

PEIMS Discipline Data - Disciplinary Action Reason Codes and Definitions

Discipline Reason Code	Translation/Definition
01	<p>Permanent removal by a teacher from class – TEC §37.002(c) A teacher may permanently remove a student from the classroom (1) who has been documented by the teacher to repeatedly interfere with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn; or (2) whose behavior the teacher determines is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the students in the class or with the ability of the student's classmates to learn.</p>
02	<p>Engages in Conduct Punishable as a Felony - TEC §37.006(a)(2)(a) - Includes all felony activities that are not otherwise more specifically defined or included as a behavior that requires a mandatory expulsion action.</p>
04	<p>Non-Felony Marihuana or Controlled Substance or Dangerous Drug - TEC §37.006(a)(2)(C) and §37.007(b)(2)(A) sells, gives, or delivers to another person or possesses or uses or is under the influence of marihuana or a controlled substance, as defined by Health and Safety Code Chapter 481, , or a dangerous drug, as defined by Health and Safety Code Chapter 483.</p> <p>Health and Safety Code Chapter 481 defines marihuana as Cannabis Sativa whether growing or not, the seeds of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of that plant or its seeds. The term does not include resin extracted from a part of the plant, the mature stalks of the plant or fiber produced from the stalks, oil or cake made from the seeds of the plant, the sterilized seeds of the plant or a compound, manufacture, salt, derivative, mixture, or preparations of the mature stalks, fiber, oil or cake.</p> <p>Health and Safety Code Chapter 481 defines a controlled substance as a substance, including a drug and an immediate precursor, listed in Schedules I-V or penalty Groups 1-4 of the Health and Safety Code. Possession of any amount in Penalty Groups 1 and 2 is a felony. Possession of a controlled substance in Penalty Groups 3 and 4 is a felony if the amount is more than 28 grams. It is also a felony to deliver a controlled substance to a minor. (However, this offense does not apply to minors in some circumstances.)</p> <p>Health and Safety Code Chapter 483 defines a dangerous drug as a device or a drug that is unsafe for self-medication and that is not included in Schedules I-V or penalty Groups 1-4 of the Health and Safety Code. The term includes a device or drug that bears or is required to bear the legend:</p> <ul style="list-style-type: none"> (a) Caution: federal law prohibits dispensing without a prescription; or (b) Caution: federal law restricts this drug to use by or on the order of a licensed veterinarian. <p>"Marihuana or Controlled Substance or Dangerous Drug" <i>violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</i></p> <p>If a violation under this category is committed at a felony level, then the student must be expelled from their regular education setting. Use Disciplinary Action Reason Code 36 for reporting when this occurs.</p>

