



## Substance Use, Alcohol, and Tobacco Prevention

Title IV, Part A funds cannot be used to meet state or local requirements. Below are state requirements for Local Education Agency (LEAs) concerning **Drug, Alcohol, and Tobacco Prevention**. The LEA would have to meet these requirements before using Title IV, Part A funds to supplement additional needs.

For guidance concerning Title IV, Part A compliance, please refer to [TEA Title IV, Part A: Student Support and Academic Enrichment](#).

Please review TEA Substance Abuse Prevention and Intervention for guidance on **Drug, Alcohol, and Tobacco Prevention** requirements.

*Disclaimer: The information contained in this document is for general information purposes only. You should not rely solely on this information. The contents of this document are subject to change due to further potential information and guidance provided by federal agencies with regulatory oversight of these programs. Therefore, this document does not constitute legal advice, and entities are advised to seek legal counsel regarding the information and guidance provided in this document before acting on such information and guidance.*

The information below does not yet reflect changes that may have been made by the 87th legislature.

### Student Curriculum

Enrichment curriculum requirements for a district that offers kindergarten through grade 12:

- [TEC 38.351](#)
- [TEC 28.002\(a\)\(2\), \(e\)](#)
- [19 TAC 74.1\(a\)\(2\)](#)
- [Health TEKS](#)
- [EHAA Legal](#) - Required Instruction All Levels
- [EHAC Legal](#) - Basic Instructional Program Required instruction (Secondary)
- [FFEB Legal](#) - Counseling and Mental Health
- [CKEC Legal](#) - Security Personnel School Resource Officers

## **Substance Abuse Prevention Training for Classroom Teachers, Principals, and Counselors**

Training requirements for classroom teachers, principals, and counselors:

- [TEC 21.054\(d\)](#), [TEC 21.451\(d-2\)-\(d-3\)](#), and [TEC 37.108\(f\)](#)
- [DMA Legal](#)- Required Staff Development
- [EHAA Legal](#)- Required Instruction All Levels

## **Substance Training and District Documentation**

Requirements for the districts' documentation of suicide training:

- [TEC 21.451\(d-2\)-\(d-3\)](#)
- [DMA Legal](#) - Required Staff Development

## **Substance Use Training for Counselors, Teachers, Nurses, Administration, and Other Staff**

Requirements for training for counselors, teachers, nurses, administrators, and other staff, as well as law enforcement officers and social workers who regularly interact with students:

- [HSC 161.325](#)
- [DMA Legal](#) - Required Staff Development

## **Substance Use Prevention and SHAC Responsibility for Teacher, Student, and Parent Awareness**

School Health Advisory Council purpose and duties:

- [TEC 28.004\(c\),\(n\),\(o\)](#)
- [BDF Legal](#) - Board Internal Organization Citizen Advisory Committees
- [EHAA Legal](#) - Required Instruction (All Levels)

## **Substance Abuse Prevention and the Safe and Supportive School and Threat Assessment Team**

Requirements for how the Safe and Supportive School Program Team works in accordance with students at risk of suicide:

- [TEC 37.115\(h\)-\(j\)](#)
- [FFB Legal](#) - Student Welfare Crisis Intervention

<https://sites.google.com/region10.org/now/quick-reference-sheets>

## **Substance Abuse Prevention and Student Discipline**

Student Code of Conduct and Discipline:

- [TEC 37.008\(K\)](#)
- [TEC 38.006](#)
- [TEC 38.007](#)
- [TEC 38.008](#)
- [HSC 161.081 \(1-a\)](#)
- [HSC 481.134](#)
- [HSC 485.031](#)
- [HSC 485.033](#)
- [FNCF Legal](#) - Student Conduct (Alcohol and Drug Use)
- [FOCA Legal](#) - Placement in a Disciplinary Alternative Education Setting (Disciplinary Alternative Disciplinary Program Operations may provide drug or alcohol treatment in DAEP)
- [EL Legal](#) - Campus or Program Charters
- [FOD Legal](#) - Student Discipline Expulsion
- [FNCD Legal](#) - Student Conduct (Tobacco Use and Possession)

## **Substance Abuse Prevention and Intervention Requirements in the District Improvement Plan**

Provision requirements in the district improvement plan:

- [TEC 11.252\(a\)](#)
- [BQ Legal](#) - Planning and Decision Making Process

## **Substance Use and Counseling**

Counselors' Responsibility

The primary responsibility of a school counselor:

- [TEC 33.006](#)
- [FFEA Legal](#) - Counseling and Mental Health Counseling

## Student Consent to Counseling

Counseling that a student may consent to:

- [TEC 33.004](#)
- [FFEA Legal](#) - Counseling and Mental Health Counseling
- [TFC 32.003](#)
- FFAC Legal - Wellness and Health Services: Medical Treatment
- FFAA Legal - Wellness