

# TEHCY



Texas Education for Homeless Children  
and Youth (TEHCY) Program

McKinney-Vento 401 | Discipline

Thursday, March 13, 2025 | 11:00 AM – 1:00 PM

# Presenters



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Compliance and  
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## Discipline Overview

- Student Code of Conduct & TEC §37.005(d)
- Limitations to Disciplinary Actions

## Self Reported Data Unit (SRDU)

- Local Audit Request
- Compliance Reviews

## McKinney-Vento & Discipline High-Level Overview

- Decision-Making Team Meeting
- Tools & Strategies to Support Disciplinary Decision-Making

## Disciplinary Scenarios

- Walk-Through with use of Developed Tools/Resources
- Discussions aligned to Student Code of Conduct considerations

## Wrapping Up

- Additional Resources
- Key Actions and Next Steps for School Leaders

- 1) Please use the Zoom's Q&A feature to submit questions during the presentation.
- 2) The chat feature is turned on so the audience can provide input and receive live links throughout the presentation.
- 3) The video recording of today's presentation will be emailed out to all registered participants and will also be posted on the **TEHCY Web Portal** and **TEHCY YouTube Channel**.
- 4) We are unable to make the power point available in advance. Thank you for your understanding!



# Discipline

## State Requirements:

- **Specify the following six items will be considered when deciding on a discretionary or mandatory discipline action for any student:**
  - self-defense;
  - intent or lack of intent at the time the student engaged in the conduct;
  - a student's disciplinary history;
  - a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct;
  - a student's status in the conservatorship of the Department of Family and Protective Services; or
  - a student's status as a student who is homeless

## Limitations to Disciplinary Actions

- ISS:
  - May not exceed three school days [[TEC §37.005\(b\)](#)];
  - All students may be assigned ISS. There is not an age limit.
- OSS
  - May not exceed three school days [[TEC §37.005\(b\)](#)];
  - Not authorized for **students below grade three** or **experiencing homelessness** unless the student engages in certain conducts outlined in [TEC §37.005\(c\)\(1\)-\(3\)](#):
    - weapons under §§[46.02](#) or [46.05](#), Penal Code ([C165](#) Codes 11, 12, or 14)
    - a violent offense under §§[22.01](#), [22.011](#), [22.02](#), or [22.021](#), Penal Code (C165 Codes 27 – 32); or
    - selling, giving, possession, delivering, using, or under the influence of marijuana/THC, controlled substances, dangerous drugs, or alcohol (C165 Codes 05, 36, 37, 62, or 64).



## Suspension: TEC §37.005(d)

LEAs **cannot** place a homeless student on out of school suspension unless the student engages in conduct described by Subsections TEC §37.005(c)(1)-(3)

Conduct that contains the elements of an offense related to weapons under §§46.02 or 46.05, Penal Code

Unlawfully carrying a handgun under Penal Code 46.02.

Commits an offense with a prohibited weapon under Penal Code 46.05.

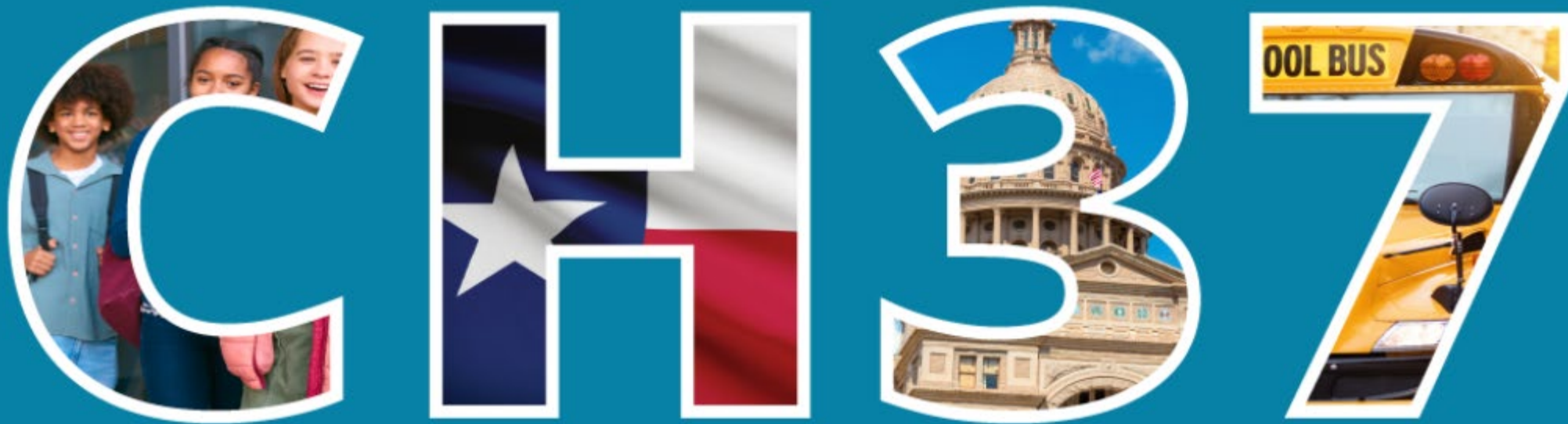
Conduct that contains the elements of a violent offense under §§22.01, 22.011, 22.02, or 22.021, Penal Code

Assault, Sexual Assault, Aggravated Assault, Aggravated Sexual Assault

Selling, giving, or delivering to another person or possessing, using, or being under the influence of any amount of: marihuana or a controlled substance, a dangerous drug, an alcoholic beverage



Welcome to Chapter 37 Student Discipline Updates 2024-25



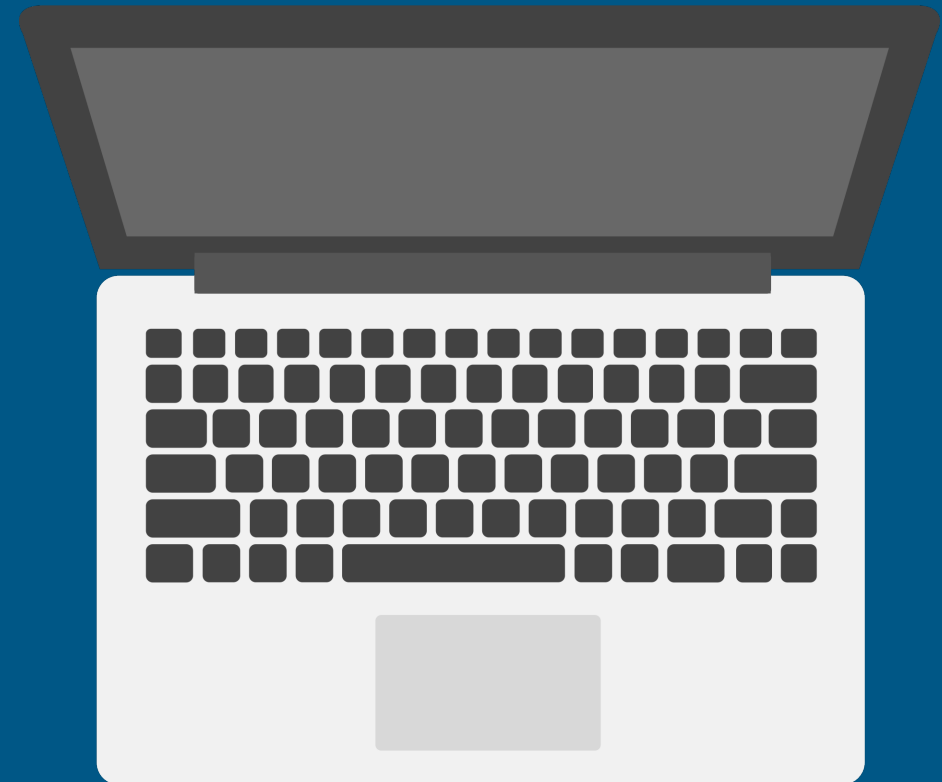
CHAPTER 37: DISCIPLINE

- The campus behavior coordinator may coordinate with the LEA McKinney-Vento liaison to identify appropriate alternatives to out-of-school suspension students experiencing homelessness.  
**(TEC §37.005(d)).**
- LEAs should explore all available options, such as ISS and alternative means of receiving coursework, to meet the individual needs of each student.

