

Chapter 37 Discipline Chart

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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:** ★ Ch. 37 states a district "shall" take this action in response to the misconduct. [See Mitigating Factors, below.]
- ✓ Ch. 37 states a district "may" take this action. The district can choose to impose this penalty if permitted under the local SCOC.
- * Ch. 37 does not address this misconduct. The district can choose to impose a consequence if permitted under the local SCOC.

Abbreviations:

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

Contents:

Weapons	pg. 6-9
Violence	pg. 10-12
Sexual Misconduct	pg. 13-17
Substance Abuse	pg. 18-20
Bullying	pg. 21
Harassment of a District Employee or Volunteer	pg. 22-23
Disruptive Activity	pg. 24

Important Notes

Campus behavior coordinator (CBC): School districts are required to appoint one CBC per campus to be responsible for maintaining student discipline and implementing discipline management techniques. The CBC is required to monitor disciplinary referrals; report to the campus's SSSP team any student who engages in conduct that contains the elements of terroristic threat under TPC 22.07, unlawfully carrying weapons under TPC 46.02, prohibited weapons under TPC 46.05, or exhibiting, using, or threatening to exhibit or use a firearm under TEC 37.125; and report to the campus's SSSP team any concerning student behaviors or behavioral trends that may pose a serious risk of violence to the student or others. [TEC 37.0012]. Districts must post each CBC's e-mail address and dedicated telephone number on the district's website. [TEC 26.015]. Additional school staff members may assist in the performance of the coordinator's duties, but the coordinator must personally verify that all duties are appropriately carried out in accordance with Chapter 37. [TEC 37.0012(a-1)].

Coursework and services during disciplinary placement: Districts are 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, districts 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)]. For students placed in ISS, districts must provide appropriate behavior support services comparable to educational services that they would receive in the classroom. Special education students placed in ISS must continue to receive the services outlined in their IEP and must continue to have an opportunity to progress in the general curriculum. [TEC 37.005(b-2)].

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 the student's 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.

District of Innovation: A district may not exempt itself from any part of Chapter 37. This prohibition applies to any local innovation plan adopted or renewed before, on, or after June 20, 2025. [TEC 12A.004(a)(4)].

Homelessness: A student who is homeless may not be placed in OSS unless the student engages in misconduct while on school property or at a school-related activity that is drug- or alcohol-related, contains the elements of certain weapons offenses under the TPC, threatens the immediate health and safety of other students in the classroom, or results in repeated or significant disruption to the classroom. 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)].

Length of suspension: OSS may not exceed three school days. ISS is not subject to any time limit, but a school's principal or other appropriate administrator must review the ISS of a student at least once every 10 school days after the date the suspension begins to evaluate the student's educational progress and determine if continued ISS is appropriate. If the administrator determines it to be appropriate, such determination must be documented. [TEC 37.005(b)-(b-1)].

Mitigating factors: Before deciding to assign a student suspension, 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)(4)].

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 (FIIE): Districts must provide information to a student's parent or person standing in parental relation to the student about the process for requesting a FIIE 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)]. If the coordinator is unavailable or unable to promptly notify a parent or guardian, the principal or other designee must provide the notice. [TEC 37.0012(f)].

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 TEC 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.

Reassignment: If a student below third grade is placed in OSS, and the parent submits a request for review and supporting documentation of their inability to provide suitable supervision for the student during school hours during the period of suspension, the principal or other appropriate administrator may, at their sole discretion, reassign the student to ISS. This alternative assignment should only be used in extenuating circumstances, and the district must maintain documentation of each reassignment, including the request, reason for the parent's unavailability, and supporting information. [TEC 37.005(c-2)].

Temporary placement: Pending expulsion or DAEP placement, a student may be placed in ISS, OSS, or another appropriate placement in accordance with the district's SCOC.

Transition to the regular classroom: Districts 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].

Virtual expulsion program: A district may place a student in a virtual expulsion program established by the district and provide virtual instruction and remote learning materials to the student if the district is not located in a county with a JJAEP, or the district is located in a county with a JJAEP, and the JJAEP rejects the student or returns the student before the expiration of the discipline placement. The district is required to review the student's placement at least once every 45 school days to determine if it is still appropriate. [TEC 37.0083].

