

DENTON ISD DAEP DISCIPLINE MATRIX

2021-2022

DENTON ISD RECOMMENDED DAEP REFERRAL DURATIONS

This document is designed to assist school officials in determining disciplinary responses to the most common offenses committed both on and off campus. The document is based on the requirements of Texas Education Code Chapter 37, the Chapter 37 chart produced by TASB, and the Board-approved Student Code of Conduct. It includes PEIMS Reason and Action Codes. The rules concerning student conduct apply to actions of students on school property, school buses, designated bus stops, and, in some cases, for non-school related offenses and actions of students at all school-sponsored or school-related activities or events, such as field trips, sporting events, stadium assemblies, and fairs.

A DAEP Placement should be utilized as a last resort. Unless the infraction warrants a mandatory placement, various alternative consequences must have taken place to address the behavior before DAEP is considered. If a student is being placed for multiple infractions, the behavioral MTSS process is a prerequisite for discretionary placements.

Mitigating Factors: The district must consider self-defense, intent, and a student's disciplinary history in deciding whether to order out-of-school suspension, removal to a District Alternative Education Program (DAEP), or expulsion, regardless of whether the decision involves a mandatory or discretionary action [TEC 37.001(a)(4)]. Law permits an administrator to override the requirements of the law; however, it is of utmost importance that all criminal activity be posted in e-School; and, if the requirements are overridden the campus must document the reason for this action and post in e-school as an **Action Code 28** (Mandatory Disciplinary Action was not taken as result of Student Code of Conduct). If the decision to not send a student to DAEP (for discretionary or mandatory reasons) by the ARD committee, admin must document the reason for this action and post in e-school as an **Action Code 27** (Mandatory Disciplinary Action was not taken as result of ARD Committee Hearing).

When determining the length of placement in the DAEP setting, such factors shall also be considered by the administrator:

- the student's intent or lack of intent,
- the student's discipline history,
- self-defense, and
- a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct.

Special Education Students: Adherence to Special Education laws, regulations, and procedures are required if the student has been identified as a student receiving Special Education services. (Contact the Special Services Department if you need assistance.)

Section 504 Students: Adherence to laws, regulations, and procedures related to accommodations under the Section 504 of the Rehabilitation Act of 1973 are required for qualified students with disabilities. (Contact the Coordinator for Section 504 and Dyslexic Services if you need assistance.)

Important Notes

Campus Behavior Coordinator: A school district is required to appoint one campus behavior coordinator per campus to be responsible for maintaining student discipline and implementing discipline management techniques. The duties of the campus behavior coordinator may be executed by a designee if the coordinator is unavailable or unable to promptly address the situation. [TEC 37.0012]

Procedures: Before a student is removed from the regular classroom setting, school officials must typically follow an established procedure. The formality of these proceeding 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 the Student Code of Conduct.

Temporary Placement: Pending expulsion or DAEP placement, a student may be placed in ISS, out-of-school suspension for up to 3 days, or another appropriate placeman in accordance with the Student Code of Conduct.

Notice of Student Discipline: The campus behavior coordinator is required to provide prompt notice to a parent or guardian of a student who is placed in ISS, out-of-school suspension, 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 of the disciplinary action was taken, the coordinator must mail written notice to the parent or guardian. [TEC 37.0012]

Notice of Educational Opportunities: The district is required to provide notice to the parent of a student who's has been removed to DAEP of the opportunity to complete coursework required for graduation and any available methods to obtain coursework. [TEC 37.008 (I-1)].

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

New Students: If a student withdraws from school before an order of an 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)].

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

Elementary Students: Students younger than 10 must receive service in DAEP if the engage in expellable misconduct. [TEC 37.007 (e)(3), (h)]. However, a student younger than 6 (must have turned 6 by 9/1 of that school year) 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 om grades 2 and below may not be placed in out-of-school suspension unless the student engages in misconduct that is drug or alcohol related or that contains the elements of certain weapons offense or violent

offense 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]

Special Education Students: Special state and federal laws apply to the discipline of special education students. See policy FOF(LEGAL) and the Student Code of Conduct.