Discipline Reason Code	Translation/Definition
05	<p>Non-Felony Alcohol - sells, gives, or delivers to another person an alcoholic beverage, as defined by Alcoholic Beverage Code Section 1.04 commits a serious act or offense while under the influence of alcohol, or possesses, uses, or is under the influence of an alcoholic beverage.</p> <p>Alcoholic Beverage Code Section 1.04 defines an alcoholic beverage as alcohol, or any beverage containing more than one-half of one percent of alcohol by volume, which is capable of use for beverage purposes, either alone or when diluted.</p> <p>"Alcohol" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p> <p>If a violation under this category is committed at a felony level, then the student must be expelled from their regular education setting. Use Disciplinary Action Reason Code 37 for reporting when this occurs.</p>
06	<p>Abuse of a Volatile Chemical - engages in conduct that contains the elements of an offense relating to an abusable volatile chemical (glue, aerosol paint, etc.) under Sections 485.031 through 485.034, Health and Safety Code, or relating to volatile chemicals under Chapter 484, Health and Safety Code.</p> <p>Chapter 485.031, Health and Safety Code, defines the offense abuse of a volatile chemical as when a person inhales, ingests, applies, uses, or possesses a volatile chemical with the intent to inhale, ingest, apply, or use a volatile chemical (glue, aerosol paint, etc.) in a manner contrary to the directions for use, cautions or warnings appearing on a label of a container of chemical and is designed to affect the persons central nervous system, create or induce a condition of intoxication, hallucination, or elation or change or distort or disturb the person's eyesight, thinking process, balance or coordination.</p> <p>"Abuse of a Volatile Chemical" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
07	<p>Public Lewdness/Indecent Exposure- engages in conduct that contains the elements of the offense of public lewdness under Penal Code Section 21.07 or indecent exposure under Section 21.08, Penal Code.</p> <p>Penal Code Chapter 21.07 defines public lewdness as when a person knowingly engages in any of the following acts in a public place or, if not in a public place, is reckless about whether another is present or will be offended or alarmed by:</p> <ul style="list-style-type: none"> (a) an act of sexual intercourse; (b) act of deviate sexual intercourse; (c) act of sexual contact; or (d) act involving contact between the person's mouth or genitals and the anus or genitals of an animal or fowl. <p>Penal Code Chapter 21.08 defines indecent exposure as an offense when a person exposes his anus or any part of his genitals with intent to arouse or gratify the sexual desire of any person, and he is reckless about whether another is present who will be offended or alarmed by his act.</p>

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08	<p>Retaliation against School Employee - engages in conduct that contains the elements of the offense of retaliation under Penal Code Section 36.06 against any school employee.</p> <p>Penal Code Section 36.06 defines the offense of retaliation as when a person intentionally or knowingly harms or threatens to harm another by an unlawful act in retaliation for or on account of the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime or to prevent or delay the service of another as a public servant, witness, prospective witness, informant, or a person who has reported or who the actor knows intends to report the occurrence of a crime.</p> <p>"Retaliation against School Employee" <i>violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</i></p> <p>If a violation under this reason is committed at a felony level, then the student must be expelled from their regular education setting.</p>
09	<p>Title 5 Felony Committed Off Campus- A student who commits an off-campus felony must be removed from their regular education program and placed in a DAEP if:</p> <ul style="list-style-type: none"> (a) the student receives deferred prosecution for conduct and the conduct is defined as a felony under Title 5 of the Penal Code; (b) a court or jury finds that the off-campus conduct engaged in by the student constitutes delinquent conduct and is defined as a felony under Title 5 of the Penal Code; or, (c) the superintendent or the superintendent's designee has a reasonable belief that the student engaged in conduct defined as a felony under Title 5 of the Penal Code. <p>Title 5 felonies include: murder; capital murder; manslaughter; criminally negligent homicide; kidnapping; aggravated kidnapping; indecency with a child; felony assault; sexual assault; aggravated assault; aggravated sexual assault; injury to a child, elderly individual, or disabled individual; abandoning or endangering a child; deadly conduct; terroristic threat; aiding suicide; and tampering with a consumer product.</p> <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of any offense listed in Subsection (a)(2)(A) or (C) (murder, capital murder, criminal attempt to commit murder or capital murder; aggravated assault under Penal Code §22.02; sexual assault under Penal Code §22.011 or aggravated sexual assault under Penal code §22.021), against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.</p> <p>"The provision for a <i>discretionary expulsion under for these offenses is dependent on the local Student Code of Conduct.</i>"</p>

