories like 'Current', 'Future', 'Grades', 'Discipline', 'Demerit Hist', 'TX/NCLB', 'At-Risk', 'Special Ed', 'Special Prgrms', 'Health', 'Activity', 'Grad Reqs', 'Categories', 'District', 'Entity', 'GPA', 'Edu Milestones', 'Vocational Ed', 'Food Service', 'Fee Mgmt', 'Custom Forms', 'Test Scores', 'Textbooks', 'Busing', 'Picture', 'Locker', and 'Portfolio'. The main form area is titled 'Edit Offense' and contains the following fields:

- Student:** DOE JAM000 | DOE JAMES
- Grade:** 09
- Student Type:** R
- Entity:** 002 - DEL RIO FRESHMAN SCHOOL
- Offense Entered:** 04/22/2016 12:18 pm
- Offense/Referral:** Offense
- Incident:** Existing Incident
- Offense:** 41 | FIGHTING
- Incident #:** 2899
- * School:** 002 | DEL RIO FRESHMAN SCHOOL
- * School Year:** 2015-16
- * Location:** 00 | Not Applicable
- Cost (\$):** 0.00
- Bus:** [Dropdown]
- * Offense Date:** 04/22/2016 | Friday
- * Disc Officer:** [Dropdown]
- Offense Time:** 11:24 | AM
- Time Comment:** [Text Field]
- Parent Notified:**
- Campus ID:** 233-901-002
- Possible Motivation:** RE | RETALIATION
- Referred By:** Referred By: Staff | [Dropdown]
- Staff:** [Dropdown]
- * Comments:** Student got in a fight with another student in courtyard during lunch. He was upset for an confrontation that occurred in the morning.

2023 - 2024 Disciplinary Action Codes (ACTION CODES)

Code	Short Description	Long Description	PEIMS Code	PEIMS Description
01*	EXPUL W/O PLACE	EXPULSION W/O PLACEMENT	01	Expulsion Without Placement In Another Educational Setting
03*	EXPL CAMPUS AEP	EXPULSION ON CAMPUS AEP	03	Expulsion With Placement DAEP
05*	OUT SCH SUSPENS	OUT OF SCHOOL SUSPENSION	05	Out-Of-School Suspension
06*	IN SCH SUSPENS	IN SCHOOL SUSPENSION	06	In-School Suspension
07*	PLACE TO DAEP	PLACEMENT TO DAEP (SGLC)	07	Placement In An On-Campus Or Off-Campus DAEP
08	CONT OD AEP	CONTINUE OTHER DISTRICTS AEP	08	Continuation Of Other District's DAEP Placement
09	CONT OD EXPULSI	CONT OTHER DISTRICT EXPULSION	09	Continuation Of Other District's Expulsion Order
10	CONT PREYR AEP	CONTINUE PREVIOUS YEAR AEP	10	Continuation Of The District's DAEP Placement From The Prior School Year
11	CONT PREVYR EXP	CONTINUE PREV YEAR EXPULSION	11	Continuation Of The District's Expulsion Order From The Prior School Year
14*	DAEP COURT ORDR	DAEP COURT ORDER	14	Placement in a DAEP by Court Order
15	CONT OD EXPUL W/ PLACE TO JJAEP	CONTINUE OTHER DISTRICT EXPUL W/ PLACEMENT TO JJAEP	15	Continuation Of Other District's Expulsion With Placement To JJAEP
18	DETENTION LUNCH	DETENTION LUNCH PERIOD ONLY		
19	CONTRACT	PLACED ON CONTRACT		
20	PARENT CONF	PARENT CONFERENCE ARRANGED		
22	CORR COUNSELING	CORRECTIVE COUNSELING		
23	BUS PRV REMOVED	BUS PRV REMOVED		
25*	PART DAY OSS	PARTIAL DAY OSS	25	Partial Day Out-Of-School Suspension
26*	PART DAY ISS	PART DAY ISS	26	Partial Day In-School Suspension
27*	NO DISC ACT-ARD	NO MAND DISC TAKEN-ARD	27	Mandatory Disciplinary Action Not Taken By District (ARD)
28*	NO DISC ACT-TEC	NO MAND DISC ACT-TEC 37.001	28	Mandatory Disciplinary Action Not Taken
29	PARK PRV REMOVED	PARKING PRIVLIGES TEMP REMOVED		
31	VERBAL REPRIM	VERBAL REPRIMAND		
32	CONFISC EQUIP	CONFISCATION OF EQUIP/OBJECT		
A70	REM ACCESS PRIV	REMOVE ACCESS PRIVLIGES		
ARR	ARREST	ARREST		
ASD	AFTER SCH DET	AFTER SCHOOL DETENTION		
BSD	BEFOR SCH DET	BEFOR SCHOOL DETENTION		
CFO	CIT/CAMPUS/OFF	CITATION/FR CAMPUS OFFICER		
RLE	REF LAW ENFORCE	REFER TO LAW ENFORCEMENT		

*SSSP

When the mandatory action is not assigned please add an action of 27 or 28 (in addition to the assigned PEIMS action code(s)).

See tab 9 in the SFDR CISD Discipline Manual for additional guidance.

Inconsistent with Code of Conduct

AUDITABLE: Action Codes 27 & 28 require a predefined comment, additional action comments documented in the Student Referral.

- ACTION CODE 27- Not Taken By District. As a result of ARD committee manifestation hearing determination.
- ACTION CODE 28- Not Taken (TEC 37.001(a)(4): (A) Self-defense.
- ACTION CODE 28- Not Taken (TEC 37.001(a)(4): (B) Intent or lack of intent at the time the student engaged in the conduct.
- ACTION CODE 28- Not Taken (TEC 37.001(a)(4): (C) A student's disciplinary history.
- ACTION CODE 28- Not Taken (TEC 37.001(a)(4): (D) A disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

2023 - 2024 Difference Reason Codes

Code	Short Description	Long Description	PEIMS Equivalent
00	NO DIFFERENCE	NO DIF BTWN OFFICIAL & ACTUAL	No difference Between Official And Actual Lengths Of Disciplinary Assignments
01	DISTRICT MODIFY	TERM MODIFIED BY DISTRICT	Term Modified By District
02	COURT ORDER MOD	TERM MODIFIED BY COURT ORDER	Term Modified By Court Order
03	MOD/DIS/STU/PAR	MODIFIED AGGREE DIST/STUD/PAR	Term Modified By Mutual Agreement Of District, Student, And/Or Parents
04	COMPLETE SOONER	COMPLETED SOONER THAN EXPECTED	Student Completed Term Requirements Sooner Than Expected
05	INCARCERATED	STUDENT INCARCERATED	Student Incarcerated
06	HEALTH RELATED	TERM DECREASED HEALTH REASONS	Term Decreased Due To Extenuating Health-Related Circumstances
07	STUDENT W/DREW	STUDENT WITHDREW FROM SCHOOL	Student Withdrew From School
08	SCH YR ENDED	SCH YEAR ENDED BEFORE COMPLETE	School Year Ended Before Completion Of Disciplinary Action Assignment
09	CONTINUE PRE YR	CONTINUE PREVIOUS YEAR DISCIP	Continuation Of Previous Year's Disciplinary Action Assignment
10	GOOD BEHAVIOR	TERM MODIFIED GOOD BEHAVIOR	Term Modified By Placement Program Due To Student Behavior While In Placement
99	OTHER	OTHER	Other

*** Difference Reason :** Enter the appropriate reason when serving more or less days than originally assigned.

TIP: Where to add a Difference Reason
PATH: WS\ST\TB\DI

Steps in the following order

- 1 EDIT action
- 2 Set Action Status to SERVED
- 3 Select DIFF. REASON
- 4 Enter new RETURN DATE
- 5 Go to Action Details and EDIT each day the student served or didn't serve
- 6 Enter 0.00 or 1.00 in Time Served
- 7 Select PARENT NOTIFIED
- 8 Enter COMMENT
- 9 Select DIFFERENCE REASON
- 10 SAVE
- * Repeat steps 5 - 10 for the days the student will not serve
- 11 SAVE

ORIGINAL STATUS:

STATUS WITH DIFFERENCE:

Ordered Date	Action	Status	Suspension Type	Parent Notified	Total Time	Time Served
04/26/2016	07 - PLACEMENT OFF CAMPUS AEP	Open	None	No	15.00 Days	0.00 Days

Ordered Date	Action	Status	Suspension Type	Parent Notified	Total Time	Time Served
04/26/2016	07 - PLACEMENT OFF CAMPUS AEP	Served	None	No	15.00 Days	8.00 Days

PEIMS Discipline Data - Questions and Answers

Additional PEIMS Reporting Information Regarding Disciplinary Alternative Education Program (DAEP) Conferences, Expulsion Hearings, Placement Reviews, and Other Actions

1. What is required if a student brings a firearm to school?

In accordance with federal law (20 U.S.C. Section 7151), a local educational agency (LEA), including a school district, home-rule school district, or open-enrollment charter school, shall expel a student who brings a firearm, as defined by 18 U.S.C. Section 921, to school. The student must be expelled from the student's regular campus for a period of at least one year, except that:

- (a) the superintendent or other chief administrative officer of the school district or of the other LEA, as defined by 20 U.S.C. Section 2891, may modify the length of the expulsion in the case of an individual student;
- (b) the district or other LEA shall provide educational services to [the] an expelled student in an alternative education program as provided by TEC, §37.008 if the student is younger than 10 years of age on the date of expulsion; and
- (c) the district or other LEA may provide educational services to an expelled student who is older than 10 years of age in an alternative education program as provided in TEC, §37.008.

TEC, §37.007(a)(1) requires that a school expel a student whose conduct contains the elements of the offense of "Unlawfully Carrying Weapons" on school property or while attending a school-sponsored or school related activity on or off school property.

2. What is a Campus Behavior Coordinator?

Under the requirements of TEC, §37.0012, each campus must have a staff person designated as the Campus Behavior Coordinator. The person designated may be the principal of the campus or any other campus administrator selected by the principal.

The campus behavior coordinator is primarily responsible for maintaining student discipline and the implementation of this subchapter.

The campus behavior coordinator is required to promptly notify a student's parent or guardian if the student is placed into in-school or out-of-school suspension, placed in a disciplinary alternative education program, expelled, or placed in a juvenile justice alternative education program or is taken into custody by a law enforcement officer. A campus behavior coordinator must comply with this subsection by:

1. promptly contacting the parent or guardian by telephone or in person; and
2. making a good faith effort to provide written notice of the disciplinary action to the student, on the day the action is taken, for delivery to the student's parent or guardian.

If a parent or guardian entitled to notice of a student's disciplinary removal has not been reached by telephone or in person by 5 p.m. of the first business day after the day the disciplinary action is taken, the campus behavior coordinator must mail written notice of the disciplinary action to the parent or guardian at the parent's or guardian's last known address. If a Campus Behavior Coordinator is unable or not available to promptly provide the required notice to a parent or guardian of a student, the principal or other designee shall provide the notice.

3. What is required in order to send a student to a Disciplinary Alternative Education Program?

Before removing a student to a DAEP under Texas Education Code (TEC) §37.008, the appropriate administrator shall schedule a conference among the principal or other appropriate administrator, a parent or guardian of the student, the teacher removing the student from class, if any, and the student. At the conference, the student is entitled to written or oral notice of the reasons for the removal, an explanation of the basis for the removal, and an opportunity to respond to the reasons for the removal. **If the student**

has been alleged to have committed an offense as described in TEC, §37.006 then the district official holding the conference meeting must present substantiated documentation of the alleged behavior as provided by a law enforcement agency or as created/obtained by the school district administrator.

4. What is required in order to expel a student?

Before a student may be expelled under TEC, §37.007, the board or the board's designee must provide the student a hearing at which the student is afforded appropriate due process as required by the federal constitution and which the student's parent or guardian is invited, in writing, to attend. At the hearing, the student is entitled to be represented by the student's parent or guardian or another adult who can provide guidance to the student and who is not an employee of the school district. If the decision to expel a student is made by the board's designee, the decision may be appealed to the board. The decision of the board may be appealed by trial de novo to a district court of the county in which the school district's central administrative office is located. If the student has been alleged to have committed an offense as described in TEC, §37.007 then a district official holding the expulsion hearing must present substantiated documentation of the alleged behavior as provided by a law enforcement agency or as created/obtained by the school district administrator.

5. What is the maximum length for an out-of-school suspension placement?

In accordance with TEC, §37.005, under no circumstance may an out-of-school suspension (OSS) for a particular incident exceed (3) three school days. If a student receives OSS for a partial school day (even if for one class period), that partial day is considered one of the three total allowable out-of-school suspension days.

6. What is the minimum grade for suspending a student with an out-of-school suspension?

In accordance with TEC, §37.005(c), a student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless, while on school property or while attending a school-sponsored or school-related activity on or off school property, the student engages in:

1. conduct that contains the elements of an offense related to weapons under Section 46.02 or 46.05, Penal Code;
2. conduct that contains the elements of a violent offense under Section 22.01, 22.011, 22.02, or 22.021, Penal Code; or
3. selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of:
 - (a) marihuana or a controlled substance, as defined by Chapter 481, Health and Safety Code, or by 21 U.S.C. Section 801 et seq.;
 - (b) a dangerous drug, as defined by Chapter 483, Health and Safety Code; or
 - (c) an alcoholic beverage, as defined by Section 1.04, Alcoholic Beverage Code.

7. What is the statutory alternative to suspending a student less than grade three with an out-of-school-suspension?

In accordance with TEC, §37.0013, each school district and open-enrollment charter school may develop and implement a program, in consultation with campus behavior coordinators employed by the district or school and representatives of a regional education service center, that provides a disciplinary alternative for a student enrolled in a grade level below grade three who engages in conduct described by Section 37.005(a) and is not subject to Section 37.005(c). The program must:

1. be age-appropriate and research-based;
2. provide models for positive behavior;

3. promote a positive school environment;
4. provide alternative disciplinary courses of action that do not rely on the use of in-school suspension, out-of-school suspension, or placement in a disciplinary alternative education program to manage student behavior; and
5. provide behavior management strategies, including:
 - (a) positive behavioral intervention and support;
 - (b) trauma-informed practices;
 - (c) social and emotional learning;
 - (d) a referral for services, as necessary; and
 - (e) restorative practices.

8. **What is required if a student’s DAEP placement will extend beyond the end of the next grading period?**

If the student's **placement** in a DAEP is to extend beyond the end of the next grading period, a student's parent or guardian is entitled to notice of and an opportunity to participate in a proceeding before the board of trustees of the school district or the board's designee, as provided by policy of the board of trustees of the district. Any decision of the board or the board's designee under this subsection is final and may not be appealed.

9. **What is required if the student’s DAEP placement will extend beyond the end of the current school year and into the next school year?**

Before assigning a student to a disciplinary alternative education setting that extends beyond the end of the school year in which the initial assignment was made, the board or the board’s designee must determine that:

1. the student’s presence in the regular classroom program or at the student’s regular campus presents a danger of physical harm to the student or to another individual, **or**
2. the student has engaged in serious or persistent misbehavior that violates the district’s student code of conduct.

A student placed in a DAEP under TEC, §37.002 or 37.006 shall be provided a review of the student's status, including a review of the student's academic status, by the board's designee at intervals not to exceed 120 days. In the case of a high school student, the board's designee, with the student's parents or guardian, shall review the student's progress towards meeting high school graduation requirements and shall establish a specific graduation plan for the student.

At the review, the student or the student's parent or guardian must be given the opportunity to present arguments for the student's return to the regular classroom or campus.

10. **What is required regarding special education students who commit behaviors that require a disciplinary removal action?**

The disciplinary placement of all students who are served in special education with an Individualized Education Program (IEP) must be determined by an Admission, Review, and Dismissal (ARD) committee. TEC, §37.004(a) Further, any disciplinary action regarding a student with a disability who receives special education services that would constitute a change in placement under federal law may be taken only after the student’s ARD committee conducts a manifestation determination review under 20 U.S.C. Section 1415(k)(4) and its subsequent amendments. Any disciplinary action regarding the student shall be determined in accordance with federal law and regulation, including laws or regulations requiring the provision of:

1. Functional behavioral assessments;
2. Positive behavioral interventions, strategies, and supports; and
3. Behavioral intervention plans. TEC, §37.004(b)

For disciplinary removals of a student, who is receiving special education and related services, from the student's current educational placement, a change of placement occurs if the removal is for more than 10 consecutive days (CFR §300.530 - §300.536). The ARD committee that deals with the change of placement must review the student's IEP to detail the special education and related services to be administered to the student while he is removed for discipline reasons. Be careful not to confuse the 10-day change of placement requirement for special education purposes with the 1-day removal requirement for reporting student disciplinary removals. The 44425 Student Discipline Interchange data is required for all students who are receiving special education and related services and are removed from their regularly scheduled classes for one day or more. A change of placement occurs when the removal is for more than 10 consecutive days, and a change of placement may occur when the removal is for more than 10 cumulative days in a school year based on factors such as the length of each removal, the total amount of the time the child is removed, and the proximity of the removals to one another. An ARD committee must be involved when the removal or series of removals constitute a change in placement.

11. **What is the minimum age that a student can be placed in a Disciplinary Alternative Education Program?**

Under TEC, §37.006(a), (b), (c), and (l), all students, who are at least 6 years of age on the date that an offense is committed, **must be removed to a DAEP**, for a time period that is determined by the local Student Code of Conduct, if one of the following acts are committed: on or within 300 feet of school property, or while the student is attending a school-sponsored, or school related activity, on or off of school property. The school administrator designated must first establish a reasonable belief that the act has been committed and then corroborate and document that belief with appropriate law enforcement officials.

12. **What is the minimum age that a student can be expelled?**

Under TEC, §37.007(a), (d), and (h), and §37.007(f) students who are younger than 10 years of age on the date that an offense is committed, and have committed a mandatory expellable offense other than bringing a firearm to school, **must be placed in a DAEP** for a period of time that is determined by the superintendent or their designee.

Under TEC, §37.007(e), (student brings a firearm to school), students who are younger than 10 years of age on the date that an offense is committed, **must be expelled and placed in a DAEP** for a minimum term of one year, unless the expulsion term is reduced by the superintendent or their designee.

13. **What are the required procedures for using Disciplinary Action Reason Code 23 – Emergency Placement/Emergency Expulsion?**

DISCIPLINARY-ACTION-REASON-CODE 23, as authorized by TEC, §37.019, allows for either emergency placement or emergency expulsion. The use of this code is limited to reasons for which placement in a DAEP or expulsion may be made on a non-emergency basis. At the time of an emergency placement or expulsion, the student shall be given oral notice of the reason for the action.