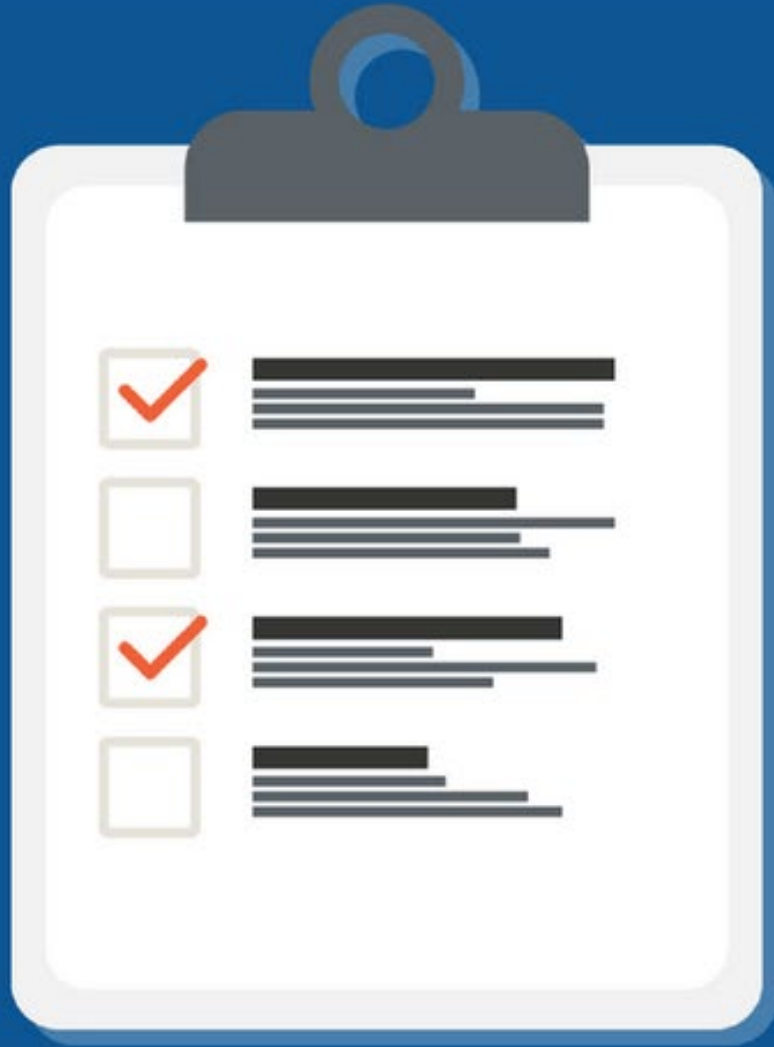
<https://tea.texas.gov/texas-schools/health-safety-discipline/student-discipline>

TEA Student Discipline Contact Information

[StudentDisciplineSupport@tea.texas.gov](mailto:StudentDisciplineSupport@tea.texas.gov)



# Let's Pause & Process







# Self-Reported Data Unit (SRDU)

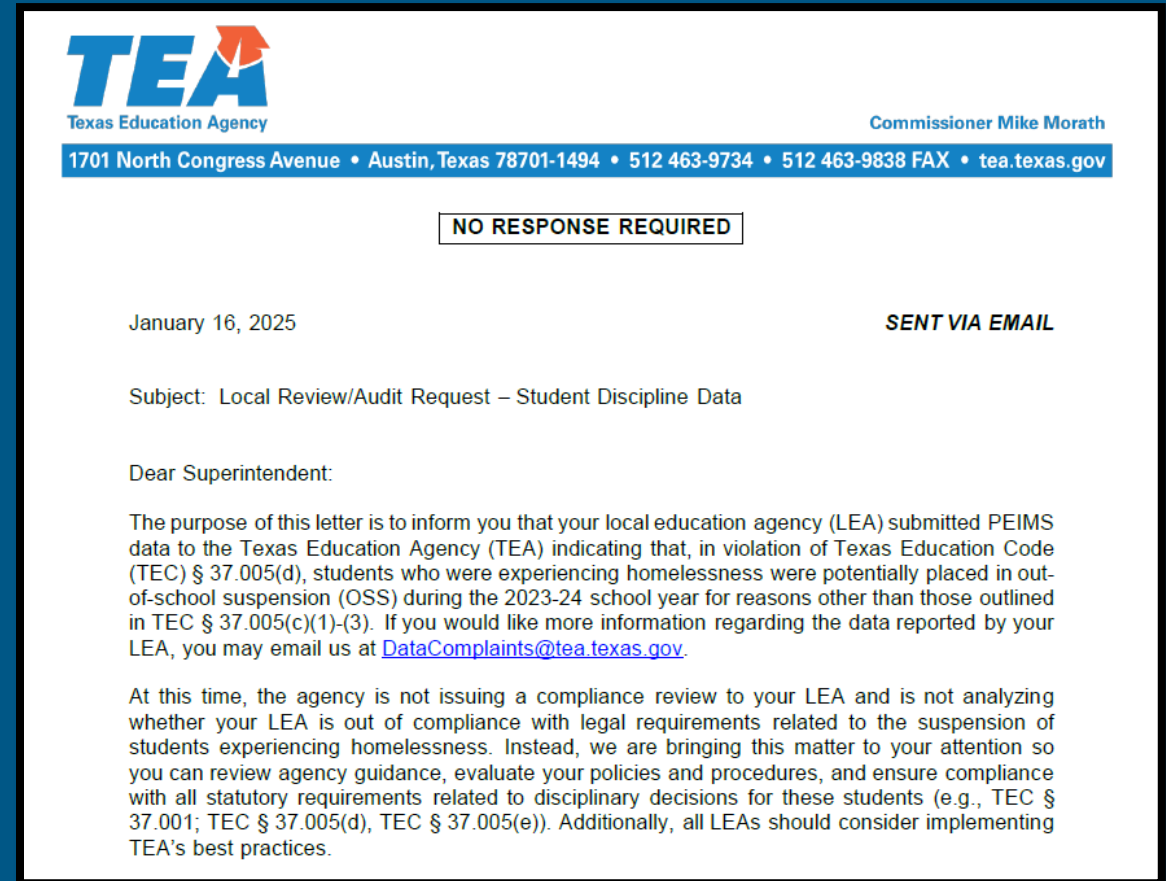


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- In January, **local audit request** letters were sent to over 400 LEAs that *potentially* unallowably assigned an **out-of-school suspension to one or more students experiencing homelessness** in the 2023-24 school year\*
- Letters strongly encouraged LEAs to **locally review agency guidance, evaluate their policies and procedures, and ensure compliance with all statutory requirements** related to disciplinary decisions for students experiencing homelessness

\*SRDU recognizes in some cases, students may have been identified as experiencing homelessness after a disciplinary action had been taken, and that this is not always reflected in PEIMS.



The screenshot shows an email from the Texas Education Agency (TEA) to a Superintendent. The email header includes the TEA logo, the name of Commissioner Mike Morath, and contact information: 1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov. A prominent box in the center of the email states "NO RESPONSE REQUIRED". The email is dated January 16, 2025, and is marked as "SENT VIA EMAIL". The subject line is "Local Review/Audit Request – Student Discipline Data". The body of the email begins with "Dear Superintendent:" and explains that the purpose of the letter is to inform the LEA that it submitted PEIMS data indicating a violation of Texas Education Code (TEC) § 37.005(d) regarding out-of-school suspension (OSS) for students experiencing homelessness. It provides a link to [DataComplaints@tea.texas.gov](mailto:DataComplaints@tea.texas.gov) for more information. The email concludes by stating that the agency is not issuing a compliance review but is bringing the matter to the LEA's attention so they can review their policies and procedures to ensure compliance with all statutory requirements (TEC § 37.001, TEC § 37.005(d), TEC § 37.005(e)) and implement TEA's best practices.