DAEP Referral Process:

1. The school administrator starts the investigation of the offense by interviewing the student and relevant witnesses. Review and Chapter 37 to identify the misconduct and decide appropriate consequences. Notify the parent(s) that a conference is needed to recommend a DAEP placement, contacting the authorities (if applicable). In addition, call the Davis school to inform them of a potential DAEP placement.
2. The school administrator will send a copy of the ***Letter to Parents Scheduling DAEP Conference*** letter home, during which time the student may be suspended up to 3 days or assigned to ISS while arrangements are being made for the parent conference, but this is **not** a requirement if there is no safety concern. At no time should a student be suspended more than three **(3)** consecutive days, nor be placed in an in-school suspension for more than ten **(10)** consecutive days pending a DAEP placement.
 - If SPED/504 or suspicion of disability, schedule a staffing with district personnel prior to the MDR.
3. The Campus Discipline Committee, led by the Campus Behavior Coordinator Discipline (CBC), meets with the parent (and student, if applicable) to review the investigation findings. Notes from this meeting will be documented on the ***DAEP Conference Report Form***. If the administrator has documented a “good faith” effort (*minimum of 3 phone calls, a hand-delivered notice, a certified letter, and/or an e-mail*) to inform the student and the student’s parent of the date, time and location of the conference, the school administrator may proceed with the conference even in the absence of the student and parent(s). If the parent agrees with the decision of the CBC’s recommendation for a DAEP placement, the parent signs the ***DAEP Placement and letter to parent*** form then go to Step 5. If the parent is not in agreement with the recommendation, go to Step 4.
 - If SPED/504 or suspicion of disability, conduct a MDR/504 meeting and the change of Placement ARD if warranted. Include the appropriate representative from the DAEP campus.
4. If the parent is not in agreement with the Campus Discipline Committee’s recommendation for a DAEP placement, the parent may file in accordance with FNG Local (see O:Davis School). After receipt of the appeal request, the appropriate administrator shall investigate as necessary and schedule a conference with the student or parent after receipt of the written complaint. If the administrator has documented a “good faith” effort (*see above*) to inform the student and the student’s parent of the date, time and location of the conference, the school administrator may proceed with the conference even in the absence of the student and parent(s). If it is decided that a DAEP placement is appropriate, go on to Step 5. If it is decided that the DAEP placement is not appropriate, the student shall remain at the home campus.

5. If DAEP Placement agreement has been reached, a transition meeting is to be set-up regarding the Davis School (use ***Davis School (DAEP) Review Form***). Input discipline action into eSchool. Inform your registrar that the student will be attending the Davis School.
 - Send Davis School (via email) the following documents: ***DAEP Placement Order and Letter to Parents, eSchool Discipline incident form*** (w/DAEP indicated), ***Davis School (DAEP) Review Form***, and the ***Criminal Trespass Notice***.
6. The Davis School will enroll the student after all documents have been received and after the student and guardian attends the Davis Orientation.

****TRESSPASSING – Texas Education Code 37.107**

To be eligible to return to the home campus, a student must complete the term of his or her placement in the DAEP set by the principal of the campus on which the offense occurred. ***An unauthorized person who trespasses on the grounds of the District commits a Class C misdemeanor. (Education Code 37.107)***

The progress of all students being served in a DAEP placement will be reviewed every 15 to 30 days of successful behavioral intervention and assigned durations may be lessened at that time if deemed appropriate by the District's Discipline Committee unless mandated by policy.

Key:



Mandatory Consequence per Chapter 37, state law requires this penalty. (See Mitigating Factors on the first page)



Discretionary placements

Subsequent DAEP placements beyond the 3rd placement will increase by 15 days for each placement throughout the school year

Elementary students ages 6-10 recommendations are in red. Students 10 y/o and above may use Secondary recommendations.