Not later than the tenth day after the date of the placement or expulsion, the student shall be accorded the appropriate due process as required until TEC, §37.009. Thus emergency action under TEC, §37.019, should not be the only/final disciplinary action taken.

For additional constraints related to a student's behavior and the use of emergency placement/expulsion, please see TEDS Data Submission>Technical Resources>PEIMS Discipline Data - Disciplinary Action Reason Codes and Definitions for DISCIPLINARY-ACTION-REASON-CODE 23.

14. **What are the requirements for keeping documentation under Article 15.27, Code of Criminal Procedure received from law enforcement personnel investigating alleged criminal behaviors at/for a school?**

With regards to the documentation related to “TEC, §37.017 Destruction of Certain Records” states Information received by a school district under Article 15.27, Code of Criminal Procedure, these records may not be attached to the permanent academic file of the student who is the subject of the report. The school district shall destroy the information at the end of the school year in which the report was filed. Despite the requirement to destroy information received under Article 15.27, Code of Criminal Procedure, the district must retain documentation other than the information received under Article 15.27, Code of Criminal Procedure to support the discipline data submitted through the 44425 Student Discipline Interchange data for a period of 5 years.

15. **How should a school handle situations where a student(s) has committed multiple violations in the course of one disciplinary event?**

Multiple violations are sometimes committed in the course of one disciplinary event. When reporting the 44425 Student Discipline Interchange data, the district should report only the violations DISCIPLINARY-ACTION-REASON-CODE(s) for which disciplinary action(s) DISCIPLINARY-ACTION-CODE(s) are taken. If actions are only taken for the most serious violation, then only one DISCIPLINARY-INCIDENT-NUMBER should be reported in the 44425 Student Discipline Interchange data when reporting the DISCIPLINARY-ACTION-REASON-CODEs and DISCIPLINARY-ACTION-CODEs.

If the district takes disciplinary action on each violation that occurred during one disciplinary event, the district should enter a new DISCIPLINARY- INCIDENT-NUMBER for each separate DISCIPLINARY-ACTION-REASON-CODE (violation) being reported.

16. **What should a school do if a student attempts to withdraw from school before a disciplinary removal action has been determined for a particular incident?**

If a student is involved in a reportable disciplinary incident, and the student attempts to withdraw from school before the disciplinary assignment is made, the district/school should complete the due-process proceedings that result in the required disciplinary assignment before the student is allowed to withdraw. After completion of the due process proceedings, the district/school is required to report the 44425 Student Discipline Interchange data reflecting that assignment in order to remain in compliance with TEC, §37.009.

17. **What is an In-School Suspension setting?**

In-school-suspension (ISS) includes any disciplinary setting other than DAEP, JJAEP, or OSS. For Special Education student’s behavior management or behavior adjustment classes are not considered ISS programs as established by the ARD committee and are not considered ISS removals.

18. **When is it appropriate to use Discipline Action Code 13 – Court Ordered Placement to a JJAEP and 14 – Court Ordered Placement to a DAEP?**

DISCIPLINARY-ACTION-CODE 13 may only be used when a Court order requires a student to attend the JJAEP independent of any action required to be taken by the school district and described in TEC, Chapter 37. Do not use DISCIPLINARY-ACTION-CODE 13 for students that are incarcerated in either a jail or juvenile detention center. A term of incarceration does not constitute a removal by a school district. The DISCIPLINARY-ACTION- REASON-CODE for DISCIPLINARY-ACTION-CODE 13 should always be 21 because the district is reporting a court ordered placement for a behavior which the district either could not or would not have acted.

DISCIPLINARY-ACTION-CODE 14 may only be used when a Court order requires a student to attend a DAEP independent of any action required to be taken by the school district and described in TEC, Chapter 37. Do not use DISCIPLINARY-ACTION-CODE 14 for students that are incarcerated in either a jail or juvenile detention center. A term of incarceration does not constitute a removal by a school district. The DISCIPLINARY-ACTION-REASON- CODE for DISCIPLINARY-ACTION-CODE 14 should always be 21 because the district is reporting a court ordered placement for a behavior which the district either could not or would not have acted.

When reporting DISCIPLINARY-ACTION-CODEs 13 (Placement in a JJAEP by Court order) and 14 (Placement in a DAEP by Court Order), please refer to the ADMINISTRATOR ADDRESSED letter dated May 29, 2002. This letter is available on the TEA website under the Correspondence link. In order to place a student in a JJAEP or DAEP by a Court order, there must be a MOU between the court ordering the placement and the school district that will affect and make the placement. **In all circumstances of court ordered placements to a JJAEP or DAEP, the DISCIPLINARY-ACTION-REASON- CODE must be a 21 (Violation of student code of conduct not included under TEC, §§37.002(b), 37.006, or 37.007). The use of DISCIPLINARY- ACTION-REASON-CODEs 09 (Off-Campus Title 5 Felony) and 10 (Off-Campus Non-Title 5 Felony) for Court ordered placements to a JJAEP or DAEP is not acceptable because the school district has original jurisdiction and a due-process responsibility to hold a conference meeting to enforce a DAEP removal/action as required or permitted in TEC, §37.006 (c) and (d).** The provisions for these court ordered placements must also be outlined in the Local Student Code of Conduct. Any behavior that a student engages in at school or a school related activity for which they will receive disciplinary attention as provided for under either the minimum requirements of TEC, §37.006/TEC, §37.007, or the minimum standards of the Local Student Code of Conduct, must be initiated and actuated by the local school district.

In the event that a school district finds it necessary to continue a Court ordered placement to a JJAEP or a DAEP from a prior school year or a prior school district, a new 44425 Student Discipline Interchange data event must be reported with a **DISCIPLINARY-ACTION-REASON-CODE of 21** and a **DISCIPLINARY-ACTION-CODE of 13 or 14** depending on the action taken. Remember that DAEP assignments that continue into a new school year are subject to the requirements of TEC, §37.009(c) referenced on the first page of Appendix E.

19. **Please explain the Discipline Action Reason Code 01 – Permanent Removal from Class by a Teacher.**

Permanent removal by a teacher from class (DISCIPLINARY-ACTION-REASON-CODE 01) under TEC, §37.002(b) is limited for use in those situations where the teacher has refused re-admittance of the student to that teacher's class. Otherwise, if the teacher allows re-admittance of the student to the class, then Code 21 (other Student Code of Conduct violation) should be used.

20. **What are the consequences of a school not reporting its discipline removal events through the Texas Student Data System PEIMS submission on the 44425 Student Discipline Interchange data?**

Under TEC, §37.008(m-1), failure to report all disciplinary removal actions as required by state and federal law may result in a review by the commissioner of education and notice to the local school board of any problems noted in the district's data, or a violation of a law or other rule. This review may also result in a notification to the county attorney, district attorney, criminal district attorney, as appropriate, and the attorney general. This provision can apply to missing, inaccurate, and/or falsified information/data.

21. **Which LEAs are required to participate in the county run Juvenile Justice Alternative Education Program (JJAEP)?**

In counties where the population is over 125,000, state law requires that expelled students be placed in an alternative education setting of some type. Districts located in these counties may place discretionary expelled students in a DAEP operated by the district and Mandatory expelled students in a JJAEP

operated by the juvenile board for the county.

22. **What options exist for an LEA that expels a student in a county that does not have a JJAEP?**

If a student has been expelled in a county that does not have a Juvenile Justice Alternative Education Program, the LEA may either expel the student without academic placement, or the student may be expelled with placement to the LEA Disciplinary Alternative Education Program.

23. **What kind of knives require that a student be expelled from school?**

House Bill 1935, 85th legislative session, revised the definition of illegal knives to be known as Location-restricted knives and defines a Location restricted knife as being a knife with a blade length greater than 5.5 inches. A student that is found in possession of a Location-restricted knife must be expelled if the possession occurs knife on school campus or off campus at a school sponsored or school related activity.

24. **What is the definition of an Off-Campus DAEP?**

An off-campus DAEP:

1. has its own **campus identification number**;
2. has its own **building** (is **not** a program on a regular campus or an at-risk alternative education campus);
3. has its own **budget**;
4. has its own **administrator**;
5. serves only students removed under the TEC, Chapter 37 (no other non-discipline program may be operated on the campus);
6. must use the services of **certified teachers** and
7. must provide for a **43,200-instructional minute school year**.

Note: If your school district or charter school has chosen to operate or participate in, through a shared services arrangement (SSA), an off-campus DAEP, your district or school must register the campus with the TEA as a DAEP instructional campus.

25. **What is the definition of an On-Campus DAEP?**

An on-campus DAEP is one that **may have its own campus identification number**. If an on-campus DAEP has its own campus identification number, then the campus must:

1. have an **administrator** (administrator can serve more than one campus);
2. have its own **budget**;
3. use the services of **certified teachers for delivering educational and behavioral instruction** to the students assigned to the on-campus DAEP;
4. provide for students who are assigned to the DAEP to be **separated from students who are not assigned to the DAEP** ("sight and sound barrier" should exist to provide adequate separation);
5. provide for a **43,200-instructional minute school year**, and;
6. **share a facility** with a non-disciplinary program.

Note: If your school district or charter school has chosen to operate or participate in, through an SSA, an on-campus DAEP your district or school must register the campus with the TEA as a DAEP instructional campus.

If an on-campus DAEP does not have its own campus number, then a student should remain enrolled at the campus at which the student was enrolled when he or she was removed while placed in the on-campus DAEP.

FAQ's for Discipline

What is the offense date?

The offense date is the date the student commits the discipline offense.

What is the ordered date?

The Ordered Date indicates the date on which the disciplinary assignment was ordered, not the start date for the action.

PLEASE NOTE: For Level 1's - the ordered date is the date of the letter. For Emergency Placements - it is the date the placement begins. In most instances of emergency placements, the date of letter and date of placement should be the same.

What is the action detail start date?

The action detail start date is the date the student begins serving the assignment, not the date ordered.

Action Details		Add	Regenerate Dates			
Edit	Delete	Date to Serve	Time	Status	Length (Days)	Time Served
		10/21/2020	1:23 PM	Open	1.00	0.00

What is the return date and is a return date required for all discipline actions?

The return date is ***the date the student returns to the home campus or regular school setting***, not the last date of the assignment. Yes, a return date is required for all discipline actions.

What should the SGLC campus do if a student returns from the SGLC campus earlier than the original assignment?

The SGLC campus should mark as served the days the student was in attendance at the SGLC campus. Leave the remaining days open (not served). An appropriate difference reason should be entered. The return date should be adjusted and a note entered in the comment section indicating the reason.

If more than one student is involved in the same discipline offense, is the same incident number used?

Yes, the same incident number must be used if one or more students are involved in the same offense. The offense code must be the same; however, the action code(s) may be different.

Does the action status need to reflect Served?

Yes, all discipline should be marked served, including those with a difference reason or if the student withdrew before completing his/her assignment.

Can a campus generate the Pre-PEIMS 425 report?

Yes. The campus can generate the 425 report at their convenience. This report identifies errors for correction in order to submit discipline data to TEA.

Why does the Pre-PEIMS 425 report not indicate all discipline entered in Skyward?

The Pre-PEIMS 425 report will only include PEIMS reportable offenses.

What other reports are available?

Data Mining Reports. Please search for AA Discipline. . .

When is it appropriate to use a 99 for a difference reason?

A 99 should only be used for if no other difference reason applies.

Does every offense require an action?

Yes, all offenses require an action.

Steps for DAEP (SGLC)

Continuations

All continuations must be entered prior to the start of the new school year. Verify that the prior year Offense Code was used and add an action code of **10** (cont. prior yr. placement) or **11** (cont. prior yr. expulsion).

Offense Date and Ordered Date

The Offense date is the date the offense occurred. The Ordered date is the date the action is assigned.

Action Detail Start Date

The Action Detail Start Date must be the day the student started at the alternative campus.

Days Served

If the student was released early from SGLC campus, only the days the student was enrolled at the alternative campus should be marked served with 1.00 (action detail) and the dates the student did not serve should reflect as 0.00. If the student did not serve all assigned days, a difference reason code must be added.

Additional Days Served

If the student served more than the days assigned, the Action Status would be marked Served, the Return Date must be adjusted, add the additional days to Action Details, enter a Difference Reason and add a comment to detail the reason for the additional days served.

Action Status

Action status should not be marked served until the student has been released back to the home campus.

Date Verification

Alternative campuses must verify that the Ordered Date is corresponding with the placement letter and the Action Detail Start Date reflect the first date the student began at the SGLC campus.

SECONDARY CONSEQUENCE GUIDE - SEQUENTIAL ORDER

MANDATORY DAEP	MANDATORY EXPULSION	DISCRETIONARY DAEP	DISCRETIONARY EXPULSION	OFFENSE CODE	PEIMS CODE	INFRACTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	EARLY EXIT REVIEW (if applicable)
						Important Chapter 37 Notes: (A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions. (B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless. (C) An out of school suspension (OSS) may not exceed three school days. (D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses. (E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense. (F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.				
X		X		02	02	Felony - At school, within 300 ft. of school property, at school event. Includes Criminal Mischief >1500	30-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Not eligible for EER
X			X	04	04	Drug Possession - Use/Under the Influence (Misdemeanor)	60-day SGLC assignment & completion of drug dependency program	90-day SGLC assignment & completion of drug dependency program	120-day SGLC assignment & completion of drug dependency program	Level 1 and Level 2 = EER contingent upon completion of intervention program
X			X	VPC	04	Vaping (Controlled Substance) Requires corroboration from law enforcement	Expulsion with 90-day SGLC assignment & completion of drug dependency program. Referral to TCHAT	Expulsion with 120-day SGLC assignment & completion of drug dependency program. Referral to TCHAT	Expulsion with 180-day SGLC assignment & completion of drug dependency program. Referral to TCHAT	Not eligible for EER
X			X	05	05	Alcohol (Possession, use, under the influence).	45-day SGLC assignment & completion of drug dependency program	60-day SGLC assignment & completion of drug dependency program	90-day SGLC assignment & completion of drug dependency program	Level 1: 45/EER 30 days upon completion of dependency program. Level 2: 60/EER 45 days upon completion of dependency program. Level 3: 90/EER 60 days upon completion of dependency program.
X			X	06	06	Abuse of a Volatile Chemical (glue, aerosol paint, etc.)	45-day SGLC assignment & completion of drug dependency program	60-day SGLC assignment & completion of drug dependency program	90-day SGLC assignment & completion of drug dependency program	Level 1: 45/EER 30 days upon completion of dependency program. Level 2: 60/EER 45 days upon completion of dependency program. Level 3: 90/EER 60 days upon completion of dependency program.
X				07	07	Indecent Exposure (inappropriate display of body parts)	90-day SGLC assignment & referral to TCHAT	SGLC assignment for remainder of school year & referral to TCHAT		N/A
X			X	08	08	Retaliation (School Employee)	90-day SGLC assignment & completion of anger management program	120-day SGLC assignment & completion of anger management program	SGLC assignment for remainder of SY & completion of anger management program	Not eligible for EER
X			X	09	09	Felony - Title 5 Committed Off Campus (Title 5 felonies are those crimes listed in Title 5 of the Penal Code that typically involve injury to a person)	Assigned to SGLC until disposition of case.			N/A
		X	X	10	10	Felony - Non-Title 5 Committed Off Campus	30-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Not eligible for EER
	X		X	11	11*	Firearms (B) - (e.g., Used/exhibit/possession of any firearm - hand gun, starter gun, etc.) Does not include BB guns or Pellet Guns	Expulsion with Placement to SGLC; SGLC assignment for remainder of school year. Referral to TCHAT			Not eligible for EER
	X		X	12	12	Illegal Knife (uses, exhibits, or possesses an illegal knife as defined by Section 46.01, Penal Code, or by local policy. An illegal knife as one with a blade length longer than 5.5 inches)	Expulsion with Placement to SGLC; SGLC assignment for remainder of school year. Referral to TCHAT			Not eligible for EER
	X		X	14	14*	Prohibited Weapon Penal Code Section 46.05 or (TAB 9) Includes explosion weapons, tire deflation device, chemical dispensing device, etc.	Expulsion without placement			N/A
	X		X	16	16*	Arson - Refer to TAB 9 for complete definition	Expulsion with Placement to SGLC until disposition of case. Referral to TCHAT			Not eligible for EER
	X		X	17	17*	Attempted Murder/ Murder/Capital Murder	Expulsion without placement			N/A
	X		X	18	18*	Indecency with a Child	Expulsion with Placement to SGLC until disposition of case.			N/A
				21	21	Fireworks (Ignition)	45-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	SGLC assignment for remainder of SY & completion of intervention program	EER contingent upon completion of intervention program Level 3 = No EER

*Unsafe School Coding

CODING SUBJECT TO CHANGE

SECONDARY CONSEQUENCE GUIDE - SEQUENTIAL ORDER

MANDATORY DAEP	MANDATORY EXPULSION	DISCRETIONARY DAEP	DISCRETIONARY EXPULSION	OFFENSE CODE	PEIMS CODE	INFRACTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	EARLY EXIT REVIEW (if applicable)
						<p>Important Chapter 37 Notes:</p> <p>(A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions.</p> <p>(B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless.</p> <p>(C) An out of school suspension (OSS) may not exceed three school days.</p> <p>(D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p> <p>(E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.</p> <p>(F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p>				
				21	21	Inappropriate Display of Affection	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	N/A
				L96	L96	Leaving School Grounds without Permission	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	N/A
				21	21	Loitering	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	N/A
				21	21	Retaliation (Student)	60-day SGLC assignment & completion of anger management program	90-day SGLC assignment & completion of anger management program	120-day SGLC assignment & completion of anger management program	Not eligible for EER
				21	21	Trespassing	Warning	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	N/A
			X	22	22	Criminal Mischief ≥ \$1,500 (Felony Violation)	Expulsion with placement to SGLC for remainder of school year. Referral to TCHAT			Not eligible for EER
X			X	26	26	Terroristic Threat (<i>Campus SSSP Team will be required to meet and assess the threat level/ Report to TEA</i>)	90-day SGLC assignment & completion of intervention program	Expulsion to SGLC for remainder of SY & completion of anger management program		Not Eligible for EER
X			X	27	27	Assault (Bodily Injury - Employee)	90-day SGLC assignment & completion of anger management program	120-day SGLC assignment & completion of anger management program	Expulsion with Placement for remainder of SY & completion of anger management program	Not eligible for EER
X				28	28	Assault (Bodily Injury - Student)	60-day SGLC assignment & completion of anger management program	90-day SGLC assignment & completion of anger management program	Expulsion with Placement for remainder of SY & completion of anger management program	Not eligible for EER
	X			29	29*	Assault (Aggravated - Employee)	Expulsion with Placement to SGLC for remainder of school year. Referral to TCHAT			Not eligible for EER
	X		X	30	30*	Assault (Aggravated - Student)	Expulsion with Placement to SGLC for remainder of school year. Referral to TCHAT			Not eligible for EER
	X		X	31	31*	Sexual Assault - Aggravated (against school staff)	Expulsion without placement			N/A
	X		X	32	32*	Sexual Assault - Aggravated (against student)	Expulsion without placement			N/A
X			X	35	35	False Alarm/False Report (911 call, false alarm, false report including a bomb threat or a terroristic threat involving a public school, fire alarm pulled)	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	120-day SGLC assignment & completion of intervention program	Not eligible for EER