- LEAs were also strongly encouraged to review **PEIMS data reporting and validation policies and procedures** to ensure accurate data are submitted to the agency
- Letters also included **links to TEA guidance**, such as:
  - [Texas Education for Homeless Children and Youths \(TEHCY\) Discipline Toolkit](#);
  - [Texas Education Code, Chapter 37 - Student Discipline training](#);
  - [McKinney-Vento 101 through 401 webinars](#); and
  - [To The Administrator Addressed correspondence](#) issued in August 2024
- LEAs are strongly encouraged to **immediately implement corrective actions or improvements to current policies and procedures** if issues are identified



- The agency has also **issued compliance reviews to a select number of LEAs** related to these concerns. Please note, these reviews are ongoing and are protected from public release.
- These reviews include **requests for information and documentation** related to McKinney-Vento (MV) identification, student discipline, and PEIMS reporting policies and procedures
- Reviews also **request student-level documentation** related to MV identification and disciplinary incidents
- SRDU reviews this information to **determine whether the LEA is in compliance with all related state and federal laws, rules, and regulations**
- SRDU will work with LEAs to help bring them into compliance, if necessary

# Compliance Review Findings

Based on the compliance reviews conducted thus far, **some of the common findings are:**

Students were unallowably assigned OSS; reasons for suspensions varied (e.g., issues with Student Information System (SIS) warnings; lack of district oversight; inadequate training for district/campus staff; lack of communication between staff members)

Failure to maintain detailed documentation (e.g., disciplinary referrals) to support the disciplinary actions and disciplinary action reasons reported through PEIMS

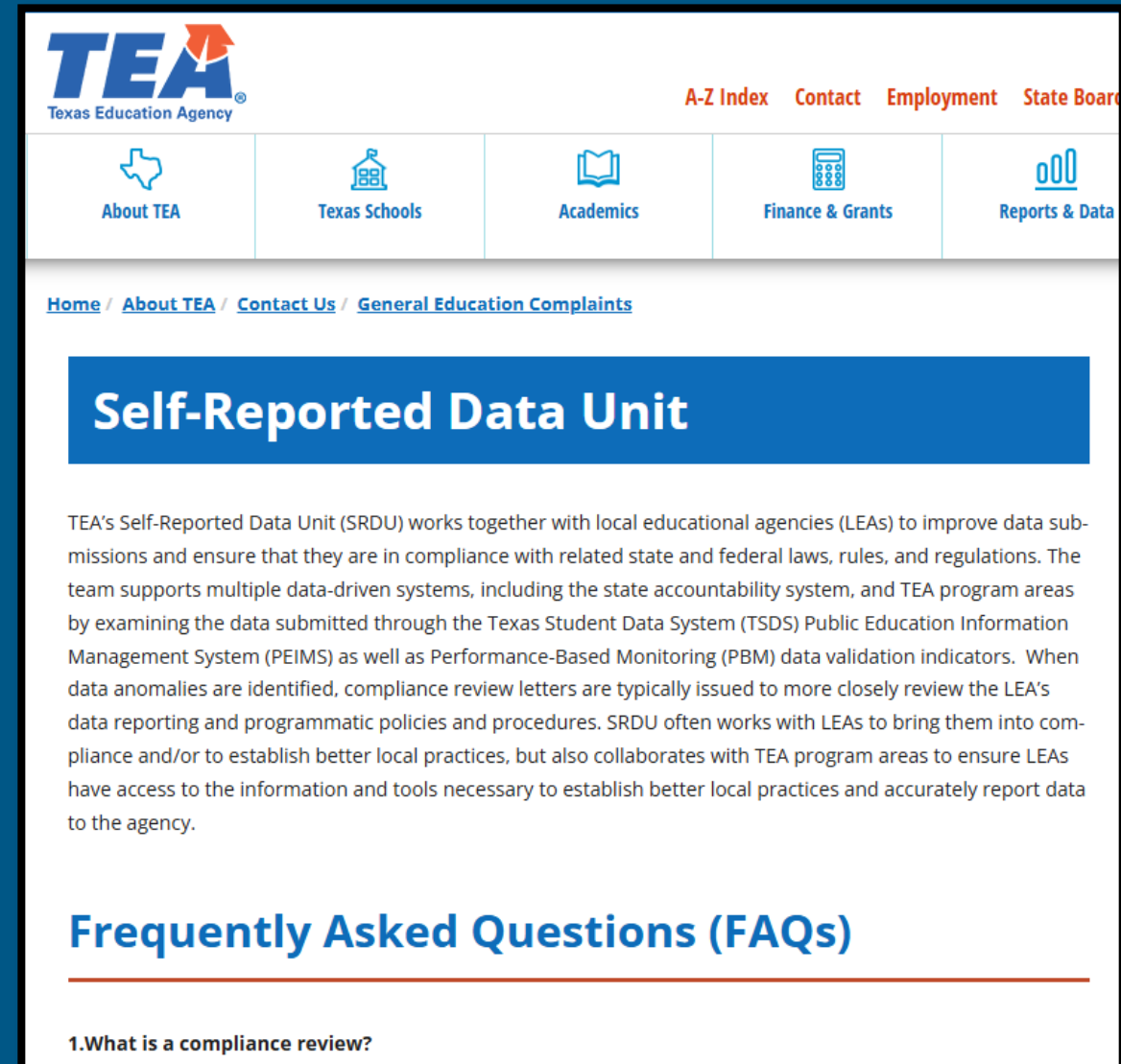
PEIMS disciplinary actions (“discipline”) and disciplinary action reason (“behavior”) codes were misreported

Students were not provided an alternative means of receiving course work, including a method that does not require use of the internet, during the suspension

Student Residency Questionnaire forms and disciplinary decision practices do not reflect Agency best practices

- TEA encourages LEAs to reach out to independent parties, such as ESCs, to help with local audits and reviews. Therefore, **ESCs are welcome to provide assistance if requested by the LEA.**
- Assistance for these reviews may include:
  - Ensuring LEAs are aware of the relevant guidance documents/trainings offered by TEA, some of which are new
  - Sharing common findings from TEA's compliance reviews and assisting LEAs in identifying similar issues when reviewing their data and related policies and procedures
  - Recommending LEAs submit TIMS tickets if there are questions about PEIMS reporting of discipline or homeless codes
  - Encouraging LEAs to regularly check their AskTED to ensure contact information for all district staff is up-to-date
  - **Sharing this presentation!**

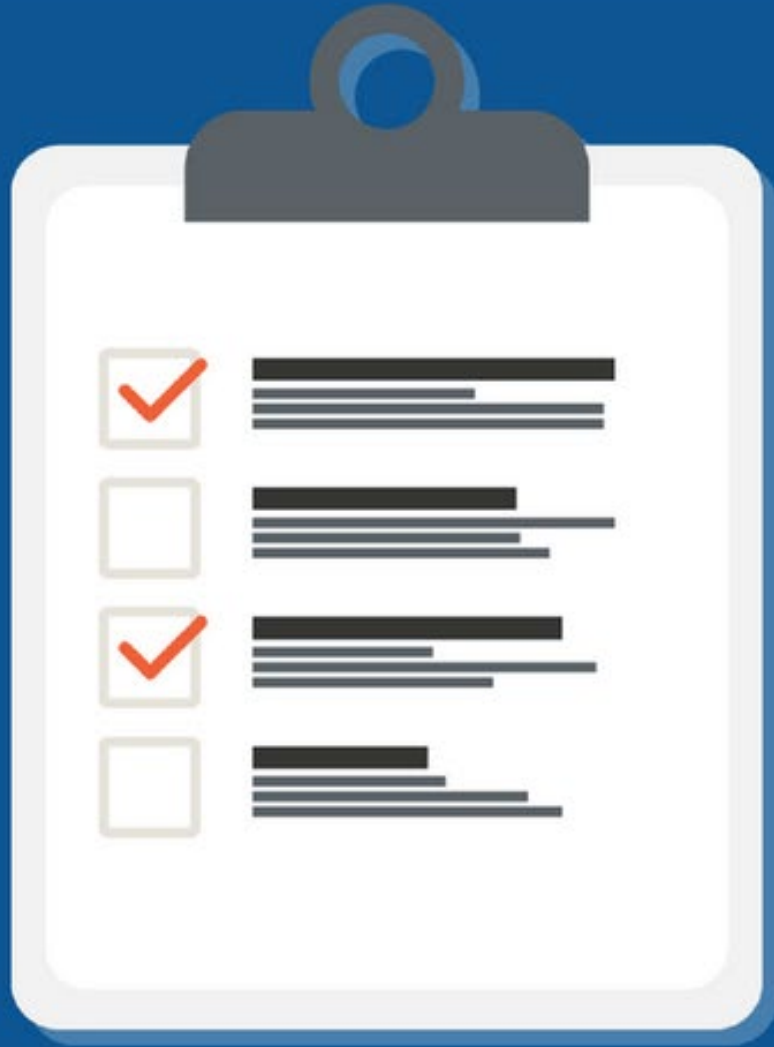
- LEAs are always welcome to reach out to the Agency directly for assistance as well
- For questions related to local audit requests or compliance reviews, email the SRDU team at [DataComplaints@tea.texas.gov](mailto:DataComplaints@tea.texas.gov)
- Visit our [Self-Reported Data Unit](#) webpage