Discipline Reason Code	Translation/Definition
10	<p>Non-Title 5 Felony Committed Off Campus- A student may be removed from class and placed in a DAEP under TEC §37.008 based on conduct occurring off campus and while the student is not in attendance at a school-sponsored or school-related activity if;</p> <ul style="list-style-type: none"> (a) the superintendent or the superintendent's designee has a reasonable belief that the student has engaged in conduct defined as a felony offense other than those defined in Title 5, Penal Code; and (b) the continued presence of the student in the regular classroom threatens the safety of other students or teachers or will be detrimental to the educational process. <p>A student who is at least 10 years of age may be expelled if the student engages in conduct that contains the elements of aggravated robbery under Penal Code §29.03, against another student from the same campus, without regard to whether the conduct occurs on or off of school property or while attending a school-sponsored or school-related activity on or off of school property.</p> <p>"The provision for a <i>discretionary expulsion under this offense is dependent on the local Student Code of Conduct.</i>"</p>
11	<p>Firearm- 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) 18 U.S.C. Section 921</p> <p><u>Under 18 U.S.C. Section 921, the term "firearm" means</u></p> <ul style="list-style-type: none"> (A) <u>any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;</u> (B) <u>the frame or receiver of any such weapon;</u> (C) <u>any firearm muffler or firearm silencer; or</u> (D) <u>any destructive device.</u> <p><u>Under 18 U.S.C. Section 921, antique firearms (manufactured prior to 1899) are not included in the definition of a firearm.</u></p> <p>BB and pellet guns are not considered firearms under this definition. The use, exhibition, or possession of these items, while probably prohibited by the local Student Code of Conduct, is not an acceptable reason for expelling a student.</p>
12	<p>Location Restricted Knife - 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).</p> <p><u>Penal Code Section 46.01(6) defines a Location-restricted Knife as a knife with a blade length longer than 5.5 inches.</u></p>
14	<p>Prohibited Weapon - Conduct Containing the Elements of an Offense Relating to Prohibited Weapons Under Penal Code 46.05 – TEC 37.007(a)(1).</p> <p><u>Penal Code Section 46.05 defines a prohibited weapon as one of the following:</u> <u>an explosive weapon (Penal Code 46.01(2)),</u> <u>a machine gun (Penal Code 46.01(9)),</u> <u>a short-barrel firearm (Penal Code 46.01(10)),</u> <u>a firearm silencer (Penal Code 46.01(4)),</u> <u>armor-piercing ammunition (Penal Code 46.01(12)),</u> <u>a chemical dispensing device (i.e. Mace or Pepper Gas) (Penal Code 46.01(14)), or</u> <u>a zip gun (Penal Code 46.01(16)),</u> <u>or a tire deflation device (Penal Code 46.01(17)).</u></p>
16	<p>Arson – <u>Penal Code Section 28.02 defines arson as when a person starts a fire or causes an explosion with intent to destroy or damage any vegetation, fence, structure, open-space land, building or vehicle knowing that it is within the limits of an incorporated city or town, it is insured, it is subject to mortgage or it is located on property belonging to another.</u></p>

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17	<p><u>Murder, Capital Murder, or Criminal Attempt to Commit Murder/Capital Murder</u> – Penal Code Section 19.02 defines murder as when a person intentionally or knowingly causes the death of another person, intends to cause serious bodily injury and commits an act clearly dangerous to human life that causes the death of an individual or commits or attempts to commit a felony, other than manslaughter, and in the course thereof he commits an act clearly dangerous to human life that causes the death of an individual.</p> <p>Penal Code Section 19.03 defines capital murder as when a person commits an offense defined under Section 19.02 and the person murders a peace officer or fireman who is acting in the lawful discharge of an official duty, the person intentionally commits murder during the course of committing or attempting to commit kidnapping, burglary, robbery, aggravated sexual assault, arson, or obstruction or retaliation. A person also commits capital murder if the person commits murder for remuneration or the promise of remuneration or employs another to commit murder for remuneration.</p> <p>Section 15.01, Penal Code, defines criminal attempt as when a person if, with specific intent to commit an offense, does the act amounting to more than mere preparation but fails to effect the commission of the offense intended.</p>
18	<p><u>Indecency with a Child</u> - Penal Code Section 21.11 defines indecent with a child as when a person, with a person younger than 17 years, engages in sexual contact with student or exposes his anus or any part of his genitals knowing the student is present with intent to arouse or gratify the sexual desire of any person.</p>
19	<p><u>Aggravated Kidnapping</u> – Penal Code Section 20.04 defines aggravated kidnapping as when a person intentionally or knowingly abducts another person with intent to hold him for ransom, use him as a hostage, facilitate the commission of a felony, afflict bodily injury on him or abuse him sexually, terrorize him or a third person, or interfere with the performance of any governmental or political function.</p>
21	<p><u>Violation of Student Code of Conduct</u> - This category includes bullying, harassment, and making hit lists (TEC §37.001) and reasons not specifically identified in TEC Chapter 37 that are adopted by the local school board and itemized and identified in the local Student Code of Conduct.</p>
22	<p><u>Criminal Mischief</u>- A student may be expelled under Section 37.007(f) for conduct that contains the offense of criminal mischief if that conduct is punishable as a felony. Otherwise, the most severe action that may be taken would be placement in a DAEP.</p> <p>Penal Code Section 28.03 defines criminal mischief as when a person intentionally or knowingly damages or destroys the tangible property of the owner, intentionally or knowingly tampers with the tangible property of the owner and causes a pecuniary loss or substantial inconvenience to the owner or a third person. A felony under this section occurs when damage exceeds \$1,500. For example, this section would apply to cases of graffiti if the total cost of repair and cleaning exceeds \$1,500.</p>