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MANDATORY DAEP	MANDATORY EXPULSION	DISCRETIONARY DAEP	DISCRETIONARY EXPULSION	OFFENSE CODE	PEIMS CODE	INFRACTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	EARLY EXIT REVIEW (if applicable)
						Important Chapter 37 Notes: (A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions. (B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless. (C) An out of school suspension (OSS) may not exceed three school days. (D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses. (E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense. (F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.				
	X		X	36	36*	Drug Felony - Possession/Sold/Used Controlled Substance (e.g. > 4 ounces of marijuana, any amount of cocaine, or other controlled substances) Requires corroboration from law enforcement	Expulsion with 120-day SGLC assignment & completion of drug dependency program. Referral to TCHATT	Expulsion with 180-day SGLC assignment & completion of drug dependency program. Referral to TCHATT	Expulsion with 180-day SGLC assignment & completion of drug dependency program. Referral to TCHATT	Not eligible for EER
	X		X	37	37*	Felony Alcohol Violation				
		X		41	41	Fighting (Mutual Combat)	3-day OSS; corrective counseling and discretionary 30-day SGLC assignment.	30-day SGLC assignment & completion of anger management program	45-day SGLC assignment & completion of anger management program	N/A
	X		X	46	46*	Aggravated Robbery	Expulsion with Placement to SGLC until disposition of case. Expulsion without placement			Not eligible for EER
	X		X	47	47*	Manslaughter	Expulsion without placement			N/A
	X		X	48	48*	Criminally Negligent Homicide	Expulsion without placement			N/A
				49	49*	Deadly Conduct				
X			X	55	55	Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Under Court Supervision				
		X		56	56	Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Not Under Court Supervision				
	X			57	57*	Continuous Sexual Abuse of Young Child or Disabled Individual Under Penal Code 21.02				
	X		X	58	58	Breach of Computer Security TAB 9 for definition See	30-day SGLC assignment, temporary loss of technology privileges & completion of intervention program	60-day SGLC assignment, loss of technology privileges & completion of intervention program	90-day SGLC assignment, loss of technology privileges & completion of intervention program	EER contingent upon completion of intervention program
				59	59	Serious Misbehavior, as Defined by TEC 37.007(c), while expelled/ placed in a DAEP - See TAB 9 for definition				
				60	60	Harassment Against an Employee of the School District under Texas penal Code 42.07(a)(1),(2),(3), or (7)				
		X	X	61	61	Bullying (Encourages a student to commit suicide)	Expulsion with Placement to SGLC until disposition of case. Referral to TCHATT			Not eligible for EER
		X	X	61	61	Harassment (Non-Sexual conduct that meets the definition established in district policies DIA(LOCAL) and FFH(LOCAL)	45-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Not eligible for EER
		X	X	61	61	Hazing	Expulsion with Placement to SGLC for remainder of school year. Possible expulsion. Referral to TCHATT			Not eligible for EER
				L04	21	Drug Paraphernalia (e.g., pipes, vaping pens, etc.)	3-day OSS; corrective counseling	30-day SGLC assignment & completion of drug dependency program	90-day SGLC assignment & completion of drug dependency program	Level 1 and Level 2 = EER contingent upon completion of intervention program
				L25	21	Bullying - Cyber				
				L25	21	Bullying (Releasing or threatening to release intimate material of a minor or student 18 years of age or older without consent)				
				L30	21	Bullying (Inciting violence against a student through group bullying)				
				L35	21	Bullying (Persistent Behavior)	3-day OSS; corrective counseling and assigned stay-away agreement.	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Not eligible for EER

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						Important Chapter 37 Notes: (A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions. (B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless. (C) An out of school suspension (OSS) may not exceed three school days. (D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses. (E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense. (F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.				
				L40	21	Disregard for Authority (Failure to comply with directives given by school personnel; insubordination)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	30-day SGLC assignment & completion of intervention program	N/A
				L42	21	Assault (Without Bodily Injury - Employee)	90-day SGLC assignment & completion of anger management program	120-day SGLC assignment & completion of anger management program	SGLC assignment for remainder of SY & completion of anger management program	Not eligible for EER
				L44	21	Assault (Without Bodily Injury- Student)	30-day SGLC assignment & completion of anger management program	45-day SGLC assignment & completion of anger management program	60-day SGLC assignment & completion of anger management program	EER contingent upon completion of anger management program
				L50	21	Possession of Prohibited Items (A) - (e.g., fireworks, smoke or stink bombs, any pyrotechnic device, location restricted knife - under 5", razor, box cutter) SCC	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	30-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	Level 2 and 3 = EER contingent upon completion of intervention program
				L59	21	Altering/Destroying School Records	5-day ISS assignment & completion of DRC guidance program	"10-day ISS assignment & completion of DRC guidance program"	30-day SGLC assignment & completion of DRC guidance program	N/A
				L59	21	Graffiti/Vandalism (Defacing School Property ≤ \$50) Criminal Mischief less than \$50	Includes Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9) plus restitution.	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9) plus restitution.	30-day SGLC assignment, completion of intervention program plus restitution.	Not eligible for EER
				L59	21	Graffiti/Vandalism (Defacing School Property ≥ \$50) Criminal Mischief more than \$50	Includes 3-day OSS; corrective counseling and discretionary 30-day SGLC assignment with assignment of intervention program.	30-day SGLC assignment, completion of intervention program plus restitution.	60-day SGLC assignment, completion of intervention program plus restitution.	Not eligible for EER
				L61	21	Theft (Any Value)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9) plus restitution.	30-day SGLC assignment & completion of intervention program plus restitution	60-day SGLC assignment & completion of intervention program plus restitution	EER contingent upon completion of intervention program
				L64	21	Possession of Cell Phone/Electronic Devices (Unauthorized)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	N/A
				L66	21	Harassment (Sexual)	90-day SGLC assignment & completion of intervention program	120-day SGLC assignment & completion of intervention program	180-day SGLC assignment & completion of intervention program	Not eligible for EER
				L67	21	Intimate Visual Material (possession of pornography)	90-day SGLC assignment & referral to TCHAT	SGLC assignment for remainder of school year & referral to TCHAT		N/A
				L68	21	Intimate Visual Material (distribution of pornography)	90-day SGLC assignment & referral to TCHAT	SGLC assignment for remainder of school year & referral to TCHAT		

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						<p>Important Chapter 37 Notes:</p> <p>(A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions.</p> <p>(B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless.</p> <p>(C) An out of school suspension (OSS) may not exceed three school days.</p> <p>(D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p> <p>(E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.</p> <p>(F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p>				
				L72	21	Dress Code Violation	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student & Parent Handbook)	N/A
				L73	21	Profanity towards school employee	Corrective counseling, discretionary ISS or OSS, behavior contract and schedule change, warning of placement to SGLC.	30-day SGLC assignment & completion of intervention program	45-day SGLC assignment & completion of intervention program	Not eligible for EER
				L73	21	Profanity towards student/non- employee	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	30-day SGLC assignment & completion of intervention program	N/A
				L75	21	Bus Conduct	"Warning of Loss of Bus Privileges (Parent Conference)"	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions including loss of bus privileges. (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions including loss of bus privileges. (Student Code of Conduct p. 9)	N/A
				L80	21	Persistent/Habitual Campus Disruption (behavior that causes campus-wide disruption)	30-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Not eligible for EER
				L80	21	Persistent/Habitual Misbehavior on Campus (5 or more documented referrals)	45-day SGLC assignment & completion of intervention program	60-day SGLC assignment & completion of intervention program	90-day SGLC assignment & completion of intervention program	Level 1 = EER contingent upon completion of intervention program
				L85	21	Classroom Disruption	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9)	N/A
				VAP	21	Vaping Possession of an e-cigarette, vaping device, parts of a vaping device, or any associated paraphernalia	Any individual of combination of discipline management techniques may be used by the campus administrator as part of a progressive set of interventions (Student Code of Conduct p. 9) plus completion of DRC program	30-day SGLC assignment & completion of drug dependency program	45-day SGLC assignment & completion of drug dependency program	N/A
						Truancy (failure to attend school) - Student with at least 3 absences (TEC § 25.094. Failure to Attend School - three or more days or parts of days within a four-week period.)	Warning - Parent awareness/reminder of truancy laws; counseling intervention to determine root cause of absences.	Parent Conference; Discipline Referral Form/Truancy charge issued to student - Requirement to attend Saturday School	Referral to BCFS Family Intervention Program; Discipline Referral Form/Truancy charge issued to student - Requirement to attend Saturday School	N/A

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						<p>Important Chapter 37 Notes:</p> <p>(A) The Campus Behavior Coordinator (CBC) is required to promptly notify a student's parent or guardian of any disciplinary actions.</p> <p>(B) Before a suspension, consideration must be given to (1) self-defense; (2) intent or lack of intent at the time the student engaged in the conduct; (3) disciplinary history; and (4) disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct; (5) status under conservatorship of the Department of Family and Protective Services; and (6) a student status as a student who is homeless.</p> <p>(C) An out of school suspension (OSS) may not exceed three school days.</p> <p>(D) A student who is enrolled in a grade level below grade three may not be placed in out-of-school suspension unless the student engages in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p> <p>(E) When a student under the age of ten engages in behavior that is an expellable behavior, the student shall not be expelled, but shall be placed in a DAEP. A student under age six shall not be placed in a DAEP unless the student commits a federal firearm offense.</p> <p>(F) A student who is classified as "homeless" may not receive OSS unless the student has engaged in weapons-related offenses, violent assault offenses or drug or alcohol-related offenses.</p>				
						<p>Truancy (failure to attend school) - Student with 10 absences (TEC § 25.094. Failure to Attend School - fails to attend school on 10 or more days or parts of days within a six-month period.)</p>	<p>Parent Conference with District Truancy Officer issues warning to parent of charges and court referral of any subsequent unexcused absences. Discipline Referral Form/Truancy Charge Issued to Student</p>	<p>District Truancy Officer collects documentation of intervention efforts and attempts to address unexcused absences (parent contributing to truancy). If student is not in residency, then the student will be withdrawn from the District. Students not in residency who are withdrawn due to truancy reasons will not be permitted to re-enroll in the District.</p>		N/A
						<p>Truancy (failure to attend school) - Parent Contributing to Truancy</p>	<p>Referral to Court</p>			N/A
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When the mandatory action is not assigned, an additional action code of 27 or 28 must be added to the discipline record (in addition to the assigned PEIMS action code(s)).
See tab K in the SFDR-CISD Discipline Manual for additional guidance.

PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsions

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts. It does not apply to charter schools except for code 11 – (Possession or use of Firearms at school or a school related activity), unless a charter school has adopted one of the other mandatory provisions into its student code of conduct.

TABLE KEY

*Retaliation against school employee or volunteer coupled with an offense in TEC 37.007 (a) or (d).

■ Not allowed by TEC Chapter 37

■ Not specified by TEC Chapter 37. Action for these items must be authorized by the local Student Code of Conduct

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
01	Permanent removal by a teacher from class – TEC §37.002(c) A teacher may permanently remove a student from the classroom (1) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or (2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.	On campus (01)	■	■	D	■
02	Engages in Conduct Punishable as a Felony - TEC §37.006(a)(2)(a) Includes all felony activities that are not otherwise more specifically defined or included as a behavior that requires a mandatory expulsion action.	On campus (01)	M	■	■	■
	TEC §37.006(a)(2)(A)	Off Campus, within 300 ft. (02)	M	■	■	■
	TEC §37.006(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M	■	■	■
	TEC §37.006(d)	Off Campus, no school related/sponsored activity (04)	■	■	D	■
	TEC §37.0081	On school property, or at school related/sponsored activity, of another school district (05)	■	■	D	■
04	Non-Felony Marihuana or Controlled Substance or Dangerous Drug - TEC §37.006(a)(2)(C) and §37.007(b)(2)(A) Sells, gives, or delivers to another person or possesses or uses or is under the influence of marihuana or a controlled substance, as defined by Health and Safety Code Chapter 481, , or a dangerous drug, as defined by Health and Safety Code Chapter 483. Health and Safety Code Chapter 481 defines marihuana as Cannabis Sativa whether growing or not, the seeds of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant or its seeds. The term does not include resin extracted from a part of the plant, the mature stalks of the plant or fiber produced from the stalks, oil or cake made from the seeds of the plant, the sterilized seeds of the plant or a compound, manufacture, salt, derivative, mixture, or preparations of the mature stalks, fiber, oil or cake. Health and Safety Code Chapter 481 defines a controlled substance as a substance, including a drug and an immediate precursor, listed in Schedules I-V or penalty Groups 1-4 of the Health and Safety Code. Possession of any amount in Penalty Groups 1 and 2 is a felony. Possession of a controlled substance in Penalty Groups 3 and 4 is a felony if the amount is more than 28 grams. It is also a felony to deliver a controlled substance to a minor. (However, this offense does not apply to minors in some circumstances.) Health and Safety Code Chapter 483 defines a dangerous drug as a device or a drug that is unsafe for self-medication and that is not included in Schedules I-V or penalty Groups 1-4 of the Health and Safety Code. The term includes a device or drug that bears or is required to bear the legend: (a) Caution: federal law prohibits dispensing without a prescription; or (b) Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian. "Marihuana or Controlled Substance or Dangerous Drug" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct. If a violation under this category is committed at a felony level, then the student must be expelled from their regular education setting. Use Disciplinary Action Reason Code 36 for reporting when this occurs.	On campus (01)	M	■	■	D
	TEC §37.006(a)(2)(C) and 37.007(b)(2)(A)	(02) Off Campus, within 300 ft.	M	■	■	D
	TEC §37.006(a)(2)(C) and 37.007(b)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M	■	■	D

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Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
05	<p>Non-Felony Alcohol - TEC §37.006(a)(2)(D) and 37.007(b)(2)(A) Sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code Section 1.04 commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.</p> <p>Alcoholic Beverage Code Section 1.04 defines an alcoholic beverage as alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.</p> <p>"Alcohol" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct. If a violation under this category is committed at a felony level, then the student must be expelled from their regular education setting. Use Disciplinary Action Reason Code 37 for reporting when this occurs.</p>	(01) On Campus	M			D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	Off Campus, within 300 ft. (02)	M			D
06	<p>Abuse of a Volatile Chemical - TEC §36.006(a)(2)(E) and 37.007(b)(2)(B) Engages in conduct that contains the elements of an offense relating to an abusable volatile chemical (glue, aerosol paint, etc.) under Sections 485.031 through 485.034, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.</p> <p>Chapter 485.031, Health and Safety Code, defines the offense abuse of a volatile chemical as when a person inhales, ingests, applies, uses, or possesses a volatile chemical with the intent to inhale, ingest, apply, or use a volatile chemical (glue, aerosol paint, etc.) in a manner contrary to the directions for use, cautions or warnings appearing on a label of a container of chemical and is designed to affect the persons central nervous system, create or induce a condition of intoxication, hallucination, or elation or change or distort or disturb the person's eyesight, thinking process, balance or coordination.</p> <p>"Abuse of a Volatile Chemical" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>	On campus (01)	M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	School Related/Sponsored Activity Off Campus (03)	M			D
07	<p>Public Lewdness/Indecent Exposure- TEC §37.006(a)(2)(F) Engages in conduct that contains the elements of the offense of public lewdness under Penal Code Section 21.07 or indecent exposure under Section 21.08, Penal Code.</p> <p>Penal Code Chapter 21.07 defines public lewdness as when a person knowingly engages in any of the following acts in a public place or, if not in a public place, is reckless about whether another is present or will be offended or alarmed by:</p> <p>(a) an act of sexual intercourse; (b) act of deviate sexual intercourse; (c) act of sexual contact; or (d) act involving contact between the person's mouth or genitals and the anus or genitals of an animal or fowl.</p> <p>Penal Code Chapter 21.08 defines indecent exposure as an offense when a person exposes his anus or any part of his genitals with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended or alarmed by his act.</p>	On campus (01)	M			
	TEC §37.006(a)(2)(F)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)	M			
08	<p>Retaliation against School Employee - TEC §37.006(b) and 37.007(d) Engages in conduct that contains the elements of the offense of retaliation under Penal Code Section 36.06 against any school employee.</p> <p>Penal Code Section 36.06 defines the offense of retaliation as when a person intentionally or knowingly harms or threatens to harm another by an unlawful act in retaliation for or on account of the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime or to prevent or delay the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime.</p> <p>"Retaliation against School Employee" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct. If a violation under this reason is committed at a felony level, then the student must be expelled from their regular education setting.</p>	On campus (01)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, within 300 ft. (02)	M			D*
	TEC §37.006(b) and 37.007(d)	School Related/Sponsored Activity Off Campus (03)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, no school related/sponsored activity (04)	M			D*