The screenshot shows the TEA website header with the logo and navigation links: A-Z Index, Contact, Employment, and State Board. Below the header is a navigation bar with icons and labels for About TEA, Texas Schools, Academics, Finance & Grants, and Reports & Data. The breadcrumb trail reads: Home / About TEA / Contact Us / General Education Complaints. The main heading is "Self-Reported Data Unit". The text below explains that the SRDU works with LEAs to improve data submissions and ensure compliance with state and federal laws. It mentions the Texas Student Data System (TSDS) Public Education Information Management System (PEIMS) and Performance-Based Monitoring (PBM) data validation indicators. The text concludes that SRDU often works with LEAs to bring them into compliance and/or to establish better local practices, and also collaborates with TEA program areas to ensure LEAs have access to the information and tools necessary to establish better local practices and accurately report data to the agency. Below the text is a section titled "Frequently Asked Questions (FAQs)" with a red underline. The first question listed is "1. What is a compliance review?"



# Let's Pause & Process





**McKinney-Vento &  
Discipline  
High-Level Overview**



Texas Education for Homeless  
Children and Youths (TEHCY)

Discipline Toolkit



- Comprehensive overview of how to support and respond to students experiencing homelessness related to discipline.
- Includes practices, procedures, and tools that LEAs will be able to use to strengthen services and supports to students experiencing homelessness.
- Serves as both an orientation manual and a ready reference resource for new and experienced LEA leaders.

Children and youths experiencing homelessness face many educational barriers due to the disruption and trauma of not having a fixed, regular, and adequate place to live.

In many cases, schools often become the one place where children and youths experiencing homelessness are afforded stability, safety, and support.



**Chronic absenteeism, truancy, and behaviors that lead to disciplinary challenges are common occurrences for students experiencing homelessness.**

Youths experiencing homelessness are most commonly referred to these three (3) types of exclusionary discipline: **ISS**, **OSS**, and **DAEP** for violating student codes of conduct, which are the lowest level of disciplinary violation.

A large orange circle containing the text '2.5x' in white, bold, sans-serif font.

More likely to be suspended from school (OSS), despite not having a stable home to which to return.

A large orange circle containing the text '2x' in white, bold, sans-serif font.

As likely to be referred to In-School Suspension (ISS).

A large orange circle containing the text '5x' in white, bold, sans-serif font.

More likely to be referred to a Disciplinary Alternative Education Program (DAEP).



## McKinney-Vento Act

42 USC,  
§11432(g)(1)(i)

## Texas Education Code

Truancy  
Prevention  
Measures  
TEC §25.0915

## Texas Administrative Code

Commissioner's  
Rules Concerning  
Truancy  
19 TAC  
§129.1043

## Texas Education Code

Student Code of  
Conduct  
TEC §37.001

## Texas Education Code

Suspension  
TEC §37.005

The LEA Student Code of Conduct must specify:



Circumstances in which a student may be removed from classroom, campus, DAEP, or vehicle owned or operated by the district.



Conditions that authorize or require principal or administrator to transfer a student to a DAEP.



Conditions under which a student may be suspended or expelled.



Consideration will be given to a student's status as **homeless** as a factor in each decision concerning suspension, removal to DAEP, expulsion, or placement in JJAEP program, regardless of whether the decision concerns a mandatory or discretionary action.


# Texas Student Data System (TSDS) PEIMS (pgs. 8, 10)

- LEAs are required to report the homeless status of students by living situation in PEIMS. This information lives in TSDS PEIMS:
  - C189 (Homeless Status Descriptors) and
  - C192 (Unaccompanied Youth Descriptors)
  
- LEAs are required to report disciplinary information in TSDS PEIMS for all students who are subjected to a removal due to a discipline action.
  - C164 (Discipline Descriptors)
  - C165 (Behavior Descriptors)
  
- PEIMS data for OSS is required under TEC §37.020.

TSDS PEIMS Descriptors: Allowable Reasons for Assigning OSS to Students Experiencing Homelessness:

Behavior Descriptors	Definition
05	Possessed, Sold, Used, Or Was Under the Influence of An Alcoholic Beverage
11	Brought a Firearm to School or Unlawful Carrying of a Handgun
12	Unlawful Carrying of a Location-Restricted Knife
14	Conduct Containing the Elements of an Offense Relating to Prohibited Weapons
27	Assault Against a School District Employee or Volunteer
28	Assault Against Someone other than School District Employee or Volunteer
29	Aggravated Assault Against a School District Employee or Volunteer
30	Aggravated Assault Against Someone other than a school district employee or volunteer
31	Sexual Assault/Aggravated Sexual Assault Against a School District Employee or Volunteer
32	Sexual Assault/Aggravated Sexual Assault Against Someone other than a school district employee or volunteer
36	Felony Controlled Substance Violation
62	Possessed, Sold, Gave, Used, Delivered, Or Was Under the Influence of Marihuana or Tetrahydrocannabinol
64	Possessed, Sold, Gave, Used, Delivered, Or Was Under the Influence of Other Controlled Substance





# Discipline Meeting for Decision- Making

# Discipline Meeting for Decision-Making (p. 11)



Behavior coordinator + Administrator + McKinney-Vento Liaison + pertinent personnel meet & collaborate to determine appropriate disciplinary action.

Discuss alternatives to OSS for a student experiencing homelessness. [TEC §37.005\(d\)](#)

Administrator considered student's homelessness and recommends assignment of suspension (i.e., ISS or OSS per [TEC §37.005\(c\)\(1\)-\(3\)](#) offenses).

During the period of the student's suspension, an alternative means of receiving all course work must be provided in the classes in the foundation curriculum under [§28.002\(a\)\(1\)](#) that the student misses due to the suspension.

District must provide at least one option for receiving the course work that does not require the use of the Internet. [TEC §37.005\(e\)](#).

If School of Origin transportation is being provided, it must continue to be provided if a placement at DAEP is determined.



To ensure effective disciplinary decision-making for students experiencing homelessness, it is encouraged that all disciplinary decisions be conducted through a collaborative team approach and not be made by a single individual, whenever possible.



# Coordinated Team Meeting (p. 12)



## Behavior Coordinator and Homeless Liaison Working Together: Purpose of Collaboration and a Coordinated Team Meeting to Support Discipline Decision-Making for Students Experiencing Homelessness

- According to [TEC §37.0012](#), 'a person at each campus must be designated to serve as the campus behavior coordinator'. The primary responsibility of the behavior coordinator is to maintain student discipline and behavior management.
- Additionally, one of the key duties of a McKinney-Vento liaison is to ensure that students experiencing homelessness, and their families, have access to educational services for which they are eligible. Chronic absenteeism, truancy, and behaviors that lead to disciplinary challenges are common occurrences and barriers to educational access for students experiencing homelessness.