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23	<p>Emergency Placement/Expulsion - The use of this code is limited based upon the behavior the student has committed.</p> <p>Emergency DAEP Placement If the student has committed a behavior that either under state law (TEC §37.006) or the local Student Code of Conduct requires a DAEP placement and the principal or their designee reasonably believes that the student's behavior is so unruly, disruptive, or abusive that it seriously interferes with a teacher's ability to communicate effectively with the students in a class, with the ability of the student's classmates to learn, or with the operation of school or a school-sponsored activity, then the student may be placed on an emergency and temporary basis to a DAEP pending a conference hearing required under TEC §37.009 taking place.</p> <p>Emergency Expulsion If the student has committed a behavior under state law (TEC §37.007) that would require an expulsion or the student has committed a behavior under state law (TEC §37.007) that would allow for a discretionary expulsion and the local Student Code of Conduct requires/allows for the discretionary expulsion and the principal or their designee reasonably believes that the immediate expulsion of the student is necessary to protect persons or property from imminent harm, then the student may be expelled on an emergency and temporary basis to a setting without educational services available pending an expulsion hearing required under TEC §37.009 taking place.</p>
26	<p>Terroristic Threat - Under <u>Penal Code Section 22.07</u>, a person commits an offense if he threatens to commit any offense involving violence to any person or property with the intent to:</p> <ul style="list-style-type: none"> (a) cause a reaction of any type to his threat by an official or volunteer agency organized to deal with emergencies; or (b) place any person in fear of imminent serious bodily injury; or (c) prevent or interrupt the occupation or use of a building; room; place of assemble; place to which the public has access; place of employment or occupation; aircraft, automobile, or other form of conveyance; or other public place; or (d) cause impairment or interruption of public communications, public transportation, public water, gas, or power supply or other public service. <p>A person who receives a terroristic threat must not only believe the threat, but also believe that the person making the threat will carry it out.</p> <p><i>"Terroristic Threat" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</i></p>
27	<p>Assault of School Staff - Penal Code Section 22.01 (a) (1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person.</p> <p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>
28	<p>Assault of Someone other than School Staff - Penal Code Section 22.01 (a) (1) defines assault as when a person intentionally, knowingly, or recklessly causes bodily injury to another person. Two or more students cannot assault each other.</p> <p>For purposes of this reason, an assault must involve a victim and a perpetrator(s) and the victim must receive bodily injury.</p> <p>If these criteria are not met, then the proper Discipline Action Reason Code would be Other Student Code of Conduct Violation (Action Reason Code 21).</p>