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
09	<p>Title 5 Felony Committed Off Campus - TEC §37.006(c) and §37.007(b)(4) and TEC §37.0081</p> <p>A student who commits an off-campus felony must be removed from their regular education program and placed in a DAEP if:</p> <ul style="list-style-type: none"> (a) the student receives deferred prosecution for conduct and the conduct is defined as a felony under Title 5 of the Penal Code; (b) a court or jury finds that the off-campus conduct engaged in by the student constitutes delinquent conduct and is defined as a felony under Title 5 of the Penal Code; (c) or, the superintendent or the superintendent’s designee has a reasonable belief that the student engaged in conduct defined as a felony under Title 5 of the Penal Code. <p>Title 5 felonies include: murder; capital murder; manslaughter; criminally negligent homicide; kidnapping; aggravated kidnapping; indecency with a child; felony assault; sexual assault; aggravated assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; terroristic threat; aiding suicide; and tampering with a consumer product.</p> <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a)(2)(A) or (C) (murder, capital murder, criminal attempt to commit murder or capital murder; aggravated assault under Penal Code §22.02; sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal code §22.021), against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property. The provision for a discretionary expulsion under for these offenses is dependent on the local Student Code of Conduct.</p>	Off Campus, no school related/sponsored activity (04)	M			D
10	<p>Non-Title 5 Felony Committed Off Campus - TEC §37.006(d) and TEC §37.007(b)(4)</p> <p>A student may be removed from class and placed in a DAEP under TEC §37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if;</p> <ul style="list-style-type: none"> (a) the superintendent or the superintendent’s designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in Title 5, Penal Code; and (b) the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the education process. <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of aggravated robbery under Penal Code §29.03, against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school- related activity on or off of school property. The provision for a <i>discretionary expulsion under this offense is dependent on the local Student Code of Conduct.</i></p>	Off Campus, no school related/sponsored activity (04)			D	D
11	<p>Firearm – Brought a Firearm to School – TEC 37.007(e) or Unlawful Carrying of a Handgun under Penal Code 46.02 – TEC 37.007(a)(1) 18 U.S.C. Section 921</p> <p>Under 18 U.S.C. Section 921, the term “firearm” means:</p> <ul style="list-style-type: none"> (a) any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; or (d) any destructive device. <p>Under 18 U.S.C. Section 921, antique firearms (manufactured prior to 1899) are not included in the definition of a firearm. BB and pellet guns are not considered firearms under this definition.</p> <p>The use, exhibition, or possession of these items, while probably prohibited by the local Student Code of Conduct, is not an acceptable reason for expelling a student.</p>	On campus (01)		M		
	TEC §37.007(b)(3)(B)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1) and/or 37.007(e)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
12	<p>Location Restricted Knife – Unlawful Carrying of a Location-restricted Knife under Penal Code 46.02 – TEC 37.007(a)(1) (Location Restricted knife - blade longer than 5.5 inches). Penal Code Section 46.01(6) defines a location-restricted knife as a knife with a blade length longer than 5.5 inches.</p>	On campus (01)		M		
	TEC §37.007(b)(3)(B)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1) and/or 37.007(e)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
14	<p>Prohibited Weapon – Conduct Containing the Elements of an Offense Relating to Prohibited Weapons Under Penal Code 46.05 – TEC 37.007(a)(1). Penal Code Section 46.05 defines a prohibited weapon as one of the following:</p> <p>(a) an explosive weapon (Penal Code 46.01(2)), (b) a matching gun (Penal Code 46.01(9)), (c) a short-barrel firearm (Penal Code 46.01(10)), (d) armor-piercing ammunition (Penal Code 46.01(12)), (e) a chemical dispensing device (Penal Code 46.01(14)), (f) a zip gun (Penal Code 46.01(16)), (g) a tire deflation device (Penal Code 46.01(17)), or (h) an improvised explosive device (Penal Code 46.01(19))</p>	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
16	<p>Arson – TEC §37.007(a)(2)(B) Penal Code Section 28.02 defines arson as when a person starts a fire or causes an explosion with intent to destroy or damage any vegetation, fence, structure, open-space land, building or vehicle knowing that it is within the limits of an incorporated city or town, it is insured, it is subject to mortgage or it is located on property belonging to another.</p>	On campus (01)		M		D
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
17	<p>Murder, Capital Murder, or Criminal Attempt to Commit Murder/Capital Murder – TEC §37.007(a)(2)(C) Penal Code Section 19.02 defines murder as when a person intentionally or knowingly causes the death of another person, intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual or commits or attempts to commit a felony, other than manslaughter, and in the course thereof he commits an act clearly dangerous to human life that causes the death of an individual.</p> <p>Penal Code Section 19.03 defines capital murder as when a person commits an offense defined under Section 19.02 and the person murders a peace officer or fireman who is acting in the lawful discharge of an official duty, the person intentionally commits murder during the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, or obstruction or retaliation. A person also commits capital murder if the person commits murder for remuneration or the promise of remuneration or employs another to commit murder for remuneration.</p> <p>Section 15.01, Penal Code, defines criminal attempt as when a person if, with specific intent to commit an offense, does the act amounting to more than mere preparation but fails to effect the commission of the offense intended.</p>	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(C)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
18	<p>Indecency with a Child - TEC §37.007(a)(2)(D) Penal Code Section 21.11 defines indecent with a child as when a person, with a person younger than 17 years, engages in sexual contact with student or exposes his anus or any part of his genitals knowing the student is present with intent to arouse or gratify the sexual desire of any person.</p>	On campus (01)		M		

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(D)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
	Aggravated Kidnapping – TEC §37.007(a)(2)(E) Penal Code Section 20.04 defines aggravated kidnapping as when a person intentionally or knowingly abducts another person with intent to hold him for ransom, use him as a hostage, facilitate the commission of a felony, afflict bodily injury on him or abuse him sexually, terrorize him or a third person, or interfere with the performance of any governmental or political function.	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(E)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
21	Violation of Student Code of Conduct - TEC §37.006, 37.007, or 37.002(c) This category includes bullying, harassment, and making hit lists (TEC §37.001) and reasons not specifically identified in TEC Chapter 37 that are adopted by the local school board and itemized and identified in the local Student Code of Conduct.	Not Applicable (00)			D	
22	Criminal Mischief - A student may be expelled under Section 37.007(f) for conduct that contains the offense of criminal mischief if that conduct is punishable as a felony . Otherwise, the most severe action that may be taken would be placement in a DAEP. Penal Code Section 28.03 defines criminal mischief as when a person intentionally or knowingly damages or destroys the tangible property of the owner, intentionally or knowingly tampers with the tangible property of the owner and causes a pecuniary loss or substantial inconvenience to the owner or a third person. A felony under this section occurs when damage exceeds \$1,500. For example, this section would apply to cases of graffiti if the total cost of repair and cleaning exceeds \$1,500.	Not Applicable (00)				D
23	Emergency Placement/Expulsion – The use of this code is limited to reasons for which placement in a DAEP or expulsion may be made on a non-emergency basis according to TEC §37.019. <u>Emergency DAEP Placement</u> Chapter 37 authorizes the immediate placement of a student in a DAEP if the principal or their designee reasonably believes that the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity. <u>Emergency Expulsion</u> Chapter 37 authorizes the immediate expulsion of a student if the principal or their reasonably believes that the immediate expulsion of the student is necessary to protect persons or property from imminent harm.	Not Applicable (00)			D	D
26	Terroristic Threat - TEC §37.006(a)(1) or 37.007(b)(1) Under Penal Code Section 22.07, a person commits an offense if he threatens to commit any offense involving violence to any person or property with the intent to: (a) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; or (b) place any person in fear of imminent serious bodily injury; or (c) prevent or interrupt the occupation or use of a building; room; place of assemble; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or (d) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service. A person who receives a terroristic threat must not only believe the threat, but also believe that the person making the threat will carry it out. "Terroristic Threat" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.	On campus (01)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			D
27	<p>Assault of School District Employee or Volunteer - TEC §36.006(a)(2)(b) and/or TEC §37.007(b)(2)(C) Penal Code Section 22.01 (a)(1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person.</p> <p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>	On campus (01)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	Off Campus, within 300 ft. (02)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	School Related/Sponsored Activity Off Campus (03)	M			D
28	<p>Assault of Someone other than School District Employee or Volunteer - TEC §37.006(a)(2)(B) Penal Code Section 22.01 (a) (1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person.</p> <p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury. Two or more students cannot assault each other.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>	On campus (01)	M			
	TEC §37.006(a)(2)(B)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)	M			
29	<p>Aggravated Assault against School Staff - TEC §37.007(d) Aggravated assault against a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>	On campus (01)		M		
	TEC §37.007(d)	Off Campus, within 300 ft. (02)		M		
	TEC §37.007(d)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC §37.007(d)	Off Campus, no school related/sponsored activity (04)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)		M		
30	<p>Aggravated Assault against Student - TEC §37.007(a)(2)(A) Aggravated assault against someone other than a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)		M		

 Unsafe School Coding

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
TEC 37.007(i)		On school property, or at school related/sponsored activity, of another school district (05)				D
31	<p>Sexual Assault/Aggravated Sexual Assault against School Staff - TEC §37.007(d) Sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person, without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021, defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>	On campus (01)		M		
TEC §37.007(d)		Off Campus, within 300 ft. (02)				D
TEC §37.007(d)		School Related/Sponsored Activity Off Campus (03)				
TEC 37.007(i)		On school property, or at school related/sponsored activity, of another school district (05)				D
32	<p>Sexual Assault/Aggravated Sexual Assault against Student - TEC §37.007(a)(2)(A) Sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against someone other than a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person, without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021 defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>	On campus (01)		M		
TEC §37.007(b)(3)(A)		Off Campus, within 300 ft. (02)				D
TEC §37.007(a)(2)(A)		School Related/Sponsored Activity Off Campus (03)		M		
TEC 37.007(i)		On school property, or at school related/sponsored activity, of another school district (05)				D

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
35	<p>False Alarm/False Report - TEC §37.006(a)(1) and 37.007(b)(1) A student who commits an offense if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he knows is false or baseless and that would ordinarily:</p> <p>(a) cause action by an official or volunteer agency organized to deal with emergencies; (b) place a person in fear of imminent serious bodily injury; or (c) prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance.</p> <p>"False Alarm/False Report" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>	On campus (01)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			D
36	<p>Felony Controlled Substance Violation - TEC §37.007(a)(3) Examples would include four (4) ounces or more of marijuana, any amount of cocaine, and other controlled substances. Always get corroboration from law enforcement before using this Action Reason code.</p>	On campus (01)		M		
	TEC §37.007(a)(3)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
37	<p>Felony Alcohol Violation - TEC §37.007(a)(3) An example would be intoxication manslaughter. Always get corroboration from law enforcement before using this Action Reason code.</p>	On campus (01)		M		
	TEC §37.007(a)(3)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
41	<p>Fighting/Mutual Combat - Excludes all offenses under Penal Code §22.01 Fighting is defined as two or more students or persons that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s) or person(s).</p>	Not Applicable (00)			D	
46	<p>Aggravated Robbery - TEC §37.007(a)(2)(F), TEC §37.006(C)-(D) (HB 9680) Penal Code §29.03 defines aggravated robbery as when a person commits robbery as defined in Section 29.02, and he: (1) causes serious bodily injury to another; (2) uses or exhibits a deadly weapon; or (3) causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is: (A) 65 years of age or older; or (B) a disabled person. Penal Code §29.02 defines robbery as a person commits an offense if, in the course of committing theft as defined in Chapter 31 and with intent to obtain or maintain control of the property, he: (1) intentionally, knowingly, or recklessly causes bodily injury to another; or (2) intentionally or knowingly threatens or places another in fear of imminent bodily injury or death.</p>	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
47	Manslaughter - TEC §37.007(a)(2)(G) Penal Code §19.04 defines manslaughter as a person commits an offense if he recklessly causes the death of an individual.	On campus (01)		M		
		Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(G)	School Related/Sponsored Activity Off Campus (03)				
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
48	Criminally Negligent Homicide - TEC §37.007(a)(2)(H) Penal Code §19.05 defines criminally negligent homicide as a person commits an offense if he causes the death of an individual by criminal negligence.	On campus (01)		M		
		Off Campus, within 300 ft. (02)				D
	TEC §37.007(b)(3)(A)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
49	Deadly Conduct – TEC §37.007(b)(2)(D) Penal Code §22.05 defines deadly conduct as when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, or a person commits an offense if he knowingly discharges a firearm at or in the direction of: (1) one or more individuals; or (2) a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded. For purposes of this section, "building," "habitation," and "vehicle" have the meanings assigned those terms by Section 30.01. An offense under Penal Code §22.05(a) is a Class A misdemeanor. An offense under Penal Code §22.05(b) is a felony of the third degree.	On campus (01)			D	D
		Off Campus, within 300 ft. (02)			D	D
	TEC §37.007(b)(2)(D)	School Related/Sponsored Activity Off Campus (03)			D	D
55	Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Under Court Supervision - TEC §37.304. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007.	Not Applicable (00)	M			D
56	Student Is Required to Register as A Sex Offender Under Chapter 62 Of The Code Of Criminal Procedure And Is Not Under Court Supervision - TEC §37.305. The offense(s) for which the student is required to register as a sex offender must have occurred on or after Sept. 1, 2007.	Not Applicable (00)			D	
57	Continuous Sexual Abuse of Young Child or Disabled Individual Under Penal Code §21.02 - TEC §37.007(a)(2)(I)	On campus (01)		M		
		Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(I)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D

Disciplinary Action Reason Code (C165)		Behavior Location Code (C190)	Disciplinary Action Codes (C164)			
Code and Definition		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
58	<p>Breach of Computer Security Under Penal Code §33.02 – TEC § 37.007(b)(5) A student engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02 if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly: (i) alters, damages, or deletes school district property or information; or, (ii) commits a breach of any other computer, computer network, or computer system.</p>	On campus (01)				D
	TEC §37.007(b)(5)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(b)(5)	School Related/Sponsored Activity Off Campus (03)				D
	TEC §37.007(b)(5)	Off Campus, no school related/sponsored activity (04)				D
	TEC §37.007(b)(5)	On school property, or at school related/sponsored activity, of another school district (05)				D
59	<p>Serious Misbehavior, as defined by TEC §37.007(c), while expelled to/placed in a Disciplinary Alternative Education Program (DAEP) - TEC §37.007(c) defines "serious misbehavior" as:</p> <p>(1) deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat; (3) conduct that constitutes coercion, as defined by Penal Code §1.07;; or (4) conduct that constitutes the offense of: (a) public lewdness under Penal Code §21.07, (b) indecent exposure under Penal Code §21.08; (c) criminal mischief under Penal Code §28.03; (d) personal hazing under Penal Code §37.152; or (e) harassment under Penal Code §42.07(a)(1), of a student or district employee.</p>	On Campus (01)				D
60	<p>Harassment Against an Employee of the School District under Texas Penal Code 42.07(a)(1), (2), (3), or (7) – TEC 37.006(a)(2)(G) Texas Penal Code Section 42.07(a)(1), (2), (3), and (7) defines this behavior as: A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:</p> <p>(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene; (2) threatens, in a manner reasonably likely to alarm the person receiving the threat, to inflict bodily injury on the person or to commit a felony against the person, a member of the person's family or household, or the person's property. (3) Conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury; (4) Sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.</p>	On campus (01)	M			
	TEC 37.006(a)(2)(G)	Off Campus, within 300 ft. (02)	M			
	TEC 37.006(a)(2)(G)	School Related/Sponsored Activity Off Campus (03)	M			
61	<p>Bullying – TEC 37.0052(b) TEC Sec.37.0052 (b) defines bullying behavior as: (1) engages in bullying that encourages a student to commit or attempt to commit suicide; (2) incites violence against a student through group bullying; or (3) releases or threatens to release intimate visual material of a minor or a student who is 18 years of age or older without the student's consent</p>	Not Applicable (00)			D	D

 Unsafe School Coding

BULLYING CHECKLIST

FOR SCHOOLS

PLEASE READ BEFORE USING CHECKLIST

To determine whether an act is bullying or cyberbullying by law, proceed down the checklist and provide a checkmark for each true statement. If any identified section does not receive at least one checkmark, then the act is not considered bullying by state law.

SB 179, "David's Law" expanded authority to school districts, allowing public and charter schools to address cyberbullying off-campus and outside of school-related or school-sponsored activities based on specific criteria. In order to address this legislative change, this checklist may help parents, educators, and administrators determine if a student at their school has been bullied according to the legislative definition. Please follow the conditional 'yes/no' logic for the questions regarding the use of electronic communication devices in possible bullying scenarios.

Did the act occur outside of a school-sponsored or school-related activity?

(This is an important distinction, as David's Law expands a school district's authority to include cyberbullying incidents that occur off campus and outside a school-sponsored or school-related activity, as long as it meets one of the below criteria.)

Yes

Did the act interfere with a student's educational opportunities; or substantially disrupt the orderly operation of a classroom, school, or school-sponsored/related activity?

No

According to law, if the act **DID NOT** meet the criteria above, it is not under the school district's authority.

IS IT BULLYING?

Was it a single significant act?
Was it a pattern of acts?

By one or more students directed at another student that **exploits an imbalance of power**

Through physical contact
Using verbal expression
Using written expression
Using electronic means

Physically harms a student or damages their property
Creates reasonable fear of harm to student or damage to their property
Is sufficiently severe, persistent, or pervasive enough that the action or threat creates:
Intimidating educational environment
Threatening educational environment
Abusive educational environment
Materially and substantially disrupts the educational process or operation of school
Infringes on rights of victim at school

Was the act committed by using any type of electronic communication device?

Yes

(i.e. Cellular or other phone, computer, camera, e-mail, text or instant messaging, social media app, Internet website, Internet communication tool)

No

On school property
At a school-sponsored or school-related activity (on or off campus)
On school bus or vehicle used to transport students

YES, IT'S BULLYING

(Cyberbullying is bullying)

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(Updated 2021)

BULLYING CHECKLIST EXAMPLES

The examples provided below are not an exhaustive list. They are provided to support you through the checklist to determine whether the act(s) meet the legal definition of bullying.

Was it a single significant act? What makes a single act ‘significant’ is the severe or pervasive effect it has on the target (victim) of the bullying. Examples of single significant acts include a student who is severely physically injured by their bully or a student who is told to kill themselves. It can occur electronically, for example, an intimate photo is stolen and posted online, or a video showing a student being ridiculed is uploaded onto social media. With social media, it can be difficult to determine whether an act of bullying occurred once or was a pattern of acts. This is one reason why David’s Law amended the Texas Education Code to include a single significant act. As hurtful comments, images, or videos may be posted one time, each comment, like, or share, as well as the permanent nature of the internet and technology adds additional pain to the target of the bullying. The important thing to focus on is not whether the act meets ‘significant’ status, but whether it is significant to the target of the bullying.

Was it a pattern of acts? There is no timeline for bullying behavior to be considered a pattern of acts. Repeated acts can occur within a short period of time or they can span months or even years. For example, a student is physically bullied in sixth grade, and is then cyberbullied in seventh grade when altered images and hurtful comments are posted online by the same student who bullied them in sixth grade. Or a student is repeatedly called hurtful names and has things thrown at them every time they walk down the school hallway.

By one or more students directed at another student that exploits an imbalance of power. An imbalance of power is a subjective determination and can include physical, social, emotional, informational, or other threats to a students’ emotional wellbeing. This can change over time even if it involves the same students.

Power may include physical strength and stature, social status at school or on social media, or having access to embarrassing photos or personal information. For example, a student threatens to tell everyone at school that the target of their bullying lives at a shelter, or that the target’s parents are unemployed. Another example is a student with a large social media following who has access to unflattering photos of the target and threatens to post the photos online.