# Coordinated Team Meeting cont.



## Behavior Coordinator and Homeless Liaison Working Together: Purpose of Collaboration and a Coordinated Team Meeting to Support Discipline Decision-Making for Students Experiencing Homelessness

- Key personnel for these discipline meetings should include campus administrator, McKinney-Vento liaison, and/or behavior coordinator at minimum. Whenever possible, including additional staff who work closely with the student experiencing homelessness (e.g., instructional staff, counselor, etc.) can help to provide additional context and considerations to the collaborative team toward a whole child approach.
- In light of this, the role of the behavior coordinator and McKinney-Vento liaison during the discipline meeting is crucial to identifying and removing barriers for children and youths experiencing homelessness as they relate to disciplinary actions.
- An Exclusionary Discipline Rubric and accompanying Team Meeting Worksheet is provided further in this toolkit (pages 19-25 and Appendix A) to assist the collaborative team during discipline meeting discussions.

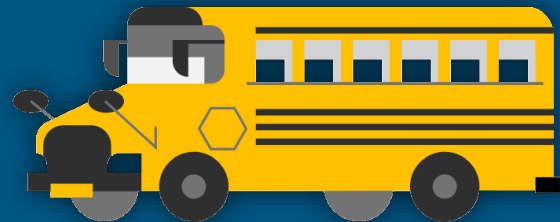




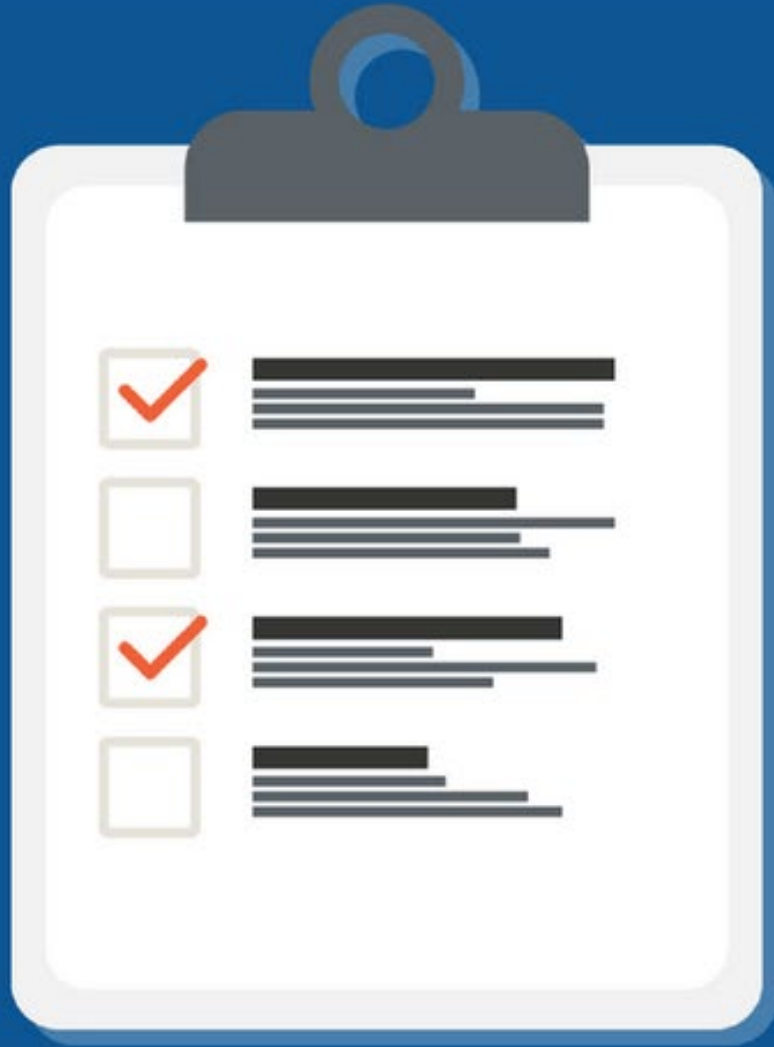
## Transportation Considerations

The McKinney-Vento Homeless Assistance Act requires school districts to adopt policies and practices to ensure that transportation is provided to and from the school of origin at the request of the parent, guardian, and/or unaccompanied youth. LEAs must provide comparable services for students experiencing homelessness in consideration of discipline determinations (e.g., special education transportation). It is important that school leaders address transportation needs for homeless students when discipline and truancy matters occur. The following is a list of key-laws and important factors to consider when addressing discipline and truancy circumstances.

- The child's or youth's transportation to and from the school of origin must be provided by the LEA, when the child or youth continues to live in the area served by the LEA in which the school of origin is located. In these instances, school of origin, transportation must continue to be provided if a placement at DAEP is determined.
- In circumstances when, school of origin transportation is being provided by two school districts, it must continue to be provided if a placement at DAEP is determined. School districts should develop a system, so the student experiencing homelessness is not considered absent or have truancy notifications, when there are transportation set-up delays.



# Let's Pause & Process





# Tools and Strategies to Support Disciplinary Decision-Making



## Exclusionary Discipline: Code of Conduct Factors to Consider (See rubric on page 22)

Before deciding whether to place a student in DAEP, there must be consideration of mitigating factors regardless of whether the action is mandatory or discretionary.

Factors to consider include:

- Was it self-defense? ([TEC §37.001](#))
- Was there intent or lack of intent at the time the student engaged in the conduct? ([TEC §37.001](#))
- What is the student's disciplinary history? ([TEC §37.001](#))
- How does the student's age developmentally impact their understanding of inappropriate behavior?
- Is there a disability that substantially impairs the student's capacity to appreciate the wrongfulness of the student's conduct? ([TEC §37.001](#))
- Is student's status identified as a student who is homeless? ([TEC §37.001](#))
- Has the student been afforded the opportunity for behavioral interventions to be implemented?
- What is the safety and/or risk factors of inappropriate behavior?

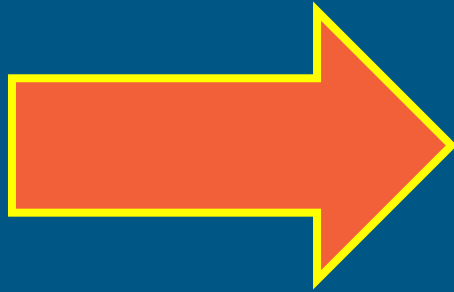


Factors to Consider <small>(TEC §37.001)</small>	Score 1	Score 2	Score 3
Self-defense	The behavior was <b>not a direct</b> result of self-defense.	N/A	The behavior is a <b>direct</b> result of <b>reasonable</b> self-defense.
Intent	The behavior was clearly <b>purposeful</b> and <b>planned</b> . The student demonstrated <b>intent</b> to harm.	The behavior was determined to be <b>impulsive</b> and <b>not</b> planned to harm.	<b>No intent</b> to harm determined.
Discipline History	Demonstrated <b>similar</b> inappropriate behavior over a 1–3-month period. The <b>pattern</b> of behavior is <b>highly disruptive</b> to the learning environment.	Demonstrated <b>similar</b> inappropriate behavior over 1-2 months. The <b>pattern</b> is <b>moderately</b> disruptive to the learning environment.	<b>First time offense</b> . There is <b>no</b> established pattern for the inappropriate behavior.
Student's Age	The student <b>clearly understands</b> the impact of the inappropriate behavior.	The student <b>somewhat understands</b> the impact of the inappropriate behavior.	<b>Developmentally</b> , the student does <b>not/is not</b> able to understand the impact of the inappropriate behavior.
Disability <small>*Must collaborate with 504/SPED personnel if there's a disability*</small>	There is no identified disability. Considering the impact of the student's disability, the student <b>clearly understands</b> the impact of the inappropriate behavior.	Considering the impact of the student's disability, the student <b>somewhat understands</b> the impact of the inappropriate behavior.	Considering the impact of the student's disability, the student does <b>not/is not</b> able to understand the impact of the inappropriate behavior.
Student Status <small>*[e.g., CPS involvement, highly mobile, protective order, etc.]*</small>	The behavior is <b>not directly</b> linked to possible trauma associated with homeless status.	The behavior is <b>not directly</b> linked to possible trauma associated with homeless status but is <b>somewhat associated</b> .	The behavior is <b>clearly linked</b> to possible trauma associated with homeless status.
Behavioral Interventions	The <b>Campus</b> intervention team formed to discuss (a) student's disruptive behavior, and (b) interventions to implement and document for <b>at least 3 weeks</b> .	The <b>classroom teacher</b> implemented and documented behavioral interventions for <b>3 - 5 weeks</b> .	Interventions have <b>not</b> been applied or have been implemented for <b>less than 3 weeks</b> . The behavior is not connected to current reason for referral.
Safety and/or Risk Factors	The behavior poses <b>imminent and continued</b> danger and harm to self, others, and/or property on campus.	The behavior poses a <b>limited</b> danger and harm to self, others, and/or property on campus (currently or in the future).	The behavior poses <b>no/not continued</b> safety risk to self, others, and/or property on campus.