Young students: Students younger than 10 must receive services in DAEP if they engage in expellable misconduct. [TEC 37.007(e)(3), (h)]. However, a student younger than 6 may not be sent to 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 while on school property or at a school-related activity that is drug- or alcohol-related, threatens the immediate health and safety of other students, or results in repeated or significant

disruption in the classroom. [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].

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Weapons					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Intentionally, knowingly, or recklessly carrying a handgun, on or off school property				TEC 37.007(a)(1), (e); TPC 46.02(a); 20 U.S.C. 7961 ★	<i>Handgun</i> means any firearm that is designed, made, or adapted to be fired with one hand. [TPC 46.01(5)]. The federal Gun-Free Schools Act, which is incorporated into Chapter 37, requires expulsion for at least one year for bringing a firearm to school, except that a superintendent may modify the expulsion in writing on a case-by-case basis. [20 U.S.C. 7961(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. 7961(g)].

Weapons					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Intentionally, knowingly, or recklessly carrying a location-restricted knife, on or off school property				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)].
Intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon , on or off school property				TEC 37.007(a)(1); TPC 46.05 ★	<i>Prohibited weapon</i> means an explosive weapon, machine gun, armor-piercing ammunition, chemical dispensing device, zip gun, tire deflation device, or improvised explosive device. [TPC 46.05].
Exhibiting, using, or threatening to exhibit or use a firearm on school property or on a school bus being used to transport students to or from a school-sponsored activity with intent to damage school property or to cause alarm or personal injury to a person				TEC 37.007(a)(5); TEC 37.125 ★	<i>Firearm</i> means any device designed, made, or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. [TPC 46.01(3)].

Weapons					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Possessing a firearm within 300 feet of school property				TEC 37.007(b)(3) ✓	<i>Firearm</i> means any weapon (including a starter gun) which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, the frame or receiver of any such weapon, any firearm muffler or firearm silencer, or any destructive device; the term excludes an antique firearm. [18 U.S.C. § 921]. 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)].

Weapons					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
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) ★		<i>Club</i> means an instrument—including a blackjack, nightstick, mace, or tomahawk—that is specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person with the instrument. [TPC 46.01(1)]. Possessing a club in certain locations is a felony. [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	*	*	*		
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	OSS	DAEP	Expulsion	Notes
Murder or attempt to commit murder , on or off school property				TEC 37.007(a)(2)(C) ★	
Aggravated assault , on or off school property				TEC 37.007(a)(2)(A) ★	
Kidnapping , on or off school property				TEC 37.007(a)(2)(E) ★	
Burglary or robbery , on or off school property				TEC 37.007(a)(2)(F) ★	
Manslaughter , on or off school property				TEC 37.007(a)(2)(G) ★	
Criminally negligent homicide , on or off school property				TEC 37.007(a)(2)(H) ★	
Assault with bodily injury against a district employee or volunteer, on or off school property				TEC 37.007(a)(4) ★	

Violence					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Assault with bodily injury , on or within 300 feet of school property or at a school-related activity			TEC 37.006(a)(2)(B); TPC 22.01(a)(1) ★		
Title 5 felony, deadly conduct, aggravated robbery , disorderly conduct involving a firearm, or unlawfully carrying weapons except for a Class C misdemeanor off campus and not at a 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 TPC chapters 19-22. A list of Title 5 felonies can be found in the TASB Model SCOC glossary and FOC(LEGAL).
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 ✓	

Violence					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Deadly conduct , on or within 300 feet of school property or at a school-related activity				TEC 37.007(b)(2)(C); TPC 22.05 ✓	<i>Deadly conduct</i> includes recklessly engaging in conduct that places another in imminent danger of serious bodily injury or knowingly discharging a firearm at or in the direction of an individual or a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. [TPC 22.05].
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)]	*	*	*		
Fighting or scuffling	*	*	*		
Threats against students, staff, or school property	*	*	*		

Sexual Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Sexual assault , on or off school property				TEC 37.007(a)(2)(A) ★	
Indecency with a child , on or off school property				TEC 37.007(a)(2)(D) ★	
Continuous sexual abuse of a young child or disabled individual, on or off school property				TEC 37.007(a)(2)(I) ★	
Conviction, adjudication, prosecution, 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].
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) ★		

Sexual Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
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); TPC 21.17 ★		
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-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).
Releasing or threatening to release intimate visual material 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 visual material that depicts a person either with the person's intimate parts exposed or engaged in sexual conduct. [Tex. Civ. Prac. & Rem. Code 98B.001(2)].