Through physical contact Bullying through physical contact can include pinching, flicking, poking, punching, slapping, hitting, or being pushed down the stairs. Bullying through physical contact, such as flicking or pinching, can sometimes be dismissed as immature or childish behavior. Avoid minimizing or dismissing the behavior, especially when it meets all bullying checklist criteria.

Using verbal expression Bullying through verbal expression can include name calling, derogatory comments, ridiculing, threats to cause harm, or threats to take away friendship. It is important to distinguish between when a student is being rude or mean, and when they are bullying. Rude and mean comments hurt, but for it to rise to the level of bullying it would need to meet all checklist criteria.

Using written expression Bullying through written expression can include writing hurtful comments or threats in notes, on photos, lockers, mirrors, walls, or on paper or other material.

Using electronic means Bullying through electronic means includes using technology such as smartphones or computers to bully others. It can also include the use of a camera, e-mail, text or instant messaging, social media application, or internet website. Examples include spreading rumors or gossip through social media, taking and sending embarrassing pictures or videos without permission, creating a fake profile and pretending to be another student, threatening violence through group bullying, photoshopping someone’s image to humiliate, harass, or embarrass, or recording and posting fight videos. The technology and devices used can be personal, or school issued.

BULLYING CHECKLIST EXAMPLES

Physically harms a student or damages their property Physical harm could include bruises, cuts, burns, or a broken bone. Bullying can also include damage to property, including clothing, bookbags, smartphones, or laptops.

Creates reasonable fear of harm to student or damage to their property It is important to understand the fear of harm that bullying causes, either to a person or their property. For example, a student is told “you’ll be sorry if you come to school tomorrow” and as a result the student is in fear of going to school. In this context, ‘reasonable’ fear of harm applies to whether other people in the same situation would feel similarly.

Intimidating educational environment The target of the bullying feels intimidated at school, and as a result, the school environment is not a safe place for them. For example, the student is fearful of going to class because the student who is bullying them is in the same class.

Threatening educational environment The target of the bullying feels threatened at school, and as a result, the school environment is not a safe place for them. For example, the student is threatened online for asking a particular girl to prom and is fearful to return to school. Or the student is told that they will “regret it” if they try out for the track team.

Abusive educational environment The target of the bullying feels abused at school, and as a result, the school environment is not a safe place for them. For example, the student is pushed down the stairs, or the student’s friends are told to not sit with them at lunch.

Materially and substantially disrupts the educational process or operation of school The bullying or the impact of the bullying is significant enough to disrupt or interfere with the education process, the classroom, or school operations. For example, a teacher is unable to cover instructional content as a significant amount of class time is spent addressing the student who is bullying. Or students, even those who may not be a target, are fearful to go to class or have difficulty receiving instruction because of the behavior of the student who is bullying.

Infringes on the rights of the victim at school The bullying or impact of the bullying restricts the rights of the target who is being bullied. For example, a student is afraid to go to the restroom or try out for a team because of being bullied.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

Instructions: *The following hypothetical scenarios are meant to provide further guidance, and act as an example, when using the **TxSSC's Bullying Checklist for Schools**. Each of the examples below provide a hypothetical scenario and then apply each component of the checklist to the situation, ultimately determining if the action or actions meets the legal definition of bullying according to the Texas Education Code.*

SCENARIO #1

Lee waits for Jessie to leave their first period class at the middle school every day. Lee is much larger stature, an athlete, and does not like Jessie. Almost every day, Lee confronts Jessie following their first period class by knocking Jessie's books from his hands. Jessie does nothing to retaliate.

IS THIS BULLYING?

YES | According to the bullying checklist, it meets the necessary criteria to be considered bullying.

Application of the TxSSC's bullying checklist for schools:

- This happening multiple times after 1st period makes this a pattern of acts.
- The acts are between Lee and Jessie, making it from one student directed at another. Since Lee is larger, it also exploits an imbalance of power. There also could be other imbalances of power that are not immediately apparent.
- The knocking of the books from the hands is physical expression.
- Lee knocking books from Jessie's hands damages Jessie's property and creates reasonable fear of harm to Jessie and damage to his property. Since the acts happen almost every day, the acts are persistent. The continuous knocking of books from Jessie's hands creates at least an intimidating and threatening educational environment.
- The incidents happen on school property.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

SCENARIO #2

Taylor and Devin communicate through text and social media every day. Taylor and Devin are both interested in dating a student named Ryan. At some point, Devin starts spreading false rumors to Ryan about Taylor, in order to get Ryan to dislike Taylor. After leaving school, Devin starts texting unflattering photos of Taylor to Ryan and making social media posts “bashing” Taylor. These texts and photos, as well as social media posts, are NOT done while at school, only while at home or at other friends’ houses. Devin is from a wealthy family and their parents hold high positions in the community, while Taylor is from a moderate income, single-parent family. Other students are beginning to shun Taylor at school, resulting in Taylor socially withdrawing at school and no longer wanting to attend that school. When Taylor and Devin are in class together, they have had to be separated, as they obviously do not get along together in school.

IS THIS BULLYING?

YES | According to the bullying checklist, it meets the necessary criteria to be considered bullying (cyberbullying is bullying).

Application of the TxSSC's bullying checklist for schools:

- Multiple incidents of texting and social media posts make this a pattern of acts.
- The acts are between Taylor and Devin, making it from one student directed at another. These actions have created a situation where Taylor is stunned by other students at school, making it more than one individual directed at another. Since Devin comes from a wealthy family who hold high positions in the community, and Taylor does not, there is a difference in socioeconomic status. This exploits an imbalance of power. There also could be other imbalances of power that are not immediately apparent.
- Social media and texting are considered electronic means.
- These acts are creating an intimidating and abusive environment. Since other students are starting to shun Taylor at schools, it is disrupting the educational process and school operations.
- Social media and texting were used as electronic communication devices.
- These incidents are happening off of school property and outside of a school-sponsored event or school-related activity.
- Since Taylor no longer wants to attend school, and both Taylor and Devin have to be separated at school, it is both interfering with Taylor's educational opportunities and disrupting orderly operations.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

SCENARIO #3

Jordan and Dakota are longtime friends and their families are friends as well. They are the same age and live a few blocks from each in the same neighborhood. They are both on the baseball team and both are well connected socially at school. Lately, they have been more competitive in their sports activities and have grown further apart. At times, they have been observed at school trading verbal taunts about each other and making fun of each other's family members. No physical altercations have occurred, but they are both aligning with other friends to go "against" each other.

IS THIS BULLYING?

NO | According to the bullying checklist, it does not meet all the necessary criteria to be considered bullying. Specifically, it lacks exploiting an imbalance of power.

Application of the TxSSC's bullying checklist for schools:

- The trading of verbal taunts is a pattern of acts.
- Since both are exchanging verbal taunts, both are directing behavior toward each other.
- Jordan and Dakota are the same age, from the same neighborhood, and are both members of the baseball team. From this description, there does not appear to be an exploitation of an imbalance of power (even though there may be other imbalances of power unknown). Based on this information, the actions do not meet the legal definition of bullying.

Although these actions do not amount to bullying based on the legal definition in the education code, this **DOES NOT** mean that some intervention would not help to reduce conflict. It is also possible that other school policies in the code of conduct might be more applicable.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

SCENARIO #4

Logan and Cameron attend the same school and live in the same neighborhood. They ride the bus to school together every morning and afternoon. Logan is well-known around the school and has lots of friends, while Cameron is shy and does not have many. Recently, Logan has started to “pick on” Cameron on the bus. He throws paper planes at him and rounds up other students on the bus to make fun of him. This has occurred for the last several weeks. Logan does not talk to Cameron while at school. Cameron has started to miss several days of school, because he is afraid that Logan’s taunts will start happening while at school.

IS THIS BULLYING?

YES | According to the bullying checklist, it meets the necessary criteria to be considered bullying.

Application of the TxSSC’s bullying checklist for schools:

- The behavior on the bus by Logan has occurred for several weeks, making it a pattern of acts.
- The behavior on the bus from Logan and the other students is directed at Cameron, making it from one or more students directed at another student. The fact that Cameron is shy and does not have many friends, and Logan is well-known and has many friends creates an imbalance of power. The number of students involved also creates an imbalance of power.
- The actions occurring on the bus, including throwing paper airplanes and making fun of Cameron represents both physical contact and verbal expression.
- These actions are physically harming Cameron and have created fear of harm at school. The actions are also persistent, which has created an intimidating, threatening, and abusive educational environment that disrupts the educational process (by missing several days at school).
- The actions occur on a bus used to transport students.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

SCENARIO #5

Parker and Morgan go to the same school and walk home every day. One day, after leaving the school campus, Parker decides to tease Morgan on their walk home. Parker pushes Morgan to the ground and dumps out her backpack. Parker is much bigger than Morgan, so it was easy for her to push her down. Morgan runs home crying. Morgan's mom has called up to the school to report that Morgan is the victim of bullying.

IS THIS BULLYING?

NO

While it does meet most of the criteria for being bullying, the action appeared to happen only once. Further, it did not happen on school grounds or at a school-sponsored activity. For actions to be considered bullying and under the school district's authority, cyberbullying is the only type of bullying that can happen off-campus where the school is required to intervene.

Application of the TxSSC's bullying checklist for schools:

- The action happened one time. As far as we know, this was an isolated incident and was not a pattern of acts.
- The action happened from Parker to Morgan, making it from one student directed at another. Parker is bigger than Morgan, which creates and imbalance of power.
- Parker pushed and dumped out Morgan's bag, making it a physical expression. Parker also teased Morgan, which could be considered verbal expression.
- The action of pushing Morgan down physically harmed her and could have reasonably put her in fear.
- It occurred off of school property and outside of a school sponsored event or related activity.

Although these actions do not amount to bullying based on the legal definition in the education code, this DOES NOT mean that some intervention would not help to reduce conflict. It is also possible that other school policies in the code of conduct might be more applicable.

APPLYING THE TXSSC'S BULLYING CHECKLIST FOR SCHOOLS

SCENARIO #6

Jayden and Avery go to high school together. Jayden is a junior and Avery is a freshman. They play basketball together every Saturday. One Saturday at the basketball court, Jayden stole Avery's basketball. When Avery confronts Jayden, Jayden denies doing it. That evening, Avery gets on Twitter and notices that Jayden posted a short video of Avery missing a basketball shot with the caption "This is what sucking at bball looks like". Avery notices that the video has been shared over 50 times by classmates and others. On Monday morning, students in school were laughing at Avery while walking through the halls. Avery has been unable to focus in class because of the laughing.

IS THIS BULLYING?

YES | According to the bullying checklist, it meets the necessary criteria to be considered bullying.

Application of the TxSSC's bullying checklist for schools:

- Stealing the basketball, and then posting on social media is a pattern of acts. The fact that it was shared over 50 times could also be considered when determining this as a pattern of acts.
- Incidents are between Jayden and Avery (one student directed at another). The action also turns into multiple students directed at one student following the sharing of the video by other classmates. Differences in classification and age between Jayden and Avery leads to exploiting an imbalance of power.
- Using Twitter to post the video is considered electronic means.
- These acts are creating an intimidating, threatening, and abusive environment. It is infringing on Avery's rights as a student. Since other students are starting to laugh at Avery in the halls, it is disrupting the educational process and school operations.
- Social media was used as an electronic communication device.
- These incidents are happening off of school property and outside of a school-sponsored event or school-related activity.
- Since Avery has not been able to focus in class because of the laughing, it is both interfering with Avery's educational opportunities and disrupting orderly operations.

FAQ's for Discipline

What is the offense date?

The offense date is the date the student commits the discipline offense.

What is the order date?

The Ordered Date indicates the date on which the disciplinary assignment was ordered. This may or may not reflect the date on which the disciplinary infraction occurred. This may or may not reflect the date on which the disciplinary assignment begins.

What is the action detail start date?

The action detail start date is the date the student begins serving the assignment.

Action Details		Add	Regenerate Dates			
Edit	Delete	Date to Serve	Time	Status	Length (Days)	Time Served
		10/21/2020	1:23 PM	Open	1.00	0.00

What is the return date and is a return date required for all discipline actions?

The return date is ***the date the student returns to the home campus or regular school setting***, not the last date of the assignment. Yes, a return date is required for all discipline actions.

What should the SGLC campus do if a student returns from the alternative campus earlier than the original assignment?

The sglc campus should mark as served the days the student was at the alternative campus and leave the remaining days open. An appropriate difference reason should be entered. The return date should be adjusted and a note entered in the comment section indicating the reason.

If more than one student is involved in the same discipline offense, is the same incident number used?

Yes, the same incident number should be used if one or more students are involved in the same offense. The offense code must be the same; however, the action code may be different.

Does all discipline need to be marked served?

Yes, all discipline should be marked served unless a difference reason is entered or the student withdrew before completing actions assigned.

Can a campus generate the Pre-PEIMS 425 and Discipline Summary reports?

All campuses should run the Pre-PEIMS 425 report, the discipline summary report for open discipline and the discipline summary report for incidents with no action assigned at their convenience.

Why does the Pre-PEIMS 425 report not indicate all discipline entered in Skyward?

The Pre-PEIMS 425 report will only include PEIMS reportable offenses.

When is it appropriate to use a 99 for a difference reason?

A 99 should only be used for if no other difference reason applies.

Does every offense require an action?

Yes, all offenses require an action.

Steps for DAEP (SGLC)

Continuations

All continuations must be entered prior to the start of the new school year. Verify that the prior year Offense Code was used and add an action code of **10** (cont. prior yr. placement) or **11** (cont. prior yr. expulsion).

Offense Dates and Ordered Dates

The Offense date and Ordered date must be prior to the student's withdrawal date. Compare the dates to the Entry/Withdrawal tab.

Action Detail Start Date

The Action Detail Start Date must be the day the student started at the alternative campus.

Days Served

If the student was released early from SGLC campus, only the days the student was enrolled at the alternative campus should be marked served with 1.00 (action detail) and the dates the student did not serve should reflect as 0.00. If the student did not serve all assigned days, a difference reason code must be added.

Additional Days Served

If the student served more than the days assigned, the Action Status would be marked Served, the Return Date must be adjusted, add the additional days to Action Details, enter a Difference Reason and add a comment to detail the reason for the additional days served.

Action Status

Action status should not be marked served until the student has been released back to the home campus.

Date Verification

Alternative campuses must verify that the Ordered Date is corresponding with the placement letter and the Action Detail Start Date reflect the first date the student began at the SGLC campus.

Chapter 37 Discipline Chart

Published online in [TASB School Law eSource](#)

This chart is designed to assist school officials in determining the appropriate disciplinary responses to student misconduct both on and off campus. The chart is based on the requirements of Texas Education Code chapter 37 and common provisions of districts' local student codes of conduct (SCOC). Before making any final disciplinary decision, school officials should always consult their local SCOC.

Key: ★ Chapter 37 states that a district “shall” take this action in response to the misconduct. [See Mitigating Factors, below.]

✓ Chapter 37 states that a district “may” take this action in response to the misconduct. The district may choose to impose this penalty if the district’s SCOC provides for this option.

* Chapter 37 does not specifically address this misconduct. The district may choose to impose a consequence if permitted under the local SCOC.

SCOC	Student Code of Conduct
TEC	Texas Education Code
TPC	Texas Penal Code
H&SC	Texas Health & Safety Code
ISS	In-School Suspension
OSS	Out-of-School Suspension
DAEP	Disciplinary Alternative Education Program
JJAEP	Juvenile Justice Alternative Education Program
CBC	Campus Behavior Coordinator

Important Notes

Campus behavior coordinator (CBC): A school district is required to appoint one CBC per campus to be responsible for maintaining student discipline and implementing discipline management techniques. Districts must also post each CBC’s e-mail address and dedicated telephone number on the district’s website. Even if the district is exempt from the requirement to designate a CBC through a local innovation plan, the district must post contact information for a campus administrator responsible for student discipline. [TEC 26.015].

The duties of the CBC may be executed by a designee if the coordinator is unavailable or unable to promptly address the situation. [TEC 37.0012(f)].

Coursework during disciplinary placement: The district is required to provide notice to the parent of a student who has been removed to DAEP of the opportunity to complete coursework required for graduation and any available methods to obtain such coursework. [TEC 37.008(l-1)]. In addition, a district must provide a student placed in ISS or OSS an alternative means of receiving all foundation curriculum coursework, including at least one option that does not require use of the Internet. [TEC 37.005(e)].

Criminal penalties: School officials may take disciplinary action regardless of whether law enforcement officials seek criminal consequences for the same misconduct. Nonetheless, the criminal consequences of a particular act or incident may impact school district discipline. For example, a student who engages in conduct punishable as a felony on or within 300 feet of school property or while attending a school-related activity is subject to mandatory placement in DAEP. [TEC 37.006(a)(2)(A)].

DAEP at capacity: If a DAEP is at capacity when a CBC is deciding placement for a student who engaged in an offense related to marijuana, THC, e-cigarettes, alcohol, or abusable volatile chemicals, the student must be placed in ISS. If a position becomes available at the DAEP before the expiration of the placement, then the student must be transferred to the DAEP for the remainder of the placement. [TEC 37.009(a-1)]. If a DAEP is at capacity when a CBC is deciding placement for a student who engaged in conduct described under TEC 37.007, as defined by commissioner rule, a student who has been placed in the DAEP for an offense related to marijuana, THC, e-cigarettes, alcohol, or abusable volatile chemicals, may be removed from the DAEP and placed in ISS to make room for the student who engaged in violent conduct. The student who was removed from the DAEP and placed in ISS must be transferred back to the DAEP if space becomes available before the expiration of their placement. [TEC 37.009(a-2)].

Disabilities: Special state and federal laws apply to the discipline of students with disabilities. See Policy FOF(LEGAL) and your SCOC. Before making a disciplinary decision regarding a student with a disability, school officials may want to seek legal advice to ensure compliance with the relevant laws.

Homelessness: A student who is homeless may not be placed in OSS unless the student engages in misconduct that is drug- or alcohol-related or that contains the elements of certain weapons offenses or violent offenses under the Texas Penal Code. The CBC may work with the district's homeless liaison to identify appropriate alternatives to OSS. [TEC 37.005(d)].

Length of placement: The district's SCOC includes guidelines on the length of a removal to DAEP or an expulsion. [TEC 37.001(a)(5)].

Mitigating factors: Before deciding to assign a student OSS, DAEP, expulsion, or JJAEP, regardless of whether the decision is described as mandatory or discretionary in Chapter 37, a district must consider certain mitigating factors in relation to the student’s misconduct: self-defense, intent, disciplinary history, a disability that substantially impairs the student’s capacity to appreciate the wrongfulness of the conduct, and the student’s status as homeless or in the conservatorship of DFPS (foster care). [TEC 37.001(a)].

