

## 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]

**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)]

**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. [TEC 37.005] 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 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. 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]

**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] 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](https://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](https://schoolawesource.tasb.org).

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*Published July 2021*

## 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 <a href="#">handgun</a> on school property or at a school-related activity				20 U.S.C. 7151; TEC 37.007(a)(1), 37.007(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); Tex. Educ. Code § 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 <a href="#">firearm</a> 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 <a href="#">location-restricted knife</a> on school property or at a school-related activity				TEC 37.007(a)(1); TPC 46.02(a-4) ★	<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 <a href="#">location-restricted knife</a> on the premises of a school, any grounds or building 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 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)]
Intentionally, knowingly, or recklessly carrying, or intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a <a href="#">prohibited weapon</a> , 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]

## Weapons

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 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 <a href="#">club</a> , on the physical premises of the district, any grounds or building in 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)]
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	*	*	*		

## Weapons

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
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
<a href="#">Murder</a> or <a href="#">attempt to commit murder</a> 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) ✓	
<a href="#">Aggravated assault</a> 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) ✓	
<a href="#">Aggravated kidnapping</a> 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
<a href="#">Aggravated robbery</a> , 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) ✓	
<a href="#">Manslaughter</a> , 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) ✓	
<a href="#">Criminally negligent homicide</a> , 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) ✓	
<a href="#">Assault with bodily injury</a> , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(B) ★		
Title 5 felony or <a href="#">aggravated robbery</a> 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
<a href="#">Sexual assault</a> or <a href="#">aggravated sexual assault</a> , 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 <a href="#">continuous sexual abuse of a child or disabled individual</a> , <a href="#">sexual assault</a> , or <a href="#">aggravated sexual assault</a> 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), 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
<a href="#">Indecency with a child</a> , 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)  ✓	
<a href="#">Public lewdness</a> or <a href="#">indecent exposure</a> , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(F)  ★		
<a href="#">Voyeurism</a> , 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
<a href="#">Invasive visual recording</a> , on or within 300 feet of campus or at a school-related activity			TEC 37.006(a)(2)(A) ★		
<a href="#">Unlawful disclosure or promotion of intimate visual material</a> 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).
<a href="#">Possession or promotion of child pornography</a> 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- or alcohol-related misconduct [TEC 37.006(a)(2)(C), (D)], on school property or at a school-related activity, if punishable as a felony				TEC 37.007(a)(3) ★	
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 <a href="#">marijuana</a> , a <a href="#">controlled substance</a> , or a <a href="#">dangerous drug</a> , 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) ✓	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, 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) ✓	

## Substance Abuse

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
<a href="#">Abusable volatile chemical</a> 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) ✓		
Possessing or using tobacco products or e-cigarettes, including any component, part, or accessory for the e-cigarette	*	*	*		
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	*	*	*		

## Substance Abuse

Misconduct	ISS, detention, or other local disciplinary techniques	Out-of-school suspension up to 3 days	DAEP	Expulsion	Notes
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) ★	
<a href="#">Assault with bodily injury</a> 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 <a href="#">retaliation</a> against any school employee			TEC 37.006(b) ★		

<b>Mistreatment of Others</b>					
<b>Misconduct</b>	<b>ISS, detention, or other local disciplinary techniques</b>	<b>Out-of-school suspension up to 3 days</b>	<b>DAEP</b>	<b>Expulsion</b>	<b>Notes</b>
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 ✓	

<b>Mistreatment of Others</b>					
<b>Misconduct</b>	<b>ISS, detention, or other local disciplinary techniques</b>	<b>Out-of-school suspension up to 3 days</b>	<b>DAEP</b>	<b>Expulsion</b>	<b>Notes</b>
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
<a href="#">Harassment</a> 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)  ★		
<a href="#">Harassment</a> 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)  ★		
<a href="#">Harassment</a> 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)]	*	*	*		
<a href="#">Assault</a> with threat of imminent bodily injury but no bodily injury [TPC 22.01(a)(2)]	*	*	*		
<a href="#">Assault</a> 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
<a href="#">Arson</a> , 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) <a href="#">coercion</a> ; (4) <a href="#">public lewdness</a> ; (5) <a href="#">indecent exposure</a> ; (6) <a href="#">criminal mischief</a> ; (7) <a href="#">hazing</a> ; or (8) <a href="#">harassment</a> 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
<a href="#">Terroristic threat</a> or <a href="#">false alarm</a> involving a public school			TEC 37.006(a)(1)  ★	TEC 37.007(b)(1)  ✓	
<a href="#">Deadly conduct</a> , 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 <a href="#">criminal mischief</a>				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	*	*	*		