

2025-26 PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsion

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts.

#DisciplinaryActionLengthDifferenceReason Descriptor Code '11' Term Modified by District - Disciplinary Alternative Education Program Capacity is applicable (C166).

Behavior Descriptor Table (C165)		Incident Location Descriptor Table (C190)	Discipline Descriptor Table (C164)			
Behavior Descriptor Translation		Incident Descriptor Location	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
01	Permanent removal by a teacher from class (Teacher has removed the student from classroom and denied the student the right to return. TEC §37.003 has been invoked.) – TEC §37.002(c)	On campus (01)	NO	NO	D	NO
02	Conduct punishable as a felony-TEC §37.006(a)(2)(A)	On campus (01)	M	NO	NO	NO
	TEC §37.006(a)(2)(A)	Off Campus, within 300 ft. (02)	M	NO	NO	NO
	TEC §37.006(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	NO
	TEC §37.006(d)(2)(A) and (B)	Off Campus, no school related/sponsored activity (04)	NO	NO	D	NO
05	Sells, gives, or delivers to another person, possesses, uses, under the influence of an alcoholic beverage. Commits a serious act or offense while under the influence of alcohol, or possess, uses, or is under the influence of an alcoholic beverage. Defined under §1.04, Alcoholic Beverage Code - TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)(iii)	On campus (01)	#M	NO	NO	D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)(iii)	Off Campus, within 300 ft. (02)	#M	NO	NO	D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)(iii)	School Related/Sponsored Activity Off Campus (03)	#M	NO	NO	D
06	Abuse of a volatile chemical- Defined under §185.031 through §485.034, Health and Safety Code - TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	On campus (01)	#M	NO	NO	D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	Off Campus, within 300 ft. (02)	#M	NO	NO	D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	School Related/Sponsored Activity Off Campus (03)	#M	NO	NO	D
07	Public lewdness or indecent exposure- Defined under 21.07, Penal Code and 21.08 - TEC §37.006(a)(2)(F)	On campus (01)	M	NO	NO	NO
	TEC §37.006(a)(2)(F)	Off Campus, within 300 ft. (02)	M	NO	NO	NO
	TEC §37.006(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	NO
09	Title 5 Felony Offenses - Defined under Penal Code Chapter 19 - Chapter 22. Refer to local law enforcement and local legal counsel. TEC §37.006(c)(1)(A), TEC §37.007(b)(4), and TEC §37.0081	Off Campus, no school related/sponsored activity (04)	M	NO	NO	D
10	Felony offenses not in Title 5 - Refer to local law enforcement and local legal counsel. - TEC §37.006(d)(2)(A)	Off Campus, no school related/sponsored activity (04)	NO	NO	D	NO
12	Unlawful Carrying of a Location-restricted Knife - Defined under Penal Code 42.01(6), as a knife with a blade longer than 5.5 inches – TEC 37.007(a)(1)	Not Applicable (00)	NO	M	NO	NO
14	Conduct Containing the Elements of an Offense Relating to Prohibited Weapons - Defined under Penal Code 46.05 – TEC 37.007(a)(1) • an explosive weapon; • a machine gun; or • armor-piercing ammunition; • a chemical dispensing device; • a zip gun; • a tire deflation device; or • an improvised explosive device.	Not Applicable (00)	NO	M	NO	NO
16	Arson - Defined under Penal Code, § 28.02 - TEC §37.007(a)(2)(B)	Not Applicable (00)	NO	M	NO	NO
17	Murder, capital murder, criminal attempt to commit murder, or capital murder - Defined under Penal Code, §19.02, §19.03, §15.01 - TEC §37.007(a)(2)(C)	Not Applicable (00)	NO	M	NO	NO
18	Indecency with a child - Defined under Penal Code, §21.11 - TEC §37.007(a)(2)(D)	Not Applicable (00)	NO	M	NO	NO
19	Aggravated kidnapping - Defined under Penal Code, §20.01 - TEC §37.007(a)(2)(E)	Not Applicable (00)	NO	M	NO	NO

2025-26 PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsion

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts.

#DisciplinaryActionLengthDifferenceReason Descriptor Code '11' Term Modified by District - Disciplinary Alternative Education Program Capacity is applicable (C166).

