

## PEIMS Discipline Data - Chart for Determining Mandatory and Discretionary DAEP Placements and Expulsions

**NOTE:** This chart represents the required disciplinary actions for school districts. It does not apply to charter schools except for code 11 – (Possession or use of Firearms at school or a school related activity) unless a charter school has adopted one of the other mandatory provisions into its student code of conduct.

### Table Key:

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

■ Not allowed by TEC Chapter 37

M -Mandatory

D - Discretionary

# - DAEP Capacity Rule

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
			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(b)	On campus (01)	■	■	D	■
02	Conduct punishable as a felony-TEC §37.006(a)(2)(A)	On campus (01)	M	■	■	■
	TEC §37.006(a)(2)(A)	Off Campus, within 300 ft. (02)	M	■	■	■
	TEC §37.006(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)	M	■	■	■
	TEC §37.006(d)	Off Campus, no school related/sponsored activity (04)	■	■	D	■
	TEC §37.0081	On school property, or at school related/sponsored activity, of another school district (05)	■	■	D	■
05	Possessed, sold, used, or was under the influence of an alcoholic beverage-TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	On campus (01)	#M	■	■	D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	Off Campus, within 300 ft. (02)	#M	■	■	D
	TEC §37.006(a)(2)(D) and 37.007(b)(2)(A)	School Related/Sponsored Activity Off Campus (03)	#M	■	■	D

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
06	Abuse of a volatile chemical- TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	On campus (01)	#M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	Off Campus, within 300 ft. (02)	#M			D
	TEC §37.006(a)(2)(E) and 37.007(b)(2)(B)	School Related/Sponsored Activity Off Campus (03)	#M			D
07	Public lewdness or indecent exposure-TEC §37.006(a)(2)(F)	On campus (01)	M			
	TEC §37.006(a)(2)(F)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)	M			
08	Retaliation against school employee-TEC §37.006(b) and 37.007(d)	On campus (01)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, within 300 ft. (02)	M			D*
	TEC §37.006(b) and 37.007(d)	School Related/Sponsored Activity Off Campus (03)	M			D*
	TEC §37.006(b) and 37.007(d)	Off Campus, no school related/sponsored activity (04)	M			D*
09	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses in Title 5, Penal Code-TEC §37.006(c), TEC §37.007(b)(4), and TEC §37.0081	Off Campus, no school related/sponsored activity (04)	M			D
10	Based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity for felony offenses not in Title 5, Penal Code-TEC §37.006(d) and TEC §37.007(b)(4)	Off Campus, no school related/sponsored activity (04)			D	D

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
11	Brought a Firearm to School – TEC 37.007(e) or Unlawful Carrying of a Handgun under Penal Code 46.02 – TEC 37.007(a)(1)	On campus (01)		M		
	TEC §37.007(b)(3)(B)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1) and/or 37.007(e)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
12	Unlawful Carrying of a Location-restricted Knife under Penal Code 46.02 – TEC 37.007(a)(1) (Location-restricted Knife - blade longer than 5.5 inches)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
14	Elements of Offense Relating to Prohibited Weapons Under Penal Code 46.05 – TEC 37.007(a)(1)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(1)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
16	Arson-TEC §37.007(a)(2)(B)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)		M		

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
17	Murder, capital murder, criminal attempt to commit murder, or capital murder-TEC §37.007(a)(2)(C)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(C)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
18	Indecency with a child-TEC §37.007(a)(2)(D)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(D)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
19	Aggravated kidnapping-TEC §37.007(a)(2)(E)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(E)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
21	Violation of student code of conduct not included under TEC §37.002(b), 37.006, or 37.007	Not Applicable (00)			D	
22	Criminal mischief (felony violation)-TEC §37.007(f)	Not Applicable (00)				D

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
23	Emergency Placement/Expulsion-TEC §37.019	Not Applicable (00)			D	D
26	Terroristic threat-TEC §37.006(a)(1) or 37.007(b)(1)	On campus (01)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §37.006(a)(1) or 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			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)	On campus (01)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	Off Campus, within 300 ft. (02)	M			D
	TEC §36.006(a)(2)(B) and/or TEC §37.007(b)(2)(C)	School Related/Sponsored Activity Off Campus (03)	M			D
28	Assault under Penal Code Section 22.01(a)(1) against non school district employee or volunteer-TEC §37.006(a)(2)(B)	On campus (01)	M			
	TEC §37.006(a)(2)(B)	Off Campus, within 300 ft. (02)	M			
	TEC §37.006(a)(2)(B)	School Related/Sponsored Activity Off Campus (03)	M			
29	Aggravated assault under Penal Code Section 22.02 against a school district employee or volunteer-TEC §37.007(d)	On campus (01)		M		
	TEC §37.007(d)	Off Campus, within 300 ft. (02)		M		

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.007(d)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC §37.007(d)	Off Campus, no school related/sponsored activity (04)		M		
	TEC §37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)		M		
30	Aggravated assault under Penal Code Section 22.02 against non school district employee or volunteer-TEC §37.007(a)(2)(A)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
31	Sexual assault under Penal Code Section 22.011 or aggravated sexual assault under 22.021 against a school district employee or volunteer-TEC §37.007(d)	On campus (01)		M		
	TEC §37.007(d)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(d)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
32	Sexual assault under Penal Code Section 22.011 or aggravated sexual assault under 22.021 against non school district employee or volunteer-TEC §37.007(a)(2)(A)	On campus (01)		M		