Sexual Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Intentionally or knowingly possesses, promotes, or accesses with intent to view or promote visual material depicting either an actual or computer-generated minor engaging in sexual conduct, and the person knows, should have known, or believes that the depiction is or appears to be of a minor at the time the image was made, on or within 300 feet of school property or at a school-related activity			TPC 43.26(a-1)-(a-2), (e)-(e-1); TEC 36.006(a)(2)(A); TPC 43.26(c-1)-(d), (g)-(g-1) ★		<i>Visual material</i> means film, photograph, videotape, negative, or slide, or any photographic reproduction containing such items, or any disk or other physical medium allowing an image to be displayed on a screen. [TPC 43.26(a)(5)].
Knowingly producing or distributing by electronic means deep fake media, without the minor's consent, that appears to depict the minor with visible computer-generated intimate parts or another person's intimate parts, or appears to depict the minor engaging in sexual conduct in which the minor did not engage, on or within 300 feet of school property or at a school-related activity			TPC 21.165(b), (c)(2); TEC 36.006(a)(2)(A); ★		<i>Deep fake media</i> means a visual depiction created or altered through the use of any technological means that appears to a reasonable person to depict a real person performing an action that did not occur in reality. [TPC 21.165(a)(1)]. Consent is valid only if the depicted minor knowingly and voluntarily signed a written agreement including a general description of the deep fake media. [TPC 21.165(b-2)].

Sexual Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Knowingly producing or distributing by electronic means deep fake media, without the person's consent, that appears to depict the person with visible computer-generated intimate parts or another person's intimate parts, or appears to depict the person engaging in sexual conduct in which the person did not engage, on or within 300 feet of school property or at a school-related activity, if the student has been previously convicted of this offense			TPC 21.165(b), (c)(1); TEC 36.006(a)(2)(A) ★		
Registered sex offender—under court supervision			TEC 37.304 ★		If a student is under court supervision, including probation, community supervision, or parole, the district must assign the student to DAEP or JJAEP for at least one semester. [TEC 37.304, .309].

Sexual Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
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.
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	OSS	DAEP	Expulsion	Notes
Drug-related misconduct [TEC 37.006(a)(2)(C)], on or off school property, if punishable as a felony				TEC 37.007(a)(3) ★	Does not include marijuana- or THC-related offenses.
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 H&SC 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) ✓	
Selling, giving, or delivering 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.

Substance Abuse					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Possessing or using a nicotine delivery product or e-cigarette on or within 300 feet of school property or at a school-related activity			TEC 37.001(a)(2) ✓		
If student is not placed in DAEP for first-time offense	TEC 37.006(d)(1)(C) ★				ISS for at least 10 school days.
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 H&SC sections 485.031-.034, including possession, use, and delivery to a minor.

Substance Abuse					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
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	*	*	*		
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	*	*	*		

Bullying					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Bullying [TEC 37.0832(a)] that occurs on or is delivered to the site of a school-related activity	*	*	*		
Bullying [TEC 37.0832(a)] that occurs on a publicly or privately owned school bus or vehicle used to transport students to or from school or a school-related activity	*	*	*		
Cyberbullying [TEC 37.0832(a)] that occurs off school property if the cyberbullying: interferes with a student's educational opportunities; or substantially disrupts the orderly operation of a classroom, school, 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 ✓	
Inciting violence against a student through group bullying [TEC 37.0832(a)]			TEC 37.0052 ✓	TEC 37.0052 ✓	