- **Page 20:** Key Consideration on the use of the rubric
- **Page 21:** Step by step instructions on ‘How to utilize the Exclusionary Rubric and Accompanying Team Worksheets?’
- **Page 22:** Rubric
- **Pages 23-26:** Accompanying Worksheet for Team Meeting
- **Pages 29-35:** Appendix A - Exemplar of Completed Exclusionary Rubric and Worksheet

# Accompanying Tool: Team Meeting Worksheet

Self-defense
Intent
Discipline History
Student's Age
<b>Disability</b> <small>*Must collaborate with 504/SPED personnel if there's a disability*</small>
<b>Student Status</b> <small>*[e.g., CPS involvement, highly mobile, protective order, etc.]*</small>
Behavioral Interventions
Safety and/or Risk Factors

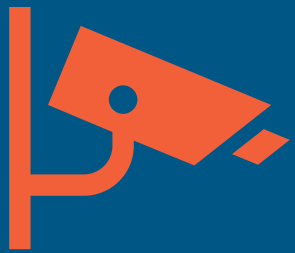


Student's Status	Score Selected: _____
<b>Supporting Data or Information for Selected Score</b>	
<b>Action Considered/Tried:</b>  <i>What supports are already in place?</i>	
<b>Action Needed or Next Steps:</b>	
<b>Additional Notes:</b>	



# Discipline Meeting Scenario Walk- Throughs

# Scenario #1: Student with an E-Cigarette

A stylized orange megaphone icon is positioned on the left side of the slide, pointing towards the right. It has a circular opening at the top and a flared bottom, with a small circle representing the handle.

Jamie, a 15-year-old high school student, has been **experiencing homelessness** for the past four months, living in a **shelter** after the family lost their home.

Despite these challenges, Jamie has been attending school regularly and trying to keep up with their studies.

A **bathroom detector** in the school restroom indicated **students were vaping**.

Upon reviewing the security camera footage, **Jamie was seen leaving the restroom at the same time**.

When Jamie's backpack was searched by administration, a **nicotine e-cigarette** was located.

According to the **school's student code of conduct** and **[TEC 37.006](#)**, possession of nicotine products is prohibited and **requires placement in an alternative schooling environment**.



# Scenario #1: McKinney-Vento Discipline Meeting



**Administrator**: Under the code of conduct the student needs to be assigned in-school suspension. Jamie will be able to access education stability, meal services, and counseling services. SSSP would kick in, TEC 37.115(f-2)(j)



**Behavior Specialist**: Under the code of conduct the student needs to be assigned some disciplinary action for possession of an e-cigarette that has nicotine.

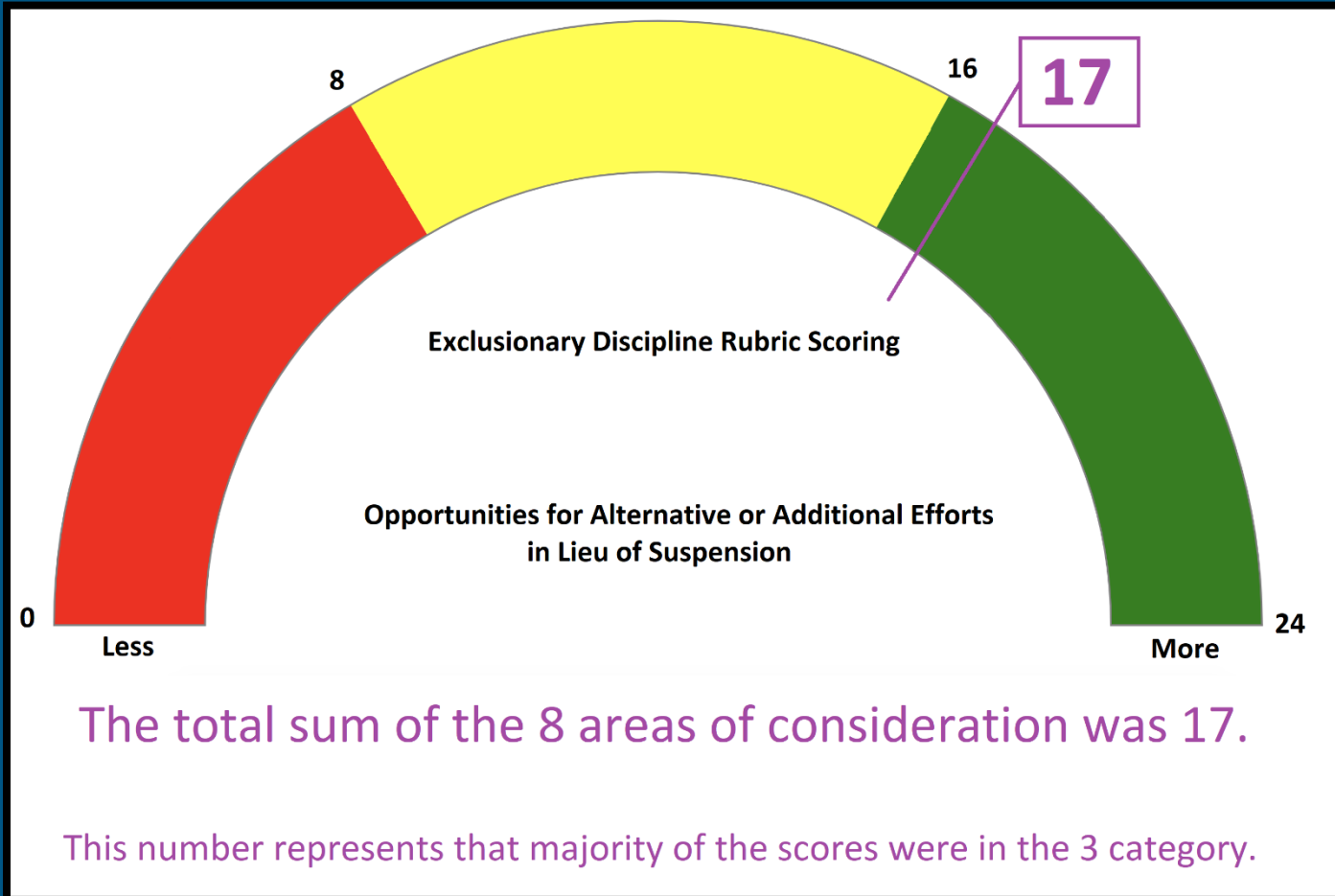


**McKinney-Vento**: The family has been living in a variety of living situations. The parent, Sam, has been known to use an e-cigarette when coming up to the campus. There is a question if the e-cigarette is the parent's or Jamie's.