Behavior Descriptor Table (C165)		Incident Location Descriptor Table (C190)	Discipline Descriptor Table (C164)			
21	Violation of student code of conduct. Excludes offenses under TEC 37.002(c), 37.006, or 37.007 - TEC §37.001	Not Applicable (00)	NO	NO	D	NO
22	Felony Criminal Mischief - Defined under Penal Code, §28.03 - TEC §37.007(f)	Not Applicable (00)	NO	NO	NO	D
23	Emergency Placement/Expulsion - May be a single incident - TEC §37.019	On campus (01)	NO	NO	D	D
26	Terroristic threat - Defined under Penal Code, §22.07 - TEC §37.006(a)(1) or 37.007(b)(1)	On campus (01)	M	NO	NO	D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, within 300 ft. (02)	M	NO	NO	D
	TEC §37.006(a)(1) or 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M	NO	NO	D
27	Assault under Penal Code Section 22.01(a)(1) against a school district employee or volunteer- TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	Not Applicable (00)	M	NO	NO	D
28	Assault under Penal Code Section 22.01(a)(1) against someone other than a school district employee or volunteer-TEC §37.006(a)(2)(B)	On campus (01)	M	NO	NO	NO
	TEC §37.006(a)(2)(B)	Off Campus, within 300 ft. (02)	M	NO	NO	NO
	TEC §37.006(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	NO
29	Aggravated assault against a school district employee or volunteer-TEC §37.007(a)(2)(A) Defined under Penal Code Section §22.02	Not Applicable (00)	NO	M	NO	NO
30	Aggravated assault against someone other than a school district employee or volunteer-TEC §37.007(a)(2)(A) Defined under Penal Code Section §22.02	Not Applicable (00)	NO	M	NO	NO
31	Sexual assault against a school district employee or volunteer-TEC §37.007(a)(2)(A) Defined under Penal Code, §22.011, 22.012	Not Applicable (00)	NO	M	NO	NO
32	Sexual assault or aggravated sexual assault under 22.021 against someone other than a school district employee or volunteer-TEC §37.007(a)(2)(A) Defined under Penal Code, §§22.011, 22.012	Not Applicable (00)	NO	M	NO	NO
35	False Alarm/False Report –TEC §§37.006(a)(1) and 37.007(b)(1) Defined under Penal Code, §42.06	On campus (01)	M	NO	NO	D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, within 300 ft. (02)	M	NO	NO	D
	TEC §§37.006(a)(1) and 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M	NO	NO	D
36	Felony Controlled Substance or Dangerous Drug Violation-TEC §37.007(a)(3) (Excludes Marihuana/THC) -TEC §37.007(a)(3) Sells, gives, or delivers to another person, possesses, uses, or is under the influence of a felony controlled substance or dangerous drug Defined under Health and Safety Code, Chapter 481 and Chapter 483	Not Applicable (00)	NO	M	NO	NO
41	Fighting/Mutual Combat- TEC, §37.001 Excludes all offenses under Penal Code §22.01	Not Applicable (00)	NO	NO	D	NO
47	Manslaughter – TEC §37.007(a)(2)(G) Defined under Penal Code, §19.04	Not Applicable (00)	NO	M	NO	NO
48	Criminally Negligent Homicide – TEC §37.007(a)(2)(H) Defined under Penal Code, §19.05	Not Applicable (00)	NO	M	NO	NO
49	Engages in Deadly Conduct – TEC §37.007(b)(2)(C) Defined under Penal Code, §22.05	On campus (01)	NO	NO	NO	D
	TEC §37.007(b)(2)(C)	Off Campus, within 300 ft. (02)	NO	NO	NO	D
	TEC §37.007(b)(2)(C)	School Related/Sponsored Activity Off Campus (03)	NO	NO	NO	D
	TEC §37.006(c)(1)(B)	Off Campus, no school related/sponsored activity (04)	M	NO	NO	NO

2025-26 PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsion

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts.

#DisciplinaryActionLengthDifferenceReason Descriptor Code '11' Term Modified by District - Disciplinary Alternative Education Program Capacity is applicable (C166).