New students: If a student withdraws from school before an order of expulsion or DAEP is entered, the district may complete the proceedings and enter the order. If the student reenrolls in the district during the same or the subsequent school year, the district may enforce the order, reduced for time served. If the student enrolls in another school district, the new district may honor the order, or, if the preceding district failed to enter an order, the new district may complete the proceedings and enter an order. [TEC 37.009(i)].

Notice of process for requesting full individual and initial evaluation: Districts must provide information to a student’s parent or person standing in parental relation to the student about the process for requesting a full individual and initial evaluation of the student for purposes of special education services both when a student is placed in the DAEP for an offense under TEC 37.006, and as part of the student’s personalized transition plan developed by the campus administrator. [TEC 37.006(p); TEC 37.023(d)(1)(B)].

Notice of student discipline: A CBC is required to provide prompt notice to a parent or guardian of a student who is placed in ISS, OSS, DAEP, JJAEP, or is taken into custody by law enforcement. This notice must be provided by telephone or in writing. [TEC 37.0012(d)]. If the coordinator is unable to make contact with the parent or guardian by 5pm of the first business day after the day the disciplinary action was taken, the coordinator must mail written notice to the parent or guardian. [TEC 37.0012(e)].

Past misconduct: School officials are permitted, but not required, to remove students for mandatory DAEP misconduct if school officials did not learn of the conduct for more than one year after the conduct occurred. [TEC 37.006(n)].

Procedures: Before a student is removed from the regular classroom setting, school officials must typically follow an established procedure. The formality of these proceedings varies according to the seriousness of the penalty; for example, the Texas Education Code includes procedures for a conference in the case of a DAEP placement and a formal due process hearing in the case of an expulsion. For more detail on the required procedures, see the FO series of policies and your SCOC.

Temporary placement: Pending expulsion or DAEP placement, a student may be placed in ISS, OSS for up to 3 days, or another appropriate placement in accordance with the district’s SCOC.

Transition to the regular classroom: The district must provide transition services for a student who is exiting DAEP and returning to the student’s local campus. [19 TAC 103.1201(k)]. In addition, the campus administrator or CBC must develop a personalized transition plan for a student exiting an alternative education program, including DAEP or JJAEP, to return to the regular classroom. [TEC 37.023].

Young students: Students younger than 10 must receive services in a DAEP if they engage in expellable misconduct. [TEC 37.007(e)(3), (h)]. However, a student younger than 6 may not be sent to a DAEP unless the student brings a firearm to school under TEC 37.007(e)(2). [TEC 37.006(l)]. Students below third grade may not be placed in OSS unless the student engages in misconduct that is drug- or alcohol-related or that contains the elements of certain weapons offenses or violent offenses under the Texas Penal Code. [TEC 37.005(c)]. A district may adopt and implement a positive behavior program as an alternative to traditional discipline for students below third grade. [TEC 37.0013].

This document is continually updated at tasb.org/services/legal-services/tasb-school-law-esource/students/documents/discipline-chart-chapter-37.pdf. For more information on school law topics, visit TASB School Law eSource at schoolawesource.tasb.org.

This document is provided for educational purposes and contains information to facilitate a general understanding of the law. References to judicial or other official proceedings are intended to be a fair and impartial account of public records, which may contain allegations that are not true. This publication is not an exhaustive treatment of the law, nor is it intended to substitute for the advice of an attorney. Consult your own attorney to apply these legal principles to specific fact situations.

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Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Intentionally, knowingly, or recklessly carrying on or about the student's person a handgun , on school property or at a school-related activity				20 U.S.C. 7151; TEC 37.007(a)(1), (e) ★	The federal Gun-Free Schools Act, which is incorporated into Chapter 37, requires expulsion for one year except that a superintendent may modify the expulsion in writing on a case-by-case basis. [20 U.S.C. 7151(b)(1); TEC 37.007(e)]. Exception: The Act does not apply to a firearm that is lawfully stored inside a locked vehicle on school property, or to firearms used in activities approved and authorized by the district when the district has adopted appropriate safeguards to ensure student safety. [20 U.S.C. 7151(g)].



Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Possessing a firearm within 300 feet of school property				TEC 37.007(b)(3) ✓	Exception: Use, exhibition, or possession of a firearm at an approved off-campus target range facility while participating in or preparing for a shooting sports competition or activity sponsored by the district or affiliated with the Texas Parks and Wildlife Department. [TEC 37.007(k)].
Intentionally, knowingly, or recklessly carrying on or about the minor student’s person a location-restricted knife on school property or at a school-related activity				TEC 37.007(a)(1); TPC 46.02(a-4); TPC 46.03(a) ★	<i>Location-restricted knife</i> means a knife with a blade of over five and one-half inches. [TPC 46.01(6)].
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3)(A), (i) ✓	

Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Intentionally, knowingly, or recklessly going with or possessing a location-restricted knife on the premises of a school, any grounds or building owned by and under control of a school or post-secondary educational institution and where a school-sponsored activity is taking place, or a passenger vehicle of the school			TEC 37.006(a)(2)(A); TPC 46.03(a)(1), (g-1) ★		Possessing a location-restricted knife on school premises, school passenger vehicle, or a school-sponsored activity on any grounds or building owned by and under the control of a school or post-secondary educational institution is a felony offense. [TPC 46.03(a)(1), (g-1)]. District must place in DAEP a student who engages in conduct punishable as a felony on or within 300 feet of school property or while attending a school-related activity. [TEC 37.006(a)(2)(A)].

Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Intentionally, knowingly, or recklessly carrying, or intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon , on school property or at a school-related activity				TEC 37.007(a)(1) 	<i>Prohibited weapon</i> means an explosive weapon, machine gun, short-barrel firearm, armor-piercing ammunition, chemical dispensing device, zip gun, tire deflation device, improvised explosive device, or certain silencers. [TPC 46.05].
Same conduct within 300 feet of campus or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) 	
Intentionally, knowingly, or recklessly possessing or going with a club , on the premises of the district, any grounds or building owned by and under the control of a school or post-secondary educational institution and on which a school-sponsored activity is being conducted, or a passenger vehicle of the district			TEC 37.006(a)(2)(A)		Possessing a club (e.g., a blackjack, nightstick, mace, or tomahawk) in certain locations is a felony offense. [TPC 46.03(a)(1), (g)].

Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Possessing or using look-alike weapons	*	*	*		
Possessing or using air guns or BB guns	*	*	*		
Possessing or using razors, box cutters, pocketknives, or other knives with a blade of less than 5 1/2 inches	*	*	*		
Possessing or using various other dangerous objects, including knuckles	*	*	*		<i>Knuckles</i> include any instrument that consists of finger rings or guards made of a hard substance and designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with a fist enclosed in the knuckles.

Violence

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Murder or attempt to commit murder , on school property or at a school-related activity				TEC 37.007(a)(2)(C) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Aggravated assault , on campus or at a school-related activity				TEC 37.007(a)(2)(A) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Aggravated kidnapping , on school property or at a school-related activity				TEC 37.007(a)(2)(E) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	

Violence

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Aggravated robbery , on school property or at a school-related activity				TEC 37.007(a)(2)(F) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Aggravated assault, sexual assault, aggravated sexual assault, murder, capital murder, criminal attempt to commit murder or capital murder, or aggravated robbery against another student, on or off school property				TEC 37.007(b)(4) ✓	
Manslaughter , on school property or at a school-related activity				TEC 37.007(a)(2)(G) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Criminally negligent homicide , on school property or at a school-related activity				TEC 37.007(a)(2)(H) ★	

Violence

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Assault with bodily injury , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(B) ★		
Title 5 felony or aggravated robbery off campus and not at a school-sponsored or school-related activity if: student receives deferred prosecution; a court or jury finds that student engaged in delinquent conduct based on the conduct; or superintendent reasonably believes that student engaged in the conduct			TEC 37.006(c) ★		<i>Title 5 felonies</i> are violent offenses defined in Texas Penal Code chapters 19-22. A list of Title 5 felonies can be found in the TASB Model SCOC glossary and FOC(LEGAL).

Violence

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Same conduct plus charges, referral to juvenile court for delinquent conduct, probation, deferred adjudication, arrest, or conviction for a <i>violent felony</i> [TPC Title 5 or aggravated robbery], with special findings by board or designee, regardless of location or time or whether the student was enrolled at the time or completed court requirements			TEC 37.0081 ✓	TEC 37.0081 ✓	
Fighting or scuffling	*	*	*		
Threats against students, staff, or school property	*	*	*		

Sexual Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Sexual assault or aggravated sexual assault , on school property or at a school-related activity				TEC 37.007(a)(2)(A) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Sexual assault, or aggravated sexual assault against another student, on or off school property				TEC 37.007(b)(4) ✓	
Conviction, deferred adjudication, or probation based on continuous sexual abuse of a child or disabled individual , sexual assault , or aggravated sexual assault of another student attending the same campus, upon request of the victim’s parent and if there is not another campus in the district to which the offending student may be transferred			TEC 25.0341(b)(2); TEC 37.0051 ★		Student shall be removed and placed in DAEP or JJAEP in accordance with state law. A limitation imposed by Chapter 37, Subchapter A, does not apply to placement under this section. [TEC 37.0051].

Sexual Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Indecency with a child , on school property or at a school-related activity				TEC 37.007(a)(2)(D) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Continuous sexual abuse of a young child or disabled individual, on school property or at a school-related activity				TEC 37.007(a)(2)(l) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Public lewdness or indecent exposure , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(F) ★		
Voyeurism , on or within 300 feet of school property or at a school-related activity, if victim is a child under the age of 14			TEC 37.006(a)(2)(A) ★		Voyeurism is punishable as a felony if the victim is a child under the age of 14 at the time of the offense.

Sexual Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Invasive visual recording , on or within 300 feet of campus or at a school-related activity			TEC 37.006(a)(2)(A) ★		
Unlawful disclosure or promotion of intimate visual material , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(A) ★		
Sexual misconduct punishable as Title 5 felony off campus and not at a school-sponsored or school-related activity if: student receives deferred prosecution; court finding of delinquent conduct; or superintendent reasonably believes that student engaged in the conduct			TEC 37.006(c) ★		<i>Title 5 felonies</i> are violent offenses defined in Texas Penal Code chapters 19-22. A list of Title 5 felonies can be found in the TASB Model SCOC glossary and FOC(LEGAL).
Possession or promotion of child pornography , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(A) ★		

Sexual Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Registered sex offender—under court supervision			TEC 37.304 ★		If student is under court supervision, including probation, community supervision, or parole, district must assign to DAEP or JJAEP for at least one semester. [TEC 37.304, .309].
Registered sex offender—not under court supervision			TEC 37.305 ✓		A student who is required to register as a sex offender but is not under any form of court supervision may be placed in DAEP or JJAEP for one semester. However, the student may not be placed in the regular classroom if the board or designee determines that such placement threatens the safety of other students or teachers, will be detrimental to the educational process, or is not in the best interests of the district’s students. [TEC 37.305].

Sexual Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Inappropriate exposure of body parts	*	*	*		
Sexual or gender-based harassment	*	*	*		
Inappropriate sexual conduct toward a student or employee	*	*	*		

Substance Abuse

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Drug-related misconduct [TEC 37.006(a)(2)(C)], on school property or at a school-related activity, if punishable as a felony				TEC 37.007(a)(3) ★	Does not include marijuana- or THC-related offenses.
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Selling, giving, delivering, possessing, using, or being under the influence of any amount of marijuana or THC , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(C- 1) ★	TEC 37.007(b)(2)(A) ✓	District may not prohibit possession of low-THC cannabis pursuant to a valid prescription as authorized by Texas Health & Safety Code chapter 487.
Selling, giving, delivering, possessing, using, or being under the influence of any amount of a dangerous drug or a controlled substance, excluding marijuana and THC , on or within 300 feet of school property or at a school-related activity, if not punishable as a felony			TEC 37.006(a)(2)(C) ★	TEC 37.007(b)(2)(A) ✓	

Substance Abuse

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Selling, giving, delivering, possessing, or using an e-cigarette on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(C-2) ★		Includes any component, part, or accessory for the e-cigarette.
Selling, giving, delivering, possessing, using, being under the influence of, or committing a serious act or offense while under the influence of alcohol, on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(D) ★	TEC 37.007(b)(2)(A) ✓	
Abusable volatile chemical offense, on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(E) ★	TEC 37.007(b)(2)(B) ✓	Chapter 37 addresses DAEP or expulsion for conduct containing the elements of offenses related to abusable volatile chemicals under Texas Health & Safety Code sections 485.031-.034, including possession, use, and delivery to a minor.
Off-campus non-violent felony, with special findings by superintendent or designee [see TEC 37.006(d)]			TEC 37.006(d) ✓		

Substance Abuse

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Possessing or using tobacco products	*	*	*		
Possessing, selling, giving, or using drug paraphernalia	*	*	*		
Possessing, selling, or using look-alike drugs or items attempted to be passed off as drugs	*	*	*		
Improper use, possession, or being under the influence of prescription drugs	*	*	*		
Improper use or being under the influence of over-the-counter drugs	*	*	*		

Retaliation

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
On- or off-campus retaliation through conduct containing the elements of a violent or weapons-related offense [TEC 37.007(a)] against a school employee or volunteer				TEC 37.007(d) ★	
Assault with bodily injury against a school employee or volunteer, on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(B) ★	TEC 37.007(b)(2)(C) ✓	
On- or off-campus retaliatory assault with bodily injury on a school employee or volunteer			TEC 37.006(a)(2)(B) [on campus] or TEC 37.006(c) [off campus] ★	TEC 37.007(d) ✓	
On- or off-campus retaliation against any school employee			TEC 37.006(b) ★		

Mistreatment of Others					
Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Bullying [TEC 37.0832(a)] that occurs on or is delivered to the site of a school-sponsored or school-related activity on or off school property	*	*	*		
Bullying [TEC 37.0832(a)] that occurs on a publicly or privately owned school bus or vehicle used for transportation of students to or from school or a school-sponsored or school-related activity	*	*	*		
Cyberbullying [TEC 37.0832(a)] that occurs off school property or outside of a school-sponsored or school-related activity if the cyberbullying: interferes with a student's educational opportunities; or substantially disrupts the orderly operation of a classroom, school, or school-sponsored or school-related activity	*	*	*		
Bullying [TEC 37.0832(a)] that encourages a student to commit or attempt to commit suicide			TEC 37.0052 ✓	TEC 37.0052 ✓	

Mistreatment of Others					
Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Inciting violence against a student through group bullying [TEC 37.0832(a)]			TEC 37.0052 ✓	TEC 37.0052 ✓	
Releasing or threatening to release intimate visual material [Tex. Civ. Prac. & Rem. Code 98B.001] of a minor or of an adult student without the student's consent			TEC 37.0052 ✓	TEC 37.0052 ✓	<i>Intimate visual material</i> means film, photograph, or other physical medium allowing an image to be displayed on a screen that depicts a person with the person's intimate parts exposed or engaged in a sexual conduct.
<u>Harassment</u> of a district employee in the form of initiating a communication and in the course of the communication making an obscene comment, request, suggestion, or proposal with intent to harass, annoy, alarm, abuse, torment, or embarrass the employee, on or within 300 feet of school property or while attending a school-related activity			TEC 37.006(a)(2)(G); TPC 42.07(a)(1) ★		<i>Obscene</i> means containing a patently offensive description of or a solicitation to commit an ultimate sex act, including sexual intercourse, masturbation, cunnilingus, fellatio, or anilingus, or a description of an excretory function. [TPC 42.07(a)(3)].

Mistreatment of Others

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Harassment of a district employee in the form of threatening to inflict bodily injury on the employee or to commit a felony against the employee, a member of the employee’s family or household, or the employee’s property, on or within 300 feet of school property or while attending a school-related activity			TEC 37.006(a)(2)(G); TPC 42.07(a)(2) ★		
Harassment of a district employee in the form of conveying a false report regarding the death or serious bodily injury of another person, on or within 300 feet of school property or while attending a school-related activity			TEC 37.006(a)(2)(G); TPC 42.07(a)(3) ★		
Harassment of a district employee by sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend the employee, on or within 300 feet of school property or while attending a school-related activity			TEC 37.006(a)(2)(G); TPC 42.07(a)(7) ★		
Directing profanity or obscene gestures at students or staff	*	*	*		

Mistreatment of Others					
Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
Hazing [TEC 37.151], dating violence [TEC 37.0831], harassment [TEC 37.001(b)(2)], or making a hit list [TEC 37.001(b)(3)]	*	*	*		
Assault with threat of imminent bodily injury but no bodily injury [TPC 22.01(a)(2)]	*	*	*		
Assault by offensive or provocative physical contact but no bodily injury [TPC 22.01(a)(3)]	*	*	*		

Other Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Arson , on campus or at a school-related activity				TEC 37.007(a)(2)(B) ★	
Same conduct within 300 feet of school property or while on the property or at a school-related activity of another Texas district				TEC 37.007(b)(3), (i) ✓	
Documented serious misbehavior while in DAEP				TEC 37.007(c) ✓	<i>Serious misbehavior</i> means: (1) deliberate violent behavior that poses a direct threat to health or safety; (2) extortion, meaning gaining of money or property by force or threat; (3) coercion ; (4) public lewdness ; (5) indecent exposure ; (6) criminal mischief ; (7) hazing ; or (8) harassment in the form of initiating a communication and in the course of the communication making an obscene comment, request, suggestion, or proposal with intent to harass, annoy, alarm, abuse, torment, or embarrass a student or employee.

Other Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Terroristic threat or false alarm involving a public school			TEC 37.006(a)(1) ★	TEC 37.007(b)(1) ✓	
Deadly conduct , on or within 300 feet of school property or at a school- related activity				TEC 37.007(b)(2)(D) ✓	
On- or off-campus felony criminal mischief				TEC 37.007(f) ✓	<i>Felony criminal mischief</i> includes damage to property equal to or in excess of \$2,500. [TPC 28.03].
Non-felony criminal mischief	*	*	*		
Any felony on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(A) ★		Check for potential expulsion, depending on type of felony
Off-campus non-violent felony, with special findings by superintendent or designee [TEC 37.006(d)]			TEC 37.006(d)-(e) ✓		

Other Misconduct

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of- school suspension up to 3 days	DAEP	Expulsion	Notes
Breach of computer security if a student accesses a district's computers, computer system, or computer network and knowingly alters, damages, or deletes district property or information				TEC 37.007(b) ✓	
Stealing	*	*	*		
Other violations of SCOC	*	*	*		



Discipline

PEIMS CODING

August 2023

peimsdataquality@sfd-r-cisd.org



PEIMS Reporting Requirements

01

For purposes of discipline data reported to TEA, the attendance/PEIMS personnel are only responsible for entering information that has been provided to them by the Superintendent or their designee(s) who are responsible for applying the Student Code of Conduct (SCC) to student behavior.