# Completing the Rubric: Student with a Nicotine E-Cigarette

Factors to Consider <small>(TEC §37.001)</small>	Score 1	Score 2	Score 3
Self-defense	The behavior was <b>not a direct result of self-defense.</b>	N/A	The behavior is a <b>direct result of reasonable self-defense.</b>
Intent	The behavior was clearly <b>purposeful and planned.</b> The student demonstrated <b>intent</b> to harm.	The behavior was determined to be <b>impulsive and not planned</b> to harm.	<b>No intent</b> to harm determined.
Discipline History	Demonstrated <b>similar</b> inappropriate behavior over a 1–3-month period. The <b>pattern</b> of behavior is <b>highly disruptive</b> to the learning environment.	Demonstrated <b>similar</b> inappropriate behavior over 1-2 months. The <b>pattern</b> is <b>moderately</b> disruptive to the learning environment.	<b>First time offense.</b> There is <b>no established pattern</b> for the inappropriate behavior.
Student's Age	The student <b>clearly understands</b> the impact of the inappropriate behavior.	The student <b>somewhat understands</b> the impact of the inappropriate behavior.	<b>Developmentally,</b> the student does <b>not/is not</b> able to understand the impact of the inappropriate behavior.
Disability <small>*Must collaborate with SOA/SPED personnel if there's a disability*</small>	There is no identified disability. Considering the impact of the student's disability, the student <b>clearly understands</b> the impact of the inappropriate behavior.	Considering the impact of the student's disability, the student <b>somewhat understands</b> the impact of the inappropriate behavior.	Considering the impact of the student's disability, the student does <b>not/is not</b> able to understand the impact of the inappropriate behavior.
Student Status <small>*[e.g., CPS involvement, highly mobile, protective order, etc.]*</small>	The behavior is <b>not directly</b> linked to possible trauma associated with homeless status.	The behavior is <b>not directly</b> linked to possible trauma associated with homeless status but is <b>somewhat associated.</b>	The behavior is <b>clearly linked</b> to possible trauma associated with homeless status.
Behavioral Interventions	The <b>Campus</b> intervention team formed to discuss (a) student's disruptive behavior, and (b) interventions to implement and document for <b>at least 3 weeks.</b>	The <b>classroom teacher</b> implemented and documented behavioral interventions for <b>3 - 5 weeks.</b>	Interventions have <b>not</b> been applied or have been implemented for <b>less than 3 weeks.</b> The behavior is not connected to current reason for referral.
Safety and/or Risk Factors	The behavior poses <b>imminent and continued</b> danger and harm to self, others, and/or property on campus.	The behavior poses a <b>limited</b> danger and harm to self, others, and/or property on campus (currently or in the future).	The behavior poses <b>no/not continued</b> safety risk to self, others, and/or property on campus.

- **Self-defense:** 1 - not a direct result of self defense
- **Intent:** 3 – No intent to harm
- **Discipline History:** 3 – 1<sup>st</sup> time offense
- **Student's Age:** 1 – clearly understands impact
- **Disability:** 1 – No identified disability
- **Student Status:** 2 – not directly linked to possible trauma w/homeless status but somewhat associated
- **Behavior Intervention:** 3 – Interventions have not been tried
- **Safety/Risk Factors:** 3 – not continued safety risk



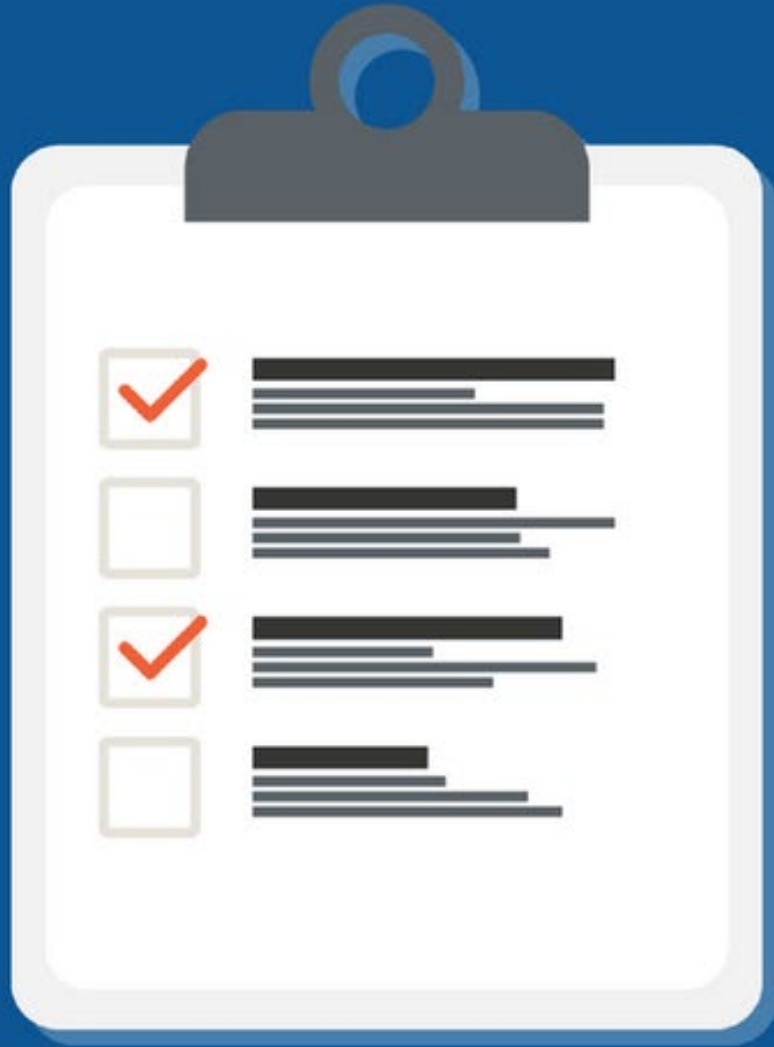
- Cumulatively, the campus has some opportunities for addressing the behavioral incident with **alternatives or additional efforts in lieu of suspension**.
  - 1. Lunch detention where Jaime is given curriculum, online courses, videos, etc. on hazards of vaping, smoking, etc.
  - 2. In school suspension with the same curriculum considerations included above.
  
- When behaviors are directly related to a **student's status of homelessness**, considerations must be made to guarantee schools do not miss vital opportunities to support students' needs and put students on the path toward success.

**At the Disciplinary Conference:** Behavior codes included in the options below can be assigned to the incident and a mandatory DAEP placement is required according to Texas laws and local policy. Safe and Supportive School Program Team notification.

**The administration has three options according to their local policy:**

- 1) Assign the student ISS for up to three days and have the student complete an online course on the hazards of vaping, nicotine, and healthy choices. (Reportable, with Discipline '27' Mandatory Action not Taken, and a second Discipline of '06' ISS)
- 2) Assign the student detention and have the student complete the online course described above. (Not a reportable incident)
- 3) Assign the student ISS, schedule a disciplinary conference, and assign the mandatory DAEP. (Reportable with Discipline '06' ISS, and second Discipline '07' Placement in DAEP)

# Let's Pause & Process





“

“Harmful, threatening, or violent behavior” includes behaviors, such as verbal threats, threats of self harm, bullying, **cyberbullying**... specific interventions, including mental health or behavioral supports; in-school suspension; out-of-school suspension; or the student’s expulsion or removal to a disciplinary alternative education program or a juvenile justice alternative education program.

- *TEC §37.115*

”

## Scenario #2: Off Campus Social Media Terroristic Threat

Terry, a 16-year-old high school student, has been experiencing homelessness for the past five months, living at the home of a family friend after their family lost their home. Since becoming homeless, the student's school attendance has declined, he has become withdrawn from his friend group, and his grades have dropped dramatically.

Over the weekend, he posted graphic pictures of his plan with threatening messages on social media, stating that he was going to physically assault another student who attends the same campus and anyone else who tries to stop him.

The threats were reported to the school administration, and upon investigation, it was confirmed that the student was responsible for the posts and fully intended to carry out his plan. The threatened student and other students now fear returning to campus. According to the school's student code of conduct and relevant Texas laws, making threats is a serious offense that requires review from **the Safe and Supportive School Program Team**.