Discipline Reason Code	Translation/Definition
29	<p>Aggravated Assault against School Staff - Aggravated assault against a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>
30	<p>Aggravated Assault against Student - Aggravated assault against someone other than a school district employee or volunteer under Penal Code Section 22.02.</p> <p>Penal Code Section 22.02 defines aggravated assault as an offense as defined in §22.01 if the person causes serious bodily injury to another, including the person's spouse, or uses or exhibits a deadly weapon during the commission of the assault.</p> <p>For this Action Reason there must be a victim(s) and a perpetrator(s). Two persons cannot commit aggravated assault against each other.</p>
31	<p>Sexual Assault/Aggravated Sexual Assault against School Staff - sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person, without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021, , defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>

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32	<p>Sexual Assault/Aggravated Sexual Assault against Student - sexual assault under Penal Code Section 22.011, or aggravated sexual assault under Penal Code Section 22.021 against someone other than a school district employee or volunteer.</p> <p>Penal Code Section 22.011 defines sexual assault as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of another person by any means without that person's consent, causes the penetration of the mouth of another person by the sexual organ of the actor without the person's consent or causes the sexual organ of another person, without the person's consent, to contact, or penetrate the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Sexual assault is also defined as when a person intentionally or knowingly causes the penetration of the anus or female sexual organ of a child by any means, causes the penetration of the mouth of a child by the sexual organ of the actor, causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor, or causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor.</p> <p>Penal Code Section 22.021 defines aggravated sexual assault as any of the offenses listed above in Penal Code Section 22.011 if the person causes serious bodily injury or attempts to cause the death of the victim or another person in the course of the same criminal episode, places the victim in fear that death, serious bodily injury, or kidnapping will be imminently inflicted on any person, by acts or words threatens to cause death or serious bodily injury or kidnapping of any person or who uses or exhibits a deadly weapon in the course of the same criminal episode. A person also commits the offense of aggravated sexual assault if they act in concert with another who engages in such conduct or commits the offense of sexual assault on a person who is younger than 14 or 65 years of age or older (Chapter 318, Section 9).</p>
35	<p>False Alarm/False Report - A student who commits an offense if he knowingly initiates, communicates or circulates a report of a present, past, or future bombing, fire, offense, or other emergency that he knows is false or baseless and that would ordinarily:</p> <ul style="list-style-type: none"> (a) cause action by an official or volunteer agency organized to deal with emergencies; (b) place a person in fear of imminent serious bodily injury; or (c) prevent or interrupt the occupation of a building, room, place of assembly, place to which the public has access, or aircraft, automobile, or other mode of conveyance. <p>"False Alarm/False Report" violation is also a discretionary expellable offense dependent on the local Student Code of Conduct.</p>
36	<p>Felony Controlled Substance Violation - Examples would include four (4) ounces or more of marijuana, any amount of cocaine, and other controlled substances.</p> <p>Always get corroboration from law enforcement before using this Action Reason code.</p>
37	<p>Felony Alcohol Violation - An example would be intoxication manslaughter.</p> <p>Always get corroboration from law enforcement before using this Action Reason code.</p>
41	<p>Fighting/Mutual Combat - Fighting is defined as two or more students or persons that choose to mutually engage in physical combat using blows or force to strive to overcome the other student(s) or person(s).</p>