All expulsions require police reports

Weapons									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
11	01, 03	Intentional, knowingly, or recklessly carrying on or about the student's person a handgun [TPC 46.01(5)] on campus or a school-related activity. [TEC 37.007(a)1, TEC 37.007 (e)]				★ 180	★ 180	★ 180	The Federal Gun-Free Schools act requires expulsion for one year except that a superintendent may modify the expulsion in writing on a case-by-case basis
11	02, 05	Possessing a firearm [18 U.S.C. 921] within 300 feet of a school property [TEC 37.007 (b)(3)]	✓ 90	✓ 90	✓ 90				Exception: Use, exhibiting a firearm at an approved off campus target range or activity affiliated with the Texas Parks and Wildlife [TEC 37.007(k)]
12	01, 03	Intentional, knowingly, or recklessly carrying on or about the student's person a location-restricted knife [TPC 46.01(6)] on campus or a school-related activity. [TEC 37.007 (a) (1)]				★ 90 60	★ 120 90	★ 180 120	Location-restricted knife is a knife with a blade of over five and one-half inches.
12	02, 05	Same conduct (as above) within 300 feet of campus or while on the property or at a school-related activity of another Texas district	✓ 60	✓ 75	✓ 90				Location-restricted knife is a knife with a blade of over five and one-half inches.
14	01, 03	Intentional, knowingly, or recklessly carrying, or intentionally or knowingly possessing, manufacturing, transporting, repairing, or selling a prohibited weapon {TPC 46.05} on campus or at school- related activity. [TEC 37.007 (a)(1)]				★ 90 60	★ 120 90	★ 180 120	Prohibited weapon means an explosive weapon, machine gun, short-barrel firearm, armor piercing ammunition chemical dispensing device, zip gun, tire deflation device, improvised device, or certain silencers, [TPC 46.05]
14	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				

Weapons									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
13	01, 03	Intentional, knowingly, or recklessly carrying a club [TPC 46.01(1)], on campus or at a school-related activity. [TEC 37.007 (a)(1)]				★ 90 60	★ 120 90	★ 180 120	Ex.: blackjack, nightstick, mace, tomahawk
13	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				
21 21P	01	Possessing or using look-alike weapons	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21Q	01	Possessing or using air guns or BB guns	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21R	01	Possession of live ammunition, bullets	School Based Consequence	✓ 30	✓ 45				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21S	01	Possession or use of pepper spray, mace	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

Weapons

Weapons									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
21 21T	01	Possession of stun guns	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21X	01	Possessing or using razors, box cutters, pocketknives or smaller knives (those with a blade of less than 5 ½ inches)	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

Violence

Violence									
			DAEP Placement (07)			JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
17	01, 03	Murder or attempt to commit murder [TPC 19.02(b), 19.03(a) & 15.01 (a)] on campus or at school-related activity. [TEC 37.007 (a)(2)(C)]				★ 90 60	★ 180 90	★ 180 120	
17	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				Discretionary JJAEP (seek guidance from Area Superintendent.
29	01, 02, 03, 04, 05	Aggravated Assault [TPC 22.02] Against a school district employee or volunteer – [TEC 37.007(d)]				★ 75 60	★ 120 90	★ 180 120	
30	01, 03	Aggravated Assault [TPC 22.02(a)] against someone other than a school district employee or volunteer – [TEC 37.007 (a)(2)(A)]				★ 75 60	★ 120 90	★ 180 120	
30	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				

Violence

Violence									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
19	01, 03	Aggravated kidnapping [TPC 20.04(a)] on campus or at a school-related activity. [TEC 37.007 (a)(2)(E)]				★ 75 60	★ 120 90	★ 180 120	
19	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				Discretionary JJAEP (seek guidance from Area Superintendent.
46	01, 03	Aggravated robbery [TPC 29.03] on campus or at a school-related activity				★ 75 60	★ 120 90	★ 180 120	
46	02, 04, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				
47	01, 03	Manslaughter [TPC 19.04] on campus or at a school-related activity. [TEC 37.007 (a)(2)(G)]				★ 75 60	★ 120 90	★ 180 120	
47	02, 04, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				Discretionary JJAEP (seek guidance from Area Superintendent.

Violence									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
48	01, 03	Criminally negligent homicide [TPC 19.05] on campus or at a school-related activity. [TEC 37.007 (a)(2)(H)]				★ 75 60	★ 120 90	★ 180 120	
48	02, 04, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				Discretionary JJAEP (seek guidance from Area Superintendent.
27	01, 02, 03	Assault with bodily injury [TPC 22.01(a)(1)] against a school district employee or volunteer – [TEC §37.007 (b) (2)]	★ 45	★ 60	★ 75				
28	01, 02, 03	Assault with bodily injury [TPC 22.01(a)(1)] against someone other than a school district employee or volunteer – TEC [§37.006(a)(2)(B)]	★ 30	★ 45	★ 60				
09 09OT	04	Title 5 felony or aggravated robbery off campus and not a school-sponsored or school-related activity if: student receives deferred prosecution; court finding delinquent conduct based on the conduct; or superintendent reasonably believes that the student engaged in the conduct [TEC 37.006(c), TEC 37.007(b)(4), and TEC 37.0081]	★ 45	★ 60	★ 75				Title 5 felonies are violent offenses defined in Texas Penal Code chapters 19-22. A list of the Title 5 felonies can be found in the TASB Model SCOC glossary