# Safe and Supportive School Program Team

The threat assessment and safe and supportive school team (SSST) would be required to conduct a behavioral threat assessment utilizing Sentinel, the Texas K-12 Behavioral Threat Assessment and Management (BTAM) Manual, and The Texas K-12 BTAM Field Guide. Texas Administration Code (TAC), §103.1213(e)(1)(A-B)



**SENTINEL**  
TEXAS EDUCATION AGENCY®

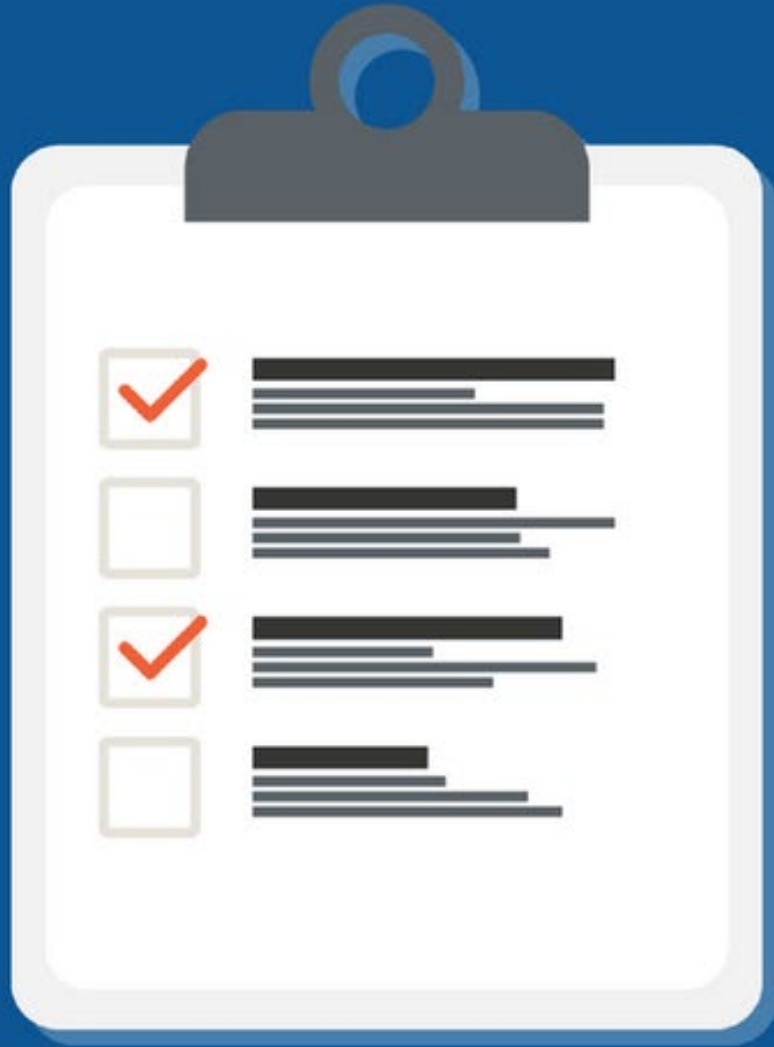
With a confirmed threat, as outlined, completing the assessment process would lead to other interventions aside from discipline.

**At the SSST Disciplinary Conference:** Behavior '26' Terroristic Threat is assigned to the incident and a discretionary expulsion is ordered according to local policy.

According to the districts SSST team, school's student code of conduct, and relevant Texas laws, making threats is a serious offense that requires interventions determined by the SSST team and mandatory discipline action of a removal to DAEP discretionary expulsion.

1. **TEC §37.006(a)(1)** - Mandatory Removal to DAEP or
2. **TEC §37.007(b)(1)** - Discretionary Expulsion
3. **TEC §37.005(d)** - OSS is not authorized for a student experiencing homelessness who makes a terroristic threat.
4. **TEC §37.019** - Emergency Removal to DAEP or Expulsion

# Let's Pause & Process





# Wrapping Up

## Appendix A: Pages 29-35



### Exemplar of Completed Exclusionary Rubric and Worksheet: Case Study

A fictional student scenario using the rubric and worksheet is provided here to offer readers with an exemplar to support understanding of how to use these tools and strategies. Please note that this is just one example, and each student situation should be individualized and subjected to a thorough and thoughtful examination of the factors related to the student's homeless status, the incident, and any mitigating factors around the situation.

#### Student Information:

- Jane is a 9<sup>th</sup> grade student who is McKinney-Vento eligible.
- She has a history of tardiness to her class after lunch and absences for not catching the bus on time in the morning due to trying to help her siblings get ready for school.
- Jane has been identified as a student with an Other Health Impairment for Attention Deficit/Hyperactivity Disorder (ADHD). She receives Special Education supports and services.
- Jane was prescribed medication from a pediatrician 6 years ago, but the family cannot afford the medication at this time.

#### Behavior Incident:

- Jane often waits towards the end of lunch period to get her lunch due to issues with other students making fun of her, secretly throwing food bits into her hair, knocking down her school items, etc.
- On one particular Thursday, one of the students who frequently bothers her intentionally puts out her leg and trips Jane after Jane got her lunch tray. This student continues to kick Jane's tray away and as Jane got up, the student pushes Jane repeatedly.

## Appendix B: Pages 36-40



### Appendix B: Understanding Trauma and ACEs

#### Understanding Trauma

According to the [National Child Traumatic Stress Network](#), "child traumatic stress occurs when children and adolescents are exposed to traumatic events and traumatic situations, and when this exposure overwhelms their ability to cope with what they have experienced." Although the experiences and responses to trauma and loss differ among students, it is important that educational stakeholders become aware of the impact that trauma may have on learning, student behavior, student responses to adults, and interactions with peers.

Students experiencing homelessness have likely experienced complex trauma and stress due to experiencing multiple losses, movement from home to home, and having little consistency in their lives. Trauma can shape not only behaviors but also the way individuals view the world. The early experiences of young children have a tremendous influence on their developing brains, and trauma can create toxic stress with lifelong, costly impacts. Toxic stress response can occur when a child experiences strong, frequent, and/or prolonged adversity—such as physical or emotional abuse, chronic neglect, caregiver substance abuse or mental illness, exposure to violence, and/or the accumulated burdens of family economic hardship—without adequate adult support.

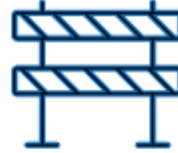
**TIPS:** Implementing trauma-informed practices in the classroom and raising the level of awareness about the impact of adverse life experiences on a student's learning process, classroom behaviors, and cognitive development will help educators and other advocates respond more sensitively and adaptively to a student's needs.

#### Adverse Childhood Experiences (ACEs)

Adverse childhood experiences (ACEs) are traumatic events that occur during a person's childhood. ACEs can have a significant impact on a person's physical, emotional, and mental health throughout their life. There are also known predictive factors of ACEs for children that can be single, acute events or sustained over time (e.g., the death of a parent/guardian, or the detrimental effect of community violence and poverty, among others). ACEs are linked to health issues, as well as mental, emotional, and behavioral challenges in school. Some examples of ACEs include emotional abuse, physical abuse, sexual abuse, emotional neglect, physical neglect, race-based trauma, domestic abuse, household substance abuse, household mental illness, parental separation or divorce, or an incarcerated family member.



**Consider homelessness in disciplinary policies and discuss alternative methods to address misbehavior.**



**Ensure schools and districts do not have policies that create barriers to full school engagement for students experiencing homelessness.**



**Track and Analyze Data**



**Leverage grant funding to train specific individuals.**



**Raise awareness in schools about supports available.**



**Incorporate training on school discipline, trauma, and homelessness.**

# Today's Key Take-Aways

That was a lot of information! Let's wrap up with a summarized list of key take-aways.

## Recap of Topics & Discussion

- Student Code of Conduct, TEC §37.005, and Limitations to Disciplinary Actions
- Self-Reported Data Unit (SRDU) local review audit and compliance letters
- McKinney-Vento & Discipline Overview & Committee Resources
- McKinney-Vento Discipline Scenarios

## Reminder of Resources & Tools

- TEHCY [Discipline Toolkit High-Level Walkthrough Webinar](#)
- [TEHCY Discipline Toolkit](#)
- [TEHCY Discipline One-Pager](#)
- TEA Learn [Chapter 37 Course](#)

# Thank you!

Please take a couple of minutes to complete the survey included below. Your input and feedback are valuable to support the improvement of current McKinney-Vento training and the development of new McKinney-Vento resources.



[https://tea.co1.qualtrics.com/jfe/form/SV\\_b9Rk2jitrtlnOyq](https://tea.co1.qualtrics.com/jfe/form/SV_b9Rk2jitrtlnOyq)