Behavior Descriptor Table (C165)		Incident Location Descriptor Table (C190)	Discipline Descriptor Table (C164)			
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	NO	NO	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)	NO	NO	D	D
57	Continuous Sexual Abuse of Young Child or Disabled Individual - TEC §37.007(a)(2)(I) Defined under Penal Code, §21.02	Not Applicable (00)	NO	M	NO	NO
58	Breach of Computer Security – TEC §37.007(b)(4) Defined under Penal Code, §33.02	On campus (01)	NO	NO	NO	D
	TEC §37.007(b)(4)	Off Campus, within 300 ft. (02)	NO	NO	NO	D
	TEC §37.007(b)(4)	School Related/Sponsored Activity Off Campus (03)	NO	NO	NO	D
	TEC §37.007(b)(4)	Off Campus, no school related/sponsored activity (04)	NO	NO	NO	D
59	Serious Misbehavior while placed in a DAEP - TEC §37.007(c) Engages in documented serious misbehavior while on the DAEP campus despite documented behavioral interventions. These behaviors are: • deliberate violent behavior that poses a direct threat to the health or safety of others; • extortion, meaning the gaining of money or other property by force or threat; • conduct that constitutes coercion, as defined by §1.07, Penal Code; or • public lewdness under §21.07, Penal Code; • indecent exposure under §21.08, Penal Code; • criminal mischief under §28.03, Penal Code; • personal hazing under TEC §37.152; or • harassment under §42.07(a)(1), Penal Code, of a student or district employee	On campus (01)	NO	NO	NO	D
61	Certain bullying behavior – TEC §37.0052(b) These behaviors are: • engages in bullying that encourages a student to commit or attempt to commit suicide; • incites violence against a student through group bullying; or • 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	Not Applicable (00)	NO	NO	D	D
62	Possessed, Sold, Gave, Used, Delivered, Or Was Under The Influence Of Marihuana Or Tetrahydrocannabinol (THC) - TEC §37.006(a)(2)(C-1), TEC §37.007(b)(2)(A)(i)	On campus (01)	#M	NO	NO	D
	TEC §37.006(a)(2)(C-1), TEC §37.007(b)(2)(A)(i)	Off campus, within 300 feet (02)	#M	NO	NO	D
	TEC §37.006(a)(2)(C-1), TEC §37.007(b)(2)(A)(i)	School Related/Sponsored Activity Off Campus (03)	#M	NO	NO	D
64	Non-Felony level controlled substance or dangerous drug– TEC §37.006(a)(2)(C)(i) and TEC §37.007(b)(2)(A)(i) – Sells, gives, delivers to another person, possesses, uses, or is under the influence of a controlled substance. Defined under Health and Safety Code, Chapter 481 and 483	On campus (01)	M	NO	NO	D
	TEC §37.006(a)(2)(C)(i), TEC §37.007(b)(2)(A)(i)	Off campus, within 300 feet (02)	M	NO	NO	D
	TEC §37.006(a)(2)(C)(i), TEC §37.007(b)(2)(A)(i)	School Related/Sponsored Activity Off Campus (03)	M	NO	NO	D
65	Threatens immediate health and safety of other students in classroom TEC §37.005(c)(2)	On campus (01)	NO	NO	D	NO
66	Documented repeated or significant disruption to the classroom - TEC §37.005(c)(3)	On campus (01)	NO	NO	D	NO
67	Possesses or uses e-cigarette – TEC §37.001(a)(2), TEC §37.006(d)(1)(C) Defined under Health and Safety Code, §161.081	On campus (01)	NO	NO	D	NO

2025-26 PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsion

NOTE: This chart represents the minimum required actions and maximum allowed actions for school districts.

#DisciplinaryActionLengthDifferenceReason Descriptor Code '11' Term Modified by District - Disciplinary Alternative Education Program Capacity is applicable (C166).

Behavior Descriptor Table (C165)		Incident Location Descriptor Table (C190)	Discipline Descriptor Table (C164)			
68	Sells, gives, or delivers e-cigarette - TEC §37.006(a)(2)(C-2) Defined under Health and Safety Code, §161.081	On campus (01)	#M	NO	NO	NO
	TEC §37.006(a)(2)(C-2)	Off campus, within 300 feet (02)	#M	NO	NO	NO
	TEC §37.006(a)(2)(C-2)	School Related/Sponsored Activity Off Campus (03)	#M	NO	NO	NO
69	Disorderly conduct involving a firearm – TEC §37.006(c)(1)(D) Defined under Penal Code, §42.01(a)(7) or (8)	Off Campus, no school related/sponsored activity (04)	M	NO	NO	NO
70	Disruptive activities under TEC §37.123 – TEC §37.006(d)(1)(A)	On campus (01)	NO	NO	D	NO
71	Disruption of classes under TEC §37.124 – TEC §37.006(d)(1)(A) Alone or with others, intentionally disrupts school classes or activities by: • emitting noise of intensity that prevents or hinders classroom instruction; • attempting to or enticing a student away from a class or school activity that the student is required to attend; • preventing or attempting to prevent a student from attending a class or other school activity that the student is required to attend; and entering a classroom without the consent of either the principal or the teacher and, through either acts of misconduct or the use of loud or profane language, disrupting class activities.	On School Property or on Public Property within 500 Feet of School Property (06)	NO	NO	D	NO
72	Kidnapping – TEC §37.007(a)(2)(E) Defined under Penal Code, §22.03	Not Applicable (00)	NO	M	NO	NO
73	Exhibits, uses, or threatens to exhibit or use a firearm under TEC §37.125 – TEC §37.007(a)(5)	Not Applicable (00)	NO	M	NO	NO
74	Retaliation against a school employee or volunteer of the district - TEC §37.006(b) Defined under Penal Code, §36.06	Not Applicable (00)	M	NO	NO	NO
75	Harassment against an employee or volunteer of the district - TEC 37.006(b) Defined under Penal Code, §42.07	Not Applicable (00)	M	NO	NO	NO
76	Burglary/Robbery, Aggravated Robbery– TEC §37.007(a)(2)(F) Defined under Penal Code, §§30.02, 29.02, and 29.03	Not Applicable (00)	NO	M	NO	NO

Table Key:

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

M - Mandatory

D - Discretionary

NO - Not allowed by TEC Ch 37

DAEP Capacity Rule