Discipline Reason Code	Translation/Definition
46	<p>Aggravated Robbery - Penal Code §29.03 defines aggravated robbery as when a person commits robbery as defined in Section 29.02, and he: (1) causes serious bodily injury to another; (2) uses or exhibits a deadly weapon; or (3) causes bodily injury to another person or threatens or places another person in fear of imminent bodily injury or death, if the other person is: (A) 65 years of age or older; or (B) a disabled person.</p> <p>Penal Code §29.02 defines robbery as a person commits an offense if, in the course of committing theft as defined in Chapter 31 and with intent to obtain or maintain control of the property, he: (1) intentionally, knowingly, or recklessly causes bodily injury to another; or (2) intentionally or knowingly threatens or places another in fear of imminent bodily injury or death.</p>
47	<p>Manslaughter - Penal Code §19.04 defines manslaughter as a person commits an offense if he recklessly causes the death of an individual.</p>
48	<p>Criminally Negligent Homicide - Penal Code §19.05 defines criminally negligent homicide as a person commits an offense if he causes the death of an individual by criminal negligence.</p>
49	<p>Deadly Conduct- Penal Code §22.05 defines deadly conduct as when a person recklessly engages in conduct that places another in imminent danger of serious bodily injury, or a person commits an offense if he knowingly discharges a firearm at or in the direction of: (1) one or more individuals; or (2) a habitation, building, or vehicle and is reckless as to whether the habitation, building, or vehicle is occupied. Recklessness and danger are presumed if the actor knowingly pointed a firearm at or in the direction of another whether or not the actor believed the firearm to be loaded. For purposes of this section, "building," "habitation," and "vehicle" have the meanings assigned those terms by Section 30.01. An offense under Penal Code §22.05(a) is a Class A misdemeanor. An offense under Penal Code §22.05(b) is a felony of the third degree.</p>
55	<p>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.</p>
56	<p>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.</p>
57	<p>Continuous Sexual Abuse of Young Child or Children Under Penal Code §21.02 - Occurring on school property or while attending a school-sponsored or school-related activity on or off school property – TEC §37.007(a)(2)(l)</p>
58	<p>Breach of Computer Security Under Penal Code §33.02 – TEC 37.007 - A student engages in conduct that contains the elements of the offense of breach of computer security under Section 33.02 if the person knowingly accesses a computer, computer network, or computer system without the effective consent of the owner if the conduct involves accessing a computer, computer network, or computer system owned by or operated on behalf of a school district; and the student knowingly: (i) alters, damages, or deletes school district property or information; or, (ii) commits a breach of any other computer, computer network, or computer system.</p>
59	<p>Serious Misbehavior, as defined by TEC §37.007(c), while expelled to/placed in a Disciplinary Alternative Education Program (DAEP) - TEC §37.007(c) defines "serious misbehavior" as: (1) deliberate violent behavior that poses a direct threat to the health or safety of others; (2) extortion, meaning the gaining of money or other property by force or threat; (3) conduct that constitutes coercion, as defined by Penal Code §1.07.; or (4) conduct that constitutes the offense of: (A) public lewdness under Penal Code §21.07, (B) indecent exposure under Penal Code §21.08; (C) criminal mischief under Penal Code §28.03; (D) personal hazing under Penal Code §37.152; or (E) harassment under Penal Code §42.07(a)(1), of a student or district employee.</p>

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60	<p>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)</p> <p>Texas Penal Code Section 42.07(a)(1), (2), (3), and (7) defines this behavior as:</p> <p>(a) A person commits an offense if, with intent to harass, annoy, alarm, abuse, torment, or embarrass another, the person:</p> <p>(1) initiates communication and in the course of the communication makes a comment, request, suggestion, or proposal that is obscene;</p> <p>(2) threatens, in a manner reasonably likely to alarm the person receiving the threat, 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;</p> <p>(3) conveys, in a manner reasonably likely to alarm the person receiving the report, a false report, which is known by the conveyor to be false, that another person has suffered death or serious bodily injury;</p> <p>(7) sends repeated electronic communications in a manner reasonably likely to harass, annoy, alarm, abuse, torment, embarrass, or offend another.</p>
61	<p>Bullying – TEC 37.0052(b)</p> <p>TEC Sec.37.0052 (b) defines bullying behavior as:</p> <p>(1) engages in bullying that encourages a student to commit or attempt to commit suicide;</p> <p>(2) incites violence against a student through group bullying; or</p> <p>(3) 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.</p>