Violence

Violence									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
09 09SA	04	Sexual Assault or Aggravated Sexual Assault (Title 5 felony) off Campus and not a school-sponsored or school-related activity if: student receives deferred prosecution; court finding delinquent conduct based on the conduct; or superintendent reasonably believes that the student engaged in the conduct [TEC 37.006(c), TEC 37.007(b)(4), and TEC 37.0081]	★ 45	★ 60	★ 75				Title 5 felonies are violent offenses defined in Texas Penal Code chapters 19-22. A list of the Title 5 felonies can be found in the TASB Model SCOC glossary
09 09AR	04	Aggravated Robbery (Title 5 felony) off Campus and not a school-sponsored or school-related activity if: student receives deferred prosecution; court finding delinquent conduct based on the conduct; or superintendent reasonably believes that the student engaged in the conduct [TEC 37.006(c), TEC 37.007(b)(4), and TEC 37.0081]	★ 45	★ 60	★ 75				Title 5 felonies are violent offenses defined in Texas Penal Code chapters 19-22. A list of the Title 5 felonies can be found in the TASB Model SCOC glossary
09: 09OT or 09SA or 09AR	04	Same conduct as above (Off campus Title 5 felony or aggravated robbery) plus chargers, referral to juvenile court for delinquent conduct, probation, deferred adjudication, arrest, or conviction with special findings by the board, regardless of location or time or whether the student was enrolled at the time or completed court requirements.	✓ 45	✓ 60	✓ 75				Provides for expulsion to alternative placement, either DAEP or JJAEP

Violence									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
41	01	Fighting/mutual combat	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21M	01	Assault by contact [TPC 22.01(a)(3)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21N	01	Verbal Assault, Assault by threat [TPC 22.01(a)(2)] against student	School Based Consequence	✓ 30	✓ 45				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21O	01	Verbal Assault, Assault by threat {TPC 22.01(a)(2)} against staff	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

Sexual Misconduct									
			DAEP Placement (07)			JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
31	01, 03	Aggravated Assault [TPC 22.02], Sexual Assault [TPC 22.011(A), or Aggravated Sexual Assault [22.021(a)], on campus or at a school-related activity against a school district employee or volunteer. [TEC §37.007(d)]				★ 60 45	★ 90 60	★ 180 90	
32	01, 03	Aggravated Assault [TPC 22.02], Sexual Assault [TPC 22.011(A), or Aggravated Sexual Assault [22.021(a)], on campus or at a school-related activity against someone <u>other</u> than a school district employee or volunteer. [TEC 37.007(a)(2)(A)]				★ 60 45	★ 90 60	★ 180 90	
31, 32	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				
09 09SA	04	Sexual Assault or Aggravated Sexual Assault (Title 5 felony) off Campus and not a school-sponsored or school-related activity if: student receives deferred prosecution; court finding delinquent conduct based on the conduct; or superintendent reasonably believes that the student engaged in the conduct [TEC 37.006(c), TEC 37.007(b)(4), and TEC 37.0081]	★ 45	★ 60	★ 75				Title 5 felonies are violent offenses defined in Texas Penal Code chapters 19-22. A list of the Title 5 felonies can be found in the TASB Model SCOC glossary