Harassment of a District Employee or Volunteer					
Misconduct on or off school property	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Threatening 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			TEC 37.006(b)(2); TPC 42.07(a)(2) ★		
Conveying a false report regarding the death or serious bodily injury of another person			TEC 37.006(b)(2); TPC 42.07(a)(3) ★		
Causing the person's telephone to repeatedly ring or making repeated telephone communications anonymously or in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend the person			TEC 37.006(b)(2); TPC 42.07(a)(4) ★		
Making a telephone call and intentionally failing to hang up or disengage the connection			TEC 37.006(b)(2); TPC 42.07(a)(5) ★		
Knowingly permitting someone else to use a telephone under the student's control to harass the person			TEC 37.006(b)(2); TPC 42.07(a)(6) ★		

Harassment of a District Employee or Volunteer					
Misconduct on or off school property	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Sending repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend the person			TEC 37.006(b)(2); TPC 42.07(a)(7) ★		
Publishing on an Internet website repeated electronic communications in a manner reasonably likely to cause emotional distress, abuse, or torment to the person, unless the communications are made in connection with a matter of public concern			TEC 37.006(b)(2); TPC 42.07(a)(8) ★		<i>Matter of public concern</i> means a statement or activity regarding a public official, public figure, or other person who has drawn substantial public attention; a matter of political, social, or other interest to the community; or a subject of concern to the public. [Tex. Civ. Prac. & Rem. Code 27.001(7)].
Tracking or monitoring the personal property or motor vehicle of the person without the person's consent			TEC 37.006(b)(2); TPC 42.07(a)(9) ★		
Making obscene, intimidating, or threatening telephone calls or other electronic communications from a temporary or disposable telephone number provided by an Internet application or other technological means			TEC 37.006(b)(2); TPC 42.07(a)(10) ★		

Disruptive Activity					
Misconduct	ISS, detention, or other	OSS	DAEP	Expulsion	Notes
Obstructing or restraining the passage of persons in an exit, entrance, or hallway of a building on campus or school property without school administration authorization			TEC 37.123(b)(1) ✓		
Seizing control of a building or portion of a building on campus or school property to interfere with an administrative, educational, research, or other authorized activity			TEC 37.123(b)(2) ✓		
Preventing or attempting to prevent by actual or threat of force or violence a lawful assembly on campus or school property authorized by school administration so that a person is unable to participate in the assembly due to the use or reasonable fear of force or violence			TEC 37.123(b)(3) ✓		
Disrupting a lawful assembly on campus or school property by actual or threat of force or violence			TEC 37.123(b)(4) ✓		
Obstructing or restraining the passage of a person at a campus or school property exit or entrance or preventing or attempting to prevent by actual or threat of force or violence the ingress or egress of a person to or from the campus or property without school administration authorization			TEC 37.123(b)(5) ✓		

Other Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
Arson , on or off school property				TEC 37.007(a)(2)(B) ★	
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 of others; (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.
Breach of computer security if a student accesses a district's computers, computer system, or computer network and knowingly				TEC 37.007(b)(4) ✓	

Other Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
alters, damages, or deletes district property or information					
Terroristic threat or false alarm involving a public school			TEC 37.006(a)(1) ★	TEC 37.007(b)(1) ✓	
Felony criminal mischief , on- or off-campus				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	*	*	*		
Intentionally or knowingly causing or threatening harm to a district employee or volunteer by an unlawful act in retaliation for or prevention of the person's service, on or off school property			TEC 37.006(b)(1); TPC 36.06(a) ★		
Disclosing a residence address or phone number of a district employee or volunteer or a member of their household on a publicly accessible website or through an electronic communication with intent to cause or threaten harm in retaliation for the person's service, on or off school property			TEC 37.006(b)(1); TPC 36.06(a-1) ★		

Other Misconduct					
Misconduct	ISS, detention, or other local disciplinary techniques	OSS	DAEP	Expulsion	Notes
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)-(e) ✓		
Directing profanity or obscene gestures at students or staff	*	*	*		
Stealing	*	*	*		
Hazing [TEC 37.151], dating violence [TEC 37.0831], harassment of another student [TEC 37.001(b)(2)], or making a hit list [TEC 37.001(b)(3)]	*	*	*		
Other violations of SCOC	*	*	*		

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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