02

In no case should attendance/PEIMS personnel be responsible for determining a student's coding information for discipline actions taken.

03

A PEIMS disciplinary record **must** be reported for **each** disciplinary action that results in a removal of a student from **any** part of their academic program.

04

A single student will have multiple discipline records if removed from his/her classroom more than once.

Local Offense Coding

WHEN ARE LOCAL CODES USED?

Local offense codes should be used when an incident that violates the Student Code of Conduct (SCC) takes place however, as an alternative to using the generalized code of 21 (Violation of SCC), a local code providing specific reason for the offense should be used, if available, for School Board reporting purposes.

L04	DRUG PARAPHERNALIA
L05	BULLYING- BASIS OF SEX
L10	BULLYING- RACE,COLOR,NTL ORIGIN
L15	BULLYING- BASIS OF DISABILITY
L20	BULLYING- BASIS OF RELIGION
L25	BULLYING- CYBER
L30	BULLYING - GROUP (2 OR MORE)
L35	BULLYING - PERSISTENT BEHAVIOR
L40	INSUBORDINATION
L42	ASSUALT W/O BODILY INJURY TO EMPLOYEE
L44	ASSUALT W/O BODILY INJURY TO STUDENT
L50	NON ILLGL KNIFE (= OR -5.5")
L59	DESTRUCTION OF SCHOOL PROPERTY
L60	FORGERY/ PLAGERISM
L61	THEFT
L62	SKIPPING CLASS
L63	SCUFFLE/ HORSEPLAY
L64	VIOLATION CELL PHONE POLICY
L65	LEAVE CLASSROOM W/O PERMISSION
L66	SEXUAL HARASSMENT
L67	POSSESSION OF PORNOGRAPHY
L68	DISTRIBUTION OF PORNOGRAPHY
L72	DRESS CODE VIOLATION
L73	PROFANITY - VERBAL/GESTURES
L75	BUS CONDUCT
L76	TARDIES
L80	PERSISTENT MSBHR ON CAMPUS (5 OR MORE DOC. INFRACTIONS)
L85	CLASSROOM DISRUPTIONS
L90	DISREGARD PERSONAL SPACE
L95	NAME CALLING
L96	LEAVE CAMPUS WITHOUT PERMISSION
VPC	VAPE - CONTROLLED SUBSTANCE
VAP	VAPE- NOT CONTROLLED SUBSTANCE

Year	Ent	Date ▼	Time	Inc Nbr	Off	Description	Off/Ref
▼		08/09/2022	9:45 am	17	L62	SKIPPING CLASS	Offense

Expand All Collapse All Modify Details (displaying 5 of 5) View Printable Details

▼ Offense Details History

Offense Description: SKIPPING CLASS
School:
Location: 00 - Not Applicable
Offense Date: 08/09/2022 Tue 9:45 am
Motivation:
Offense Comments: Student was caught Skipping Class.

Disc. Officer:
Referred By:
Entered On:

PEIMS Offense Coding

WHEN ARE PEIMS CODES USED?

01 PERMANENT REMOVAL BY TEACHER	28 ASSAULT - TO NON EMPLOYEE
02 CONDUCT PUNISHABLE AS FELONY	29 AGGRAVATED ASSAULT - TO EMPLOYEE
04 MARIHUANA/CONTROLLED SUSBSTANCE	30 AGGRAVATED ASSAULT - TO STUDENT
05 ALCOHOL USE/SELL/GIVE/DELIVER	31 SEXUAL ASSAULT - TO EMPLOYEE
06 VOLATILE CHEMICAL ABUSE	32 SEXUAL ASSAULT - TO STUDENT
07 PUBLIC LEWDNESS/INDECENT EXPOS	35 FALSE ALARM/FALSE REPORT
08 RETALIATION SCHOOL EMPLOYEE	36 FELONY CONTROLLED SUBSTANCE
09 OFF CAMPUS - TITLE 5 FELONY	37 FELONY ALCOHOL VIOLATION
10 OFF CAMPUS - NON TITLE 5 FELONY	41 FIGHTING/MUTUAL COMBAT
11 FIREARM OBTAIN/USE/EXHIBIT	46 AGGRAVATED ROBBERY
12 ILLEG. KNIFE BLADE LONGER 5.5"	47 MANSLAUGHTER
14 PROHIBITED WEAPON	48 CRIMINALLY NEGLIGENT HOMICIDE
16 ARSON - START FIRE, EXPLOSION	49 DEADLY CONDUCT
17 MURDER - CAP./CRIM. ATPT/COMMIT	55 RG SEX OFFENDER - SUPRVISED
18 INDECENCY W/ CHILD YOUNGER 17	56 RG SEX OFFENDER - NON SUPRVISED
19 AGGRAVATED KIDNAPPING	57 CONTINUOUS SEX ABUSE OF CHILD
21 VIOLATION STUDENT CODE CONDUCT	58 BREACH OF COMPUTER SECUR (AUP)
22 CRIMINAL MISCHIEF	59 SERIOUS MISBEHAVIOR (SGLC ONLY)
23 EMERGENCY PLACEMENT/EXPULSION	60 HARASSMENT TO EMPLOYEE OF DISTRICT
26 TERRORISTIC THREAT	
27 ASSAULT - TO EMPLOYEE	

PEIMS Reportable Codes should be used when a student(s) commits an offense that meets the criteria listed in the PEIMS Discipline Data Chart (See TAB 9)

Year	Ent	Date	Time	Inc Nb	Off	Description	Off/Ref
▼		08/09/2022	9:45 am	17	05	ALCOHOL	Offense

Expand All Collapse All Modify Details (displaying 5 of 5) View Printable Details

▼ Offense Details History

Offense Description: ALCOHOL USE/SELL/GIVE/DELIVER Disc. Officer: [REDACTED]

School: [REDACTED] Referred By: [REDACTED]

Location: 00 - Not Applicable Entered On: [REDACTED]

Offense Date: 08/09/2022 Tue 9:45 am

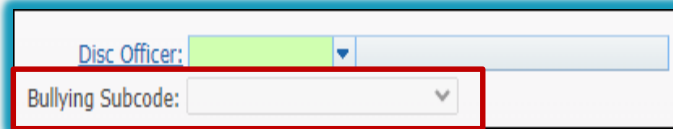
Motivation:

Offense Comments: Student was in possession of an alcoholic beverage.

Bullying

WHAT YOU NEED TO KNOW:

- The campus will report ALL incidents of bullying in the Skyward Discipline Module
- There are 3 types of bullying - **Cyber, Group, and Individual**
- When applying the codes of L25, L30, L35 - **a reason code must be entered in the area shown below detailing the specific type of bullying that occurred.**



Disc Officer:

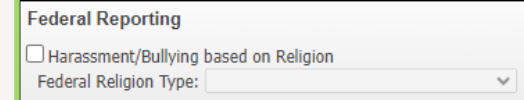
Bullying Subcode:

Federal State Reporting requires all bullying incidents and Victim(s) to be reported through the District's Student Information System (SIS).

L05	BULLYING - BASIS OF SEX
L10	BULLYING - RACE,COLOR,NTL ORIGIN
L15	BULLYING - BASIS OF DISABILITY
L20	BULLYING - BASIS OF RELIGION
L25	BULLYING - CYBER
L30	BULLYING - GROUP (2 OR MORE)
L35	BULLYING - INDIVIDUAL

Note: When creating the discipline record, there is an area designated to reporting Harassment/Bullying Incidents based on **Religion Type**.

If the bullying incident is related to religion, this area **must** be completed.



Federal Reporting

Harassment/Bullying based on Religion

Federal Religion Type:

Assault Types

01

Local Offense Code

Physical contact that did not result in bodily injury

L42 - Employee

L44 - Student

02

Bodily Injury

Physical pain, illness, or any impairment of physical condition

Texas Penal Code § 1.07(8)

To claim “Bodily Injury” there must be a campus nurses report on file of the incident.

27 - Employee

28 - Student

03

Serious Bodily Injury

Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ

Texas Penal Code § 1.07(46)

(Emergency Room Visit, Hospital etc.)

29 - Employee

30 - Student

Coding VS. Comments

Q: How will the campus know if coding doesn't correspond with comments?

A: PEIMS Data Quality (PDQ) will generate and distribute a report every 3 weeks for campuses to review possible discrepancies in coding based on comments.

Q: What if the coding is correct, regardless of the comment listed?

A: Unless the coding is in error, according to the PEIMS Data Standards, PDQ will never ask a campus to change coding; however the campus is asked to review and confirm for accuracy.

Q: How can the campus view reports more often than every 3 weeks?

A: Campus admin have access to generate discipline reports at their convenience.

Year	Ent	Date ▼	Time	Inc Nbr	Off	Description	Off/Ref
		08/09/2022	9:45 am	17	L62	SKIPPING CLASS	Offense

Expand All Collapse All Modify Details (displaying 5 of 5) [View Printable Details](#)

▼ Offense Details History

Offense Description: SKIPPING CLASS Disc. Officer:

School: Referred By:

Location: 00 - Not Applicable Entered On:

Offense Date: 08/09/2022 Tue 9:45 am

Motivation:

Offense Comments: Student was caught Skipping Class.

Offense coding should always correspond with offense comments

Coding VS. Comments cont.

Ex. Coding below does **not** correspond with comment

Year	Ent	Date ▼	Time	Inc Nbr	Off	Description	Off/Ref
▼		08/09/2022	2:00 pm	19	VPT	VAPE - TOBACCO	Offense

Expand All Collapse All Modify Details (displaying 5 of 5) View Printable Details

▼ Offense Details History

Offense Description: VAPE Not Controlled Substance Disc. Officer: [REDACTED]
School: [REDACTED] Referred By: [REDACTED]
Location: 00 - Not Applicable Entered On: [REDACTED]
Offense Date: 08/09/2022 Tue 2:00 pm
Motivation:
Offense Comments: Student was caught vaping in the restroom - vape positive for THC

Offense code **VPC** would correspond
with the comments listed

TROUBLESOME CODING

41 – Fighting/Mutual Combat

Two or more students or persons that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s) or person(s)



UNWILLING PARTICIPANT?

Assault of someone other than school staff

**TWO OR MORE STUDENTS CANNOT
ASSAULT EACH OTHER**

MULTIPLE STUDENTS INVOLVED IN **SAME** INCIDENT (**ALL** OFFENSES APPLY)

- Two or more students involved in the same incident must have the **same** incident number reported when entering the discipline records in Skyward. This applies to **ANY** incident that takes place.
- Students from different campuses who are involved in the same incident will have different incident numbers. *Ensure to link students in comment section.*
- Please note: entering separate incident numbers for a single incident involving 2 or more students will not only over report discipline infractions to TEA, but it will also over report to the District School Board.

Troublesome Coding cont.

01

Example: 2 students were found to be stealing Pokémon trading cards from another student's backpack. The teacher sent a referral for each student and the office entered each referral as separate incidents.

Result:

The total count of incidents for Theft (L61) would reflect as a total of 2 for the campus, when only 1 incident occurred.

02

Example: 3 students were found to be vaping together in the restroom. The vape tested positive for THC. When the campus entered their discipline record, each student received a separate incident number.

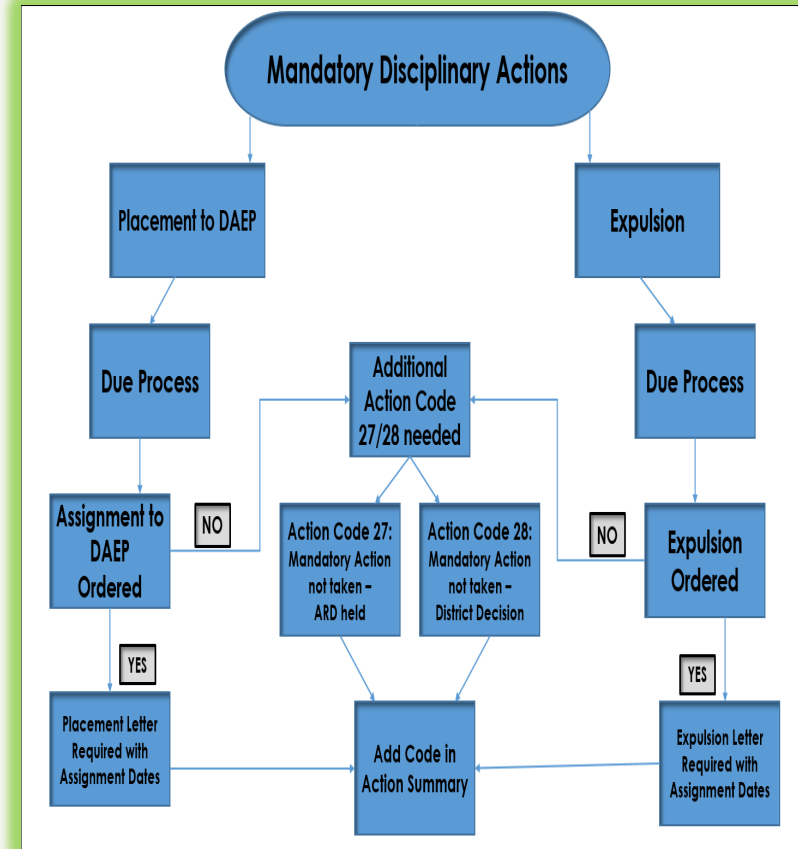
Result:

The total count of VPC (Vape Controlled Substance) incidents for the campus will be reported to TEA and School Board as 3 separate incidents, when in reality only 1 incident occurred.

Over reporting may place campus in jeopardy of Persistent Dangerous Schools

Mandatory Actions

- **WHAT IS A MANDATORY ACTION?**
Mandatory Actions are action codes of DAEP Placement or Expulsion that is required when specific offenses occur (*pictured right*)
- **WHAT IF THE MANDATORY ACTION DOESN'T TAKE PLACE?**
Mandatory Actions that are not assigned will appear as an error/fatal on the PEIMS Discipline 425 report. Errors must be cleared each 6-wk term and before PEIMS submission at end of year.
- **WHEN DOES THE LEVEL 1 PROCESS TAKE PLACE?**
Mandatory Actions are action codes of DAEP Placement or Expulsion that is required when specific offenses occur (*pictured right*)



Additional Action Code: 27 or 28

IMPORTANT

- The reason why a mandatory action was not taken **must** be reported.
- These codes are used **in addition** to the decided action code.
- Action Codes 27 or 28 **cannot** stand alone - there **must** be a PEIMS reportable action entered for the incident (ISS/OSS etc.)

CODE 27



CODE 28

Mandatory Action not taken due to ARD manifestation hearing determination. (SPED Students Only)

Mandatory Action not taken due to mitigating factors. (All other students)

Add Action Summary

Student
Student: [Redacted]
Entity: [Redacted]

Action Summary
* Action: 28 NO DISC ACT-TEC
Suspension Type: None
* Ordered Date: 08/15/2023 Tuesday
Return Date: 08/15/2023 Tuesday
Total Time: 0.00 Days
 Parent Notified

Action Status: Served
School: [Redacted]
School Year: 2023-24
Diff. Reason: [Redacted]
Days Served: 0.00
Follow Up Officer: [Redacted]
Authorized By: [Redacted]

Inconsistent with Code of Conduct?
Comments: Mandatory Action of Placement to DAEP Not Taken
Maximum characters: 5000, Remaining characters: 4953

Mitigating Factors

Before deciding to assign a student OSS, DAEP, Expulsion or JJAEP, a district **must** consider certain mitigating factors in relation to the student's misconduct:

- Self defense
- Intent
- Disciplinary History
- Disability that substantially impairs the student's capacity of understanding the wrongfulness of the conduct
- Homeless / Foster Care

Offense

Offense/Referral:

* Offense: 41

* School:

* Location: 00

Bus:

* Offense Date: 08/09/2022

Offense Time: 02:00

Parent Notified

Campus ID: [Safe Supportive School P](#)

Mitigating Factors:

Mitigating Factors

Views: Filters:

Code ▲	Short Description	Long Description
1 BU	BULLYING	PERPETRATING BULLYING BEHAVIOR
2 DIS	DISABILITY	DISABILITY SUBSTANTIALLY IMPAIRS CAPACITY
3 GA	GANG AFFILIATE	GANG AFFILIATION/INITIATION
4 HIS	DISC HISTORY	DISC HISTORY - LACK OF
5 INT	INTENT	INTENT
6 LOI	LACK OF INTENT	LACK OF INTENT
7 MB	MOB MENTALITY	MOB MENTALITY
8 RE	RETALIATION	RETALIATION FOR PRIOR ACTION
9 SD	SELF DEFENSE	SELF DEFENSE
10 TA	TAUNTING	ACTION AS A RESULT OF BEING TAUNTED

[Select](#) [Add](#) [Edit](#) [Delete](#) [Back](#)

Emergency Placements: Offense Code 23

This code should not be used on a routine basis, only for emergency situations.

1

The central focus of this code is the principal's decision to take immediate action in an emergency situation that cannot wait for due process to occur.

2

Placement letter must correspond with the student's Skyward discipline record.

3

When a student is Emergency Placed/Expelled, the Level 1 hearing must take place within [10 days](#) of the placement/expulsion.

4

When a student is Emergency Placed/Expelled, the Level 1 hearing must take place within [10 days](#) of the placement/expulsion.

Placement letter **must** correspond with the student's Skyward discipline record.

Emergency Placements: Offense Code 23 cont.

When entering the emergency placement, ensure to use the Offense Code of **23 - Emergency Placement**.

When entering the action, ensure the **total time** assigned reflects 10 days and, the **time served** reflects the days the student served until the level 1 decision was made.

Add Offense

Student
Student: [Redacted] Grade: [Redacted] Student Type: R

Offense
Offense/Referral: Offense
Offense: 23 EMERG PLACEMENT
Incident: New Incident
Incident #: 21
School Year: 2023-24
Offense Date: 08/14/2023 Monday
Offense Time: 08:00 AM
Parent Notified:
Campus ID: 233-901-001
Possible Motivation: [Redacted]

Federal Reporting
 Harassment/Bullying based on Religion
Federal Religion Type: [Redacted]

Referred By
Referred By: Staff
Staff: [Redacted]

Comments: Student committed felony off campus - SGLC pending disposition of case

Predefined Comments: [Insert Predefined Comment]

Asterisk (*) denotes a required field

Add Action Summary

Student
Student: [Redacted] Entity: [Redacted]

Action Summary
Action: 07 PLACE TO DAEP
Action Status: Open
Suspension Type: IAES
School: [Redacted]
Ordered Date: 08/14/2023 Monday
Return Date: [Redacted]
Total Time: 10.00 Days
Days Served: 5.00
Parent Notified:
Follow Up Officer: [Redacted]
Authorized By: [Redacted]

Comments: Emergency Placement. Student served 5 days until the level 1 due process took place.

