



**2025-2026 Student Discipline  
Updates  
2026 Spring TSDS ESC Training  
Wednesday, April 1, 2026**

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- **Specific PEIMS Codes and the Importance of Accuracy**
- **Mandatory Action Not Taken**
- **Student Discipline Webpage and Resources**





# Specific PEIMS Codes and the Importance of Accuracy

## PEIMS Behavior 41 vs Behavior 28:

- **Behavior 41– Fighting/Mutual Combat** is reported when two or more students mutually participate in physical combat using blows or force (hitting) to overcome one another.
  - at least 2 or more students involved
  - all students have the same intentions – overcoming each other
  - no bodily injury or serious bodily injury requiring medical treatment beyond basic first aid occurs
- **Behavior 28 - Assault under Penal Code, §22.01(a)(1), Against Someone Other than a School District Employee or Volunteer** is reported when a student intentionally causes bodily injury to a student or non-school staff.
  - at least 2 students involved
  - 1 student intentionally causes bodily injury to another student
  - 1 student does not have the intention of hurting anyone and is a victim
  - bodily injury occurs and the school nurse can take care of the injury

## Discipline Incident Scenario – Behavior Code 41:

Two students engaged in a physical altercation during lunch in the cafeteria involving pushing, hitting, and profanity. Staff intervened promptly, and neither student required medical treatment.

## Investigation of the incident is conducted, and a disciplinary conference is held:

Witness statements confirm both students actively participated in the fight.

- **Behavior 41** Fighting/Mutual Combat will be reported.
  - **Student A:** Assigned 10 days in the DAEP due to prior discipline record with two previous fights; and district policy supports escalated consequences for repeated behaviors.
  - **Student B:** Assigned 3 days of ISS due to no prior disciplinary history and district policy supports ISS for first offense of fighting.



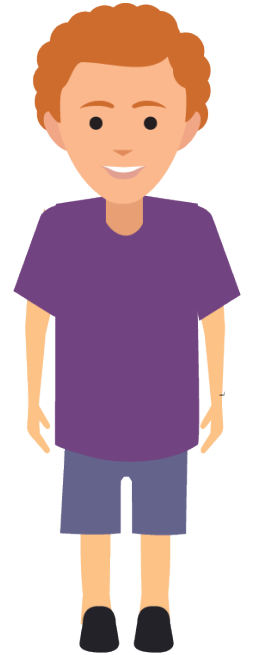
## Discipline Incident Scenario – Behavior Code 28:

During a passing period, Student A intentionally struck Student B several times in the hallway, causing Student B to have a black eye and nosebleed. This warranted an evaluation by the school nurse but no further medical examination was needed.

## Investigation of the incident is conducted, and a disciplinary conference is held:

This behavior meets the definition of assault under Penal Code, §22.01(a)(1): “intentionally, knowingly, or recklessly causing bodily injury to another.”

- **Behavior 28** Assault under Penal Code, §22.01(a)(1), Against Someone Other than a School District Employee or Volunteer will be reported
  - **Student A:** Assigned mandatory placement in the DAEP as required by TEC §37.006(a)(2)(B) for assault on another student.
  - **Student B:** No disciplinary action taken, as Student B was determined the victim.





# Mandatory Action Not Taken



## When and How to Report a Mandatory Disciplinary Action Not Taken

- **Discipline 27 - Mandatory disciplinary action not taken by district – ARD Committee** is reported when a student's behavior requires a mandatory removal from the regular educational setting, but the Admissions, Review, and Dismissal (ARD) committee determines in a manifestation determination review (MDR) that the behavior in question was a manifestation of the student's disability.
- **Discipline 28 - Mandatory Disciplinary Action Not Taken By District - [TEC §37.001\(a\)\(4\)](#)** is reported when a student's behavior requires a mandatory removal from the regular educational setting, but one or more of the factors under TEC §37.001(a)(4), is applicable.

# Mandatory Action Not Taken

## Discipline 27 Mandatory Action Not Taken by District – ARD Committee Incident Scenario:

A student secretly obtained an electronic device in class and used it to harass a teacher by sending multiple messages through the campus communication system; the teacher, who did not know the student, reported the behavior, and the student was placed in ISS pending a full investigation.



### Investigation of the incident is conducted:



The student receives special education services. An ARD committee conducted an MDR and determined the behavior was a manifestation of the student's disability. The student's Behavior Intervention Plan (BIP) states the student is not to be on an electronic device without one-on-one supervision.

The committee reminded the student's teacher of the BIP and the responsibility of ensuring the BIP is followed.

Student was sent back to class.

### PEIMS Reporting of Incident:

- **Behavior 75** Harassment Against an Employee or Volunteer of the District
- **Discipline 27** Mandatory Disciplinary Action Not Taken By District - ARD committee
- **Discipline 06 ISS ONLY** because the student was temporarily placed in ISS pending the investigation

# Mandatory Action Not Taken

## **Discipline 28 Mandatory Action Not Taken by District - TEC 37.001(a)(4), Incident Scenario:**

A teacher walked into the students' restroom and saw Student A give Student B an e-cigarette. The behavior of giving another student an e-cigarette requires a mandatory DAEP placement, and the behavior of possessing an e-cigarette is a discretionary DAEP placement.

## **Investigation of the incident is conducted, and a disciplinary conference is held:**

Neither students have a discipline history and are in good academic and attendance standing. Peer pressure led them to try an e-cigarette; Student A brought it for Student B, who was found holding it by a teacher. Because of their good standing, the Campus Behavior Coordinator discussed peer pressure and health risks, determined DAEP was not appropriate, and assigned both students 3 days of ISS.



# Mandatory Action Not Taken

## Discipline 28 Incident Scenario (continued):

### ■ PEIMS Reporting of Incident

#### Student A:

- **Behavior 68** Sells, Gives, or Delivers E-Cigarette
- **Discipline 28** Mandatory Disciplinary Action Not Taken By District will be reported as the first discipline action assigned due to the required considerations under [TEC §37.001\(a\)\(4\)](#).
- **Discipline 06** ISS is assigned for 3 days will be reported as the second discipline action for this incident.

#### Student B:

- **Behavior 67** Possesses or Uses E-Cigarette
- **Discipline 06** ISS is assigned for 3 days will be reported for this incident.



# Student Discipline Webpage and Resources

- **TEA Student Discipline Webpage**

- Professional Development and Office Hour Opportunities
- Resources for Students with Disabilities
- Disciplinary Alternative Education Program (DAEP) Resources
- Bullying Prevention Resources
- Internal and External Resource Links
- Student Discipline Support Contact Information



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