Sexual Misconduct									
			DAEP Placement (07)			JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
57	01, 03	Conviction, deferred adjudication, or probation based on continuous sexual abuse of child or children [TPC 21.02], sexual assault, or aggravated sexual assault against 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), 37.00501]				★ 45	★ 60	★ 75	Seek Area Superintendent advice. Student shall be removed and placed in DAEP. A limitation imposed by Chapter 37, Subchapter A does not apply to placement under this section. [TEC 37.0051]
18	01, 03	Indecency with a child [TPC 21.11 (a)], on campus or at a school- related activity. [TEC 37.007 (A)(2)(D)]				★ 60 45	★ 90 60	★ 180 90	
18	02, 05	Same conduct (as above) 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)]	✓ 60	✓ 75	✓ 90				
07	01, 02, 03	Public Lewdness [TPC 21.07(a)] or Indecent Exposure [TPC 21.08(a)] on or within 300 feet of campus or at a school- related activity. [TEC 37.006(a)(2)(F)]	★ 30	★ 45	★ 60				

Sexual Misconduct

Sexual Misconduct									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
02	01, 02, 03	Voyeurism [TPC 21.17] on or within 300 feet of campus or at a school-related activity. [TEC 37.006 (a)(2)(F)]	★ 30	★ 45	★ 60				Mandatory DAEP if punishable as a felony.
21 21L	01	Inappropriate exposure of body parts (not determined to be public lewdness or indecent exposure)	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21U	01	Sexual Harassment or Sexual abuse	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21V	01	Inappropriate sexual conduct toward a student or employee	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

Sexual Misconduct

Sexual Misconduct									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
02	01, 02, 03	Invasive visual recording [TPC 21.15] on or within 300 feet of a campus or at a school-related activity. [TEC 37.006 (a)(2)(A)]	★ 30	★ 45	★ 60				Invasive visual recording means the student records or transmits a visual image of a person in a bathroom or changing room or of a person's intimate area (naked or clothed genitals, pubic area, anus, buttocks, or female breast), without the other person's consent and with intent to invade the person's privacy, if the person has expectation that the intimate area is not subject to public view. [TPC 21.15]
02	01, 02, 03	Disclosure or promotion of intimate visual material [TPC 21.16] on or within 300 feet of a campus or at a school-related activity. [TEC 37.006 (a)(2)(A)]	★ 30	★ 45	★ 60				Mandatory DAEP if punishable as a felony. Intimate visual material means film, photographs, 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. [TPC 21.16]
02	01, 02, 03	Possession or promotion of child pornography of child pornography [TPC 43.26(a)] on or within 300 feet of a campus or at a school-related activity. [TEC 37.006(a)(2)(A)]	★ 30	★ 45	★ 60				

Sexual Misconduct

Sexual Misconduct									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
55	01	Registered sex offender – UNDER court supervision. [TEC 37.304]	★ At least one semester	★ At least one semester	★ At least one semester				Is student is under court supervision, including probation, community service, or parole, district must assign to DAEP at least one semester. [TEC 37.304]
56	01	Registered sex offender –NOT UNDER court supervision. [TEC 37.305] on or within 300 feet of a campus or at a school-related activity.	✓ 30	✓ 45	✓ 60				A student not under any form of court supervision may be placed in DAEP for one month. However, the student may not be placed in a regular classroom if the district determines that such placements 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]

Substance Abuse

Substance Abuse									
			DAEP Placement (07)			JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
36	01, 03	Felony: Drug related misconduct [TEC 37.006 (A)(2)(C) & (D) on campus or at a school-related activity if punishable as a felony. [TEC 37.007(A)(3)]				★ 45 30	★ 90 45	★ 180 60	
36	05	Same conduct (as above) 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)]	✓ 45	✓ 60	✓ 75				
37	01, 03	Felony: Alcohol related misconduct [TEC 37.006 (A)(2)(C) & (D) on campus or at a school-related activity if punishable as a felony. [TEC 37.007(A)(3)]				★ 45 30	★ 90 45	★ 180 60	
37	05	Same conduct (as above) 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)]	✓ 45	✓ 60	✓ 75				
04 04SE	01, 02, 03	Misdemeanor: Selling, giving, delivering any amount of marijuana, a controlled substance, or a dangerous drug, on or within 300 feet of campus or at a school-related activity if not punishable as a felony. [TEC 37.006 (A)(2)(C)]	★ 30	★ 45	★ 60				District may not prohibit possession of low-THC cannabis pursuant to a valid prescription as authorized by Texas Health & Safety Code chapter 487.
04 04IN	01, 02, 03	Misdemeanor: Using or being under the influence of any amount of marijuana, a controlled substance, or	★	★	★				District may not prohibit possession of low-THC cannabis pursuant to a valid prescription as authorized by