Predefined Comments: [Insert Predefined Comment]

Create Action Detail Records From The Action Detail Default Values You Have Saved?
 Only Create Detail Records for School Days
Detail Start Date: 08/14/2023 Monday
Detail End Date: [Redacted] Monday

Action Details

Date to Serve	Time	Status	Length (Days)	Time Served	Location	Parent Notified
No Action Detail Records Exist						

Asterisk (*) denotes a required field

Part Day ISS or OSS

In accordance with TEC 37.005, under no circumstance may an out-of-school suspension (OSS), for a particular incident exceed (3) three school days .

ISS/OSS action codes MUST be used for ANY length of time a student is removed from his/her instructional setting

CODE 25
Part Day OSS

CODE 26
Part Day ISS

Partial Day OSS is used by PEIMS for calculating the 3 day OSS limit

Time Ordered Vs. Time Served

If the student does **not** serve the full time ordered, a **difference reason code** is **required** for the action.

Code	Short Description	Long Description
00	NO DIFFERENCE	NO DIF BTWN OFFICIAL & ACTUAL
01	DISTRICT MODIFY	TERM MODIFIED BY DISTRICT
02	COURT ORDER MOD	TERM MODIFIED BY COURT ORDER
03	MOD/DIS/STU/PAR	MODIFIED AGGREE DIST/STUD/PAR
04	COMPLETE SOONER	COMPLETED SOONER THAN EXPECTED
05	INCARCERATED	STUDENT INCARCERATED
06	HEALTH RELATED	TERM DECREASED HEALTH REASONS
07	STUDENT W/DREW	STUDENT WITHDREW FROM SCHOOL
08	SCH YR ENDED	SCH YEAR ENDED BEFORE COMPLETE
09	CONTINUE PRE YR	CONTINUE PREVIOUS YEAR DISCIP
10	GOOD BEHAVIOR	TERM MODIFIED GOOD BEHAVIOR
99	OTHER	OTHER

If there is **no difference** and student served full time ordered, a difference reason code is **not** needed/required.

Q & A's

Q: WHAT IS THE DIFFERENCE BETWEEN TIME ORDERED AND TIME SERVED?

- **Time Ordered** reflects the total days a student is assigned to an action (ISS/OSS/DAEP etc.).
- **Time Served** reflects the total days the student actually served for the action.

Q: IF A DIFFERENCE REASON CODE IS USED, HOW WILL IT BE DOCUMENTED?

A: The difference reason code that was entered for the action should be added to the discipline referral for auditing purposes.

Ordered Action Date

Emergency Placement

Ordered Date will reflect the date the student begins SGLC, as stated in the emergency placement letter.

NOTICE OF EMERGENCY PLACEMENT AT THE STUDENT GUIDANCE & LEARNING CENTER

The student must report to the Student Guidance and Learning Center on **Tuesday, April 11, 2023**. The student may not enroll in a regular SFDRCISD educational setting until the duration of placement has expired.

Level 1 Placement

Ordered Date will reflect the date of the placement letter.

NOTICE OF PLACEMENT AT STUDENT GUIDANCE & LEARNING CENTER

May 17, 2023

HAND-DELIVERED

Del Rio, Texas 78840

All Other Actions

Ordered Date will reflect the date the decision was made to assign the action.

Action Status

Action Status: Open/Served

Ensure to mark each action as “SERVED” **after** the student has completed his/her ordered time.



Remember Attendance

Attendance **must** reflect the discipline actions entered in Skyward.



Ex: 3 Days ISS should correspond with the student's attendance record for the dates ordered. **A PEIMS disciplinary record must be reported for EACH disciplinary action that results in a removal of a student from any part of their academic program.**

Discipline & Attendance Verification

The discipline/attendance secretary has access to generate reports at the convenience of the campus, to verify the attendance/discipline correspond in Skyward.

PDQ will task an attendance/discipline report to be distributed to campuses once a week, for review.



ELEMENTARY

The campuses have only one attendance period therefore, discipline/attendance coding may not always correlate with one another in Skyward.

Ex: Student is present at official attendance time, however at recess the student receives a discipline referral in which he/she is ordered ISS or OSS the remainder of the day - the original attendance coding will not be adjusted, but there must be a comment entered detailing the **time** the student was ordered ISS/OSS.

Student Restraints



Understanding Restraint Coding

The purpose of the Restraint Reason-Code is to indicate that a student was **physically** or **mechanically** restrained by District Police Officer due to imminent serious physical harm to themselves or others, imminent serious property destruction, or a combination of both during the course of an incident warranting discipline. Applies to all: SPED, 504, LEP, GT, etc.



When Does Coding Take Place?

Takes place at the time the discipline record is created for the incident.



Documentation for restraints should be filed for auditing purposes.

Student Restraints

How to Document Restraints?

- Student restraints must be documented on the discipline referral **AND** also on the Restraint Summary form (pictured right).
- The form should then be submitted to the discipline office for processing.
- *Restraints are not performed by Staff Members*

*All restraints that are performed by school district police officers or school resource officers (SROs) while providing a police presence at school or at a school related activity **must** be reported.*

2023 - 2024 Restraint Summary
District Police/Security Officers Complete Part I and II

I. Student Information

Name _____ Student ID _____ Date _____ Time _____

Campus _____ Grade _____ Special Education: Y N

II. PEIMS Information

Restraint Reason:
(Code 8 Reported for Special Education and Non-Special Education Students)

_____ 08 Restraint by School District Police Officer/School Resource Officer Performing Law Enforcement Duties and/or Providing a Police Presence on School Property or at a School-Sponsored or School-Related Activity.

<p>Staff Type: _____ 02-District Police Officer</p> <p>Restraint Type: _____ Mechanical _____ Physical</p>	<p>District Police/Security Officer Name: _____</p> <p>_____ District Police/Security Officer Signature _____ Date</p>
--	--

FOR OFFICE USE ONLY

Make 3 copies of this form

Original is attached to referral and given to the Campus Administrator – Used for data entry and retained in the discipline folder with discipline referral for auditing purposes

One copy must be placed in the mail, or otherwise provided to the parent, on the day of the restraint

One copy is sent to the Department of Special Education (Director)

Entered by _____ Date _____

Restraint Steps

Path: WS\ST\TB\SP\TB\CH

1. Select Child Res

2. Select Add

3. Fill out the fields with an * asterisk and Save

4. The Child Restraint record is now posted

Year	Date	Campus	Instance	Instr Setting	PH Disability	Reason	Staff Type	Restraint Type
2020	07/07/2020	233901000	000103	MAINSTREAM	SPEECH IMPAIR	HARM TO SELF	School district police officer or school resource officer (SRO)	Physical

5. Data Mining Report to process at your convenience

Report Name	Report Title	Favorite	Created By
AA Discipline - w/ Student Restraints	AA Discipline - w/ Student Restrain	★	GOMEZFEL001

Student Restraints cont.

What is the Importance of Reporting Student Restraints?

Restraints are reported to PEIMS during Summer Submission. Not reporting student restraints may appear as “hiding” restraint incidents.

Steps to code restraints can be found on the PDQ webpage

Inconsistent with Code of Conduct

WHAT IS THE PURPOSE OF THE INCONSISTENT WITH CODE OF CONDUCT (ICC) INDICATOR?

The purpose of the ICC is to indicate for reporting purposes, whether an out of school suspension, DAEP placement, or expulsion action is inconsistent with the LEA's student code of conduct.

Action Summary

* Action: 06 IN SCH SUSPENSI

Suspension Type: In School

* Ordered Date: 04/27/2023 Thursday

Return Date: 04/27/2023 Thursday

Total Time: 1.00 Days

Parent Notified

Inconsistent with Code of Conduct?

Comment:

Maximum characters: 5000, Remaining characters: 5000

Action Status: Served

School: [REDACTED]

School Year: 2022-23

Diff. Reason: [REDACTED]

Days Served: 1.00

Follow Up Officer: [REDACTED]

Authorized By: [REDACTED]

Example: If a student is sent to DAEP for an offense of L62 (Skipping Class), which translates to PEIMS as a 21 (Violation Student Code of Conduct), the campus will indicate in the action summary that the action is inconsistent with the District's Student Code of Conduct.

Safe Supportive School Team Review

WHAT IS THE PURPOSE OF THE SAFE SUPPORTIVE SCHOOL TEAM REVIEW INDICATOR?

This indicates whether the Safe and Supportive School Program (SSSP) team conducted a threat assessment related to a reported disciplinary incident.

Offense

Offense/Referral: Incident:

* Offense: Incident #:

* School: * School Year:

* Location: Cost (\$):

Bus:

* Offense Date: * Disc Officer:

Offense Time: Bullying Subcode:

Parent Notified

Campus ID:

PARTICIPATION INDICATOR CODE	
Views:	<input type="text" value="General"/> <input type="text" value="Filters: *Skyward Default"/>
Code ID ▲	Long Description
1 0	NOT REC/SERVICES - NOT APPLY
2 1	PART. IN PRGM. SITUATION APPLY

Behavior Location Codes

WHAT ARE BEHAVIOR LOCATION CODES??

- Location Codes are PEIMS reportable codes that indicate where the disciplinary incident occurred for each specific offense code.

HOW DOES THE CAMPUS KNOW WHICH LOCATION TO USE?

- Location Codes can be found in TAB 2 of the discipline manual.

HOW ARE LOCATION CODES DOCUMENTED?

- Location Codes are PEIMS reportable codes that must be included on the discipline referral for each incident.

2023 -2024 Behavior Location Codes

Campus Location Codes		SGLC Location Codes	
Code:	Translation:	Code:	Translation:
00	NOT APPLICABLE	SGLC0	NOT APPLICABLE SGLC CAMPUS
01	ON CAMPUS	SGLC1	ON SGLC CAMPUS
02	OFF CAMPUS, BUT WITHIN 300 FEET OF CAMPUS PROPERTY LINE	SGLC2	OFF SGLC CAMPUS WITHIN 300'
03	OFF CAMPUS, BUT AT A SCHOOL SPONSORED OR SCHOOL RELATED ACTIVITY	N/A	
04	OFF CAMPUS, AND FURTHER THAN 300 FEET FROM THE CAMPUS BOUNDARY (STUDENT WAS NOT IN ATTENDANCE AT A SCHOOL SPONSORED OR SCHOOL RELATED ACTIVITY)	SGLC4	OFF SGLC CAMPUS GREATER 300'
05	ON CAMPUS OF ANOTHER SCHOOL DISTRICT, OR WHILE IN ATTENDANCE AT A SCHOOL SPONSORED OR SCHOOL RELATED ACTIVITY OF ANOTHER SCHOOL DISTRICT	N/A	

Special Reminders

AFFECTS FUNDING:

Students who are enrolled in special courses (CTE) and programs (Bilingual, SPED, etc.) and receive a discipline action of ISS, OSS, DAEP, or Expulsion for more than 5 consecutive days must have their funding removed for the course/program on the 6th day of the action effective the 1st day the action began.

Example: If a student is assigned OSS for 3 days beginning 09/06 – 09/08, and has ISS assigned immediately after for the dates of 09/09 – 09/13, totaling 6 days, the funding for CTE courses or special programs **MUST** be removed effective 09 -06 – 09/13/23.

Report Name ▲	Report Title	Favorite	Created By
▶ AA Discipline - Actions 27 & 28	REQUIRED: Predefined Comments	★	GOMEZFEL001
▶ AA Discipline - Campus Location Code 00	Location Code Must Be 00 -Please Correct	★	GOMEZFEL001
▶ AA Discipline - Campus Location Code 01	Location Code Must Be 01 -Please Correct	★	GOMEZFEL001
▶ AA Discipline - Campus Location Code 04	Location Code Must Be 04 -Please Correct	★	GOMEZFEL001
▶ AA Discipline - Continuation From 2022	AA Discipline - Continuation From 2022	★	GOMEZFEL001
▶ AA Discipline - Continuation From 2023	AA Discipline - Continuation From 2023	★	GOMEZFEL001
▶ AA Discipline - Emerg. Place. & Expul.	Emergency Placements & Expulsions	★	GOMEZFEL001
▶ AA Discipline - Mandatory Expulsion	Requires PEIMS Action	★	GOMEZFEL001
▶ AA Discipline - Mandatory Placement	Requires PEIMS Action	★	GOMEZFEL001
▶ AA Discipline - Open Actions @ Campus	AA Discipline - Open Actions @ Campus	★	GOMEZFEL001
▶ AA Discipline - Open Actions @ SGLC	AA Discipline - Open Actions @ SGLC	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt AllYear	All Terms Discipline Combined	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 1	Term 1 Discipline	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 2	Term 2 Discipline	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 3	Term 3 Discipline	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 4	Term 4 Discipline	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 5	Term 5 Discipline	★	GOMEZFEL001
▶ AA Discipline - School Board Rpt Term 6	Term 6 Discipline	★	GOMEZFEL001
▶ AA Discipline - SGLC	Students Set to SGLC & SGLC Schedule	★	GOMEZFEL001
▶ AA Discipline - SpeEd (current year)	AA Discipline - SpeEd (current year)	★	GOMEZFEL001
▶ AA Discipline - SpeEd (previous year)	AA Discipline - SpeEd (previous year)	★	GOMEZFEL001
▶ AA Discipline - w/ Student Restraints	AA Discipline - w/ Student Restraints	★	GOMEZFEL001
▶ AA Discipline VS Attendance	Discipline Coding VS Attendance	★	GOMEZFEL001
▶ AA Discipline VS Attendance DRFS	AA Discipline VS Attendance DRFS	★	GOMEZFEL001
▶ AA Discipline VS Attendance DRHS	AA Discipline VS Attendance DRHS	★	GOMEZFEL001

Data Mining Reports

The reports listed can be processed through Excel by discipline office personnel at any time throughout the year, to review and verify data entered into the Skyward Discipline Module.

FAQ's

- **WHAT DO I DO IF A STUDENT COMMITS MULTIPLE VIOLATIONS DURING ONE INCIDENT?**
- **WHAT CONSTITUTES AN EMERGENCY PLACEMENT?**
- **HOW DO I DETERMINE WHAT THE ORDERED DATE OF AN ACTION IS?**

THANKS!

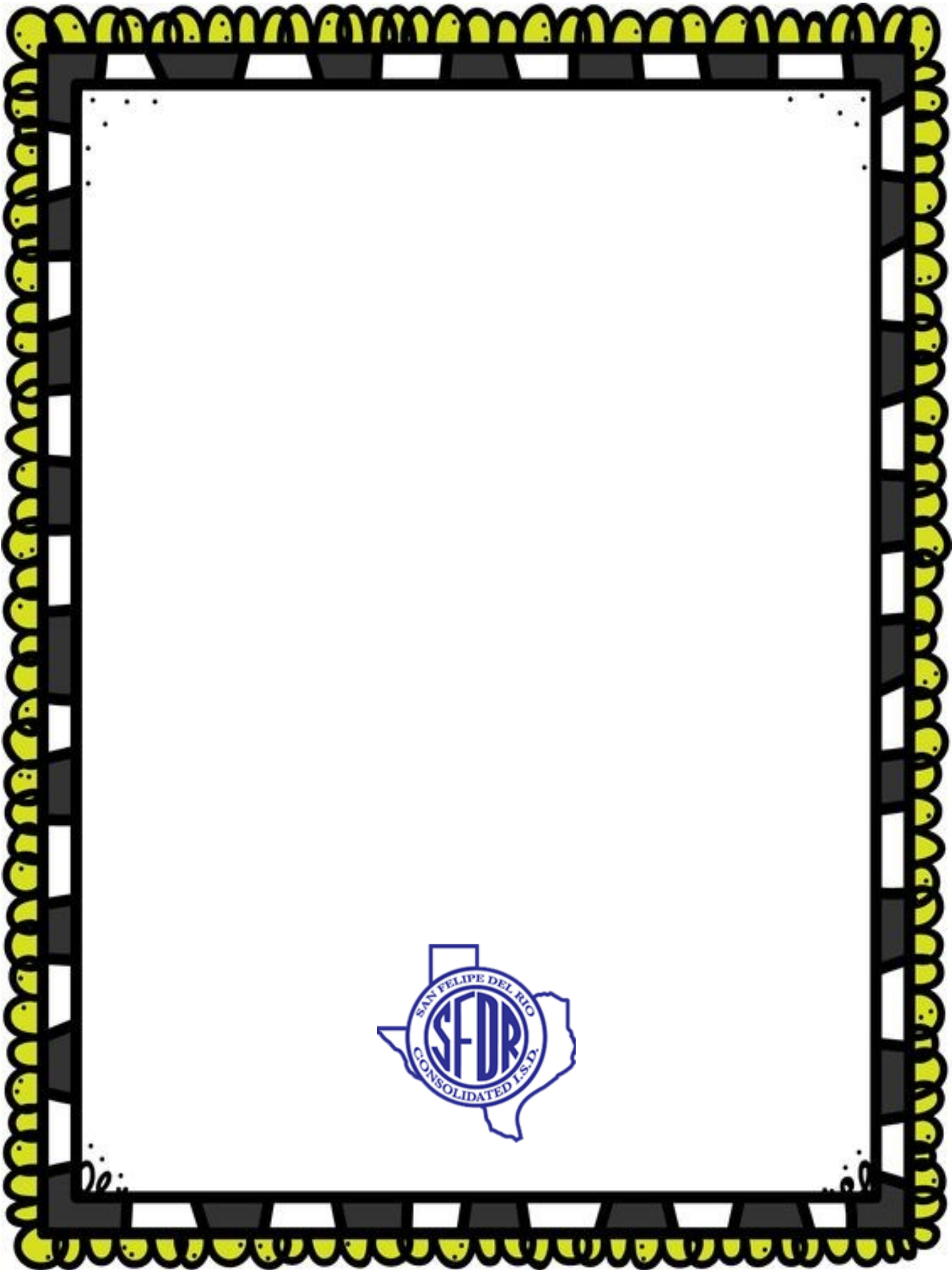
Do You Have Questions?

PEIMS DATA QUALITY COMPLIANCE AND ACCOUNTABILITY

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