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(A)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
35	False Alarm/False Report –TEC §§37.006(a)(1) and 37.007(b)(1)	On campus (01)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, within 300 ft. (02)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	School Related/Sponsored Activity Off Campus (03)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	Off Campus, no school related/sponsored activity (04)	M			D
	TEC §§37.006(a)(1) and 37.007(b)(1)	On school property, or at school related/sponsored activity, of another school district (05)	M			D
36	Felony Controlled Substance Violation-TEC §37.007(a)(3)	On campus (01)		M		
	TEC §37.007(a)(3)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
41	Fighting/Mutual Combat-Excludes all offenses under Penal Code §22.01	Not Applicable (00)			D	
46	Aggravated Robbery-TEC §37.007(a)(2)(F), TEC §37.006(C)-(D)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(F)	School Related/Sponsored Activity Off Campus (03)		M		

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Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
47	Manslaughter – TEC §37.007(a)(2)(G)	On campus (01)		M		
		Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(G)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
48	Criminally Negligent Homicide – TEC §37.007(a)(2)(H)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(H)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.0081	Off Campus, no school related/sponsored activity (04)				D
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
49	Engages in Deadly Conduct – TEC §37.007(b)(2)(D)	On campus (01)			D	D
	TEC §37.007(b)(2)(D)	Off Campus, within 300 ft. (02)			D	D
	TEC §37.007(b)(2)(D)	School Related/Sponsored Activity Off Campus (03)			D	D

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
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.	Not Applicable (00)	M			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.	Not Applicable (00)			D	
57	Continuous Sexual Abuse of Young Child or Disabled Individual Under Penal Code §21.02 - TEC §37.007(a)(2)(I)	On campus (01)		M		
	TEC §37.007(b)(3)(A)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(a)(2)(I)	School Related/Sponsored Activity Off Campus (03)		M		
	TEC 37.007(i)	On school property, or at school related/sponsored activity, of another school district (05)				D
58	Breach of Computer Security – TEC §37.007(b)(5)	On campus (01)				D
	TEC §37.007(b)(5)	Off Campus, within 300 ft. (02)				D
	TEC §37.007(b)(5)	School Related/Sponsored Activity Off Campus (03)				D
	TEC §37.007(b)(5)	Off Campus, no school related/sponsored activity (04)				D
	TEC §37.007(b)(5)	On school property, or at school related/sponsored activity, of another school district (05)				D

Behavior (C165)		Incident Location (C190)	Discipline (C164)			
Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
59	Serious Misbehavior, as defined by TEC §37.007(c), in a DAEP	On campus (01)				D
60	Harassment Against an Employee of the School District under Texas Penal Code 42.07(a)(1), (2), (3), or (7) – TEC 37.006(a)(2)(G)	On campus (01)	M			
	TEC 37.006(a)(2)(G)	Off Campus, within 300 ft. (02)	M			
	TEC 37.006(a)(2)(G)	School Related/Sponsored Activity Off Campus (03)	M			
61	Bullying – TEC 37.0052(b)	Not Applicable (00)			D	D
62	Possessed, Sold, Gave, Used, Delivered, or Under the Influence of Marihuana or Tetrahydrocannabinol (THC) - TEC 37.006(a)(2)(C-1) ) and TEC 37.007(b)(2)(A)(i)	On campus (01)	#M			D
	TEC 37.006(a)(2)(C-1) ) and TEC 37.007(b)(2)(A)(i)	Off Campus, within 300 ft. (02)	#M			D
	TEC 37.006(a)(2)(C-1) ) and TEC 37.007(b)(2)(A)(i)	School Related/Sponsored Activity Off Campus (03)	#M			D
63	Possessed, Sold, Gave, Delivered, or Used E-Cigarette - TEC 37.006(a)(2)(C-2) ) and TEC 37.007(b)(2)(A)	On campus (01)	#M			
	TEC 37.006(a)(2)(C-2) and TEC 37.007(b)(2)(A)	Off Campus, within 300 ft. (02)	#M			
	TEC 37.006(a)(2)(C-2) ) and TEC 37.007(b)(2)(A)	School Related/Sponsored Activity Off Campus (03)	#M			
64	Possessed, Sold, Gave, Used, Delivered, or Under the Influence of Other Controlled Substance – TEC, §37.006(a)(2)(C)(i) ) and TEC 37.007(b)(2)(A)(i)	On campus (01)	M			D

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Code and Translation		Behavior Location Code	Mandatory DAEP Placement	Mandatory Expulsion	Discretionary DAEP Placement	Discretionary Expulsion
	TEC, §37.006(a)(2)(C)(i) and TEC 37.007(b)(2)(A)(i)	Off Campus, within 300 ft. (02)	M			D
	TEC, §37.006(a)(2)(C)(i) ) and TEC 37.007(b)(2)(A)(i)	School Related/Sponsored Activity Off Campus (03)	M			D

**Table Key:**

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

■ - Not allowed by TEC Chapter 37

M - Mandatory

D - Discretionary

# - DAEP Capacity Rule