		a dangerous drug, on or within 300 feet of campus or at a school-related activity if not punishable as a felony. [TEC 37.006 (A)(2)(C)]	30	45	60				Texas Health & Safety Code chapter 487.
Substance Abuse									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time				Notes
04 04PO	01, 02, 03	Misdemeanor: Possessing any amount of marijuana, a controlled substance, or a dangerous drug, on or within 300 feet of campus or at a school-related activity if not punishable as a felony. [TEC 37.006 (A)(2)(C)]	★ 30	★ 45	★ 60				District may not prohibit possession of low-THC cannabis pursuant to a valid prescription as authorized by Texas Health & Safety Code chapter 487.
05 05SE	01, 02, 03	Selling, giving, delivering any amount of alcohol on or within 300 feet of campus or at a school-related activity if not punishable as a felony. [TEC 37.006 (A)(2)(D)]	★ 30	★ 45	★ 60				
05 05PO	01, 02, 03	Possession of any amount of alcohol on or within 300 feet of campus or at a school-related activity if not punishable as a felony. [TEC 37.006 (A)(2)(D)]	★ 30	★ 45	★ 60				
05 05IN	01, 02, 03	Being under the influence of alcohol on or within 300 feet of campus or at a school-related activity. [TEC 37.006 (A)(2)(D)]	★ 30	★ 45	★ 60				

06	01, 02, 03	Abusing a volatile chemical [H&SC 485] on or within 300 feet of campus or at a school-related activity. [TEC 37.006(a)(2)(E)]	★ 30	★ 45	★ 60		
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Substance Abuse

Substance Abuse									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
33	01	Possessing or using tobacco products or e-cigarettes, including any component, part, or accessory for the e-cigarette.	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21A	01	Possessing, selling, giving, or using drug paraphernalia	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21W	01	Possessing or selling seeds or pieces of marijuana in less than a usable amount	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21LL	01	Possessing or selling look-alike drugs or items attempted to be passed off as drugs	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21B	01	Improper use, possession, or being under the influence of prescription drugs	School Based Consequence	✓ 30	✓ 45				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

21 21C	01	Improper use or being under the influence of over-the-counter drugs	School Based Consequence	✓ 30	✓ 45				Discretionary DAEP placement by Chapter 37 chart presented by TASB.				
Retaliation													
DAEP Placement (07)						JJAEP Expulsion (02)							
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time					1 st time	2 nd time	3 rd time	Notes
08	08	On or Off campus retaliation through conduct containing the elements of a violent offence [TEC 37.007(a)] against a school employee. [TEC 37.007(d)]								★ 45 30	★ 90 45	★ 180 60	
08	08	On or off campus retaliation against any school employee. [TPC 36.06(a)] [TEC 37.006 (b)]	★ 45	★ 60	★ 75								
27	01, 02, 03	Assault with bodily injury against a school employee or volunteer, on or within 300 feet of campus or at a school-related activity. [TEC 37.006(a)(2)(B)]	★ 45	★ 60	★ 75								
29	29	On or off campus retaliatory assault with bodily injury on a school employee volunteer. [TEC 37.006(a)(2)(B) on campus] or [TEC 37.006(c) off campus]	★ 45	★ 60	★ 75								

Mistreatment of Others

Mistreatment of Others									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
21 21G	01	Bullying that occurs on or is delivered to the site of a school-sponsored or school-related activity on or off school property. [TEC 37.0832(a)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21G	01	Bullying that occurs on a publicly or privately-owned school bus or vehicle used for transportation of students to or from school or school-related activity on or off school property. [TEC 37.0832(a)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21G	01	Cyberbullying that occurs off school property or outside of a school-sponsored 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. [TEC 37.0832(a)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21G	01	Bullying that encourages a student to commit or attempt to commit suicide. [TEC 37.0832(a)] [TEC 37.0052]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21G	01	Inciting violence against a student through group bullying. [TEC 37.0832(a)] [TEC 37.0052]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21H	01	Releasing or threatening to release intimate visual material [Tex. Civ. Prac.& Rem. Code 98B.001] of a minor	✓ 30	✓ 45	✓ 60				Mandatory DAEP if punishable as a felony. Intimate visual material means film, photographs, or other physical medium allowing an image

		or of an adult student without the student's consent. [TEC 37.0052]							to be displayed on a screen that depicts a person with the person's intimate parts exposed or engaged in a sexual conduct. [TPC 21.16]
Mistreatment of Others									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
21 21I	01	Directing profanity or obscene gestures at a students or staff	School Based Consequence	School Based Consequence	✓ 30				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21G	01	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)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21M	01	Assault by offensive or provocative physical contact [TPC22.01(a)(3)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21D	01	Visual display of gang symbols on body, clothing property	School Based Consequence	✓ 30	✓ 45				
34	011234	School-related gang Violence under [TPC 71.01]	✓ 30	✓ 45	✓ 60				
21 21E	00	Participation in gangs	School Based Consequence	✓ 30	✓ 45				

21 21F	00	Participation in illegal organization including direct or indirect leadership, guidance, recruiting	✓ 30	✓ 45	✓ 60		
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OTHER MISCONDUCT/PERSISTANT MISBEHAVIOR OFFENSES

			DAEP Placement (07)			JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
16	01, 03	Arson [TPC28.02(a)], on campus or at a school-related activity. [TEC 37.007(a)(2)(B)]				★ 45 30	★ 60 45	★ 90 60	
16	02, 05	Same conduct (as above) 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)]	✓ 45	✓ 60	✓ 75				
26	01, 02, 03, 04, 05	Terroristic threat [TPC 22.07(a)] involving a public school. [TEC 37.006 (a)(1)]	★ 45	★ 60	★ 75				
35	01, 02, 03, 04, 05	False alarm [TPC 42.06(a)] involving a public school. [TEC 37.006 (a)(1)]	★ 45	★ 60	★ 75				
49	01, 02, 03	Deadly conduct [TPC 22.05] on or within 300 feet of campus or at a school related activity. [TEC 37.007 (b)(2)(D)]	✓ 45	✓ 60	✓ 75				

22	00	On or off campus felony criminal mischief. [TPC 28.03(a)]	✓ 30	✓ 45	✓ 60				Felony criminal mischief includes damage to property equal to or in excess of \$2,500. [TPC 28.03]
02 02CM	00	On campus felony criminal mischief. [TEC 37.006(a)(2)(A)]	✓ 30	✓ 45	✓ 60				
OTHER MISCONDUCT/PERSISTANT MISBEHAVIOR OFFENSES									
DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
22	00	Non-felony criminal mischief	School Based Consequence	✓ 30	✓ 45				Discretionary DAEP placement by Chapter 37 chart presented by TASB.
21 21H	00	A substantial disruption to the educational environment either on or off school property due to sending, posting, or possessing electronic messages that are abusive, obscene, sexually oriented, or illegal, including sexting.	School Based Consequence	✓ 30	✓ 45				
58	01, 02, 03, 04, 05	Breach of computer security if a student accesses a district's computers, computer system or computer network and knowing alters, damages, or deletes district property or information. [TEC 37.007 (b)]	✓ 30	✓ 45	✓ 60				
21 21J	00	Non-Felony Stealing/Theft	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.

02 02NS	02NS	Any felony on or within 300 feet of campus or at a school-related activity. [TEC 37.006(a)(2)(A)]	★ 30	★ 45	★ 60		Check for potential expulsion depending on type of felony
21 21I	00	Profanity or obscene gestures directed <u>at</u> students or staff <i>*(not general use of profanity)</i>	School Based Consequence	School Based Consequence	✓ 30		

OTHER MISCONDUCT/PERSISTANT MISBEHAVIOR OFFENSES

DAEP Placement (07)						JJAEP Expulsion (02)			
PEIMS Code/ Local Code	Location Code	Offense Description	1 st time	2 nd time	3 rd time	1 st time	2 nd time	3 rd time	Notes
02 02BR	02BR	Felony burglary of an DISD facility	✓ 30	✓ 45	✓ 60				
21 21K	00	Vandalism, defacing of school property, graffiti	✓ 30	✓ 45	✓ 60				
10	04	Off campus non-violent felony (non-title 5) special findings by superintendent or designee. [TEC 37.006(d)]	✓ 30	✓ 45	✓ 60				Discretionary DAEP placement by Chapter 37 chart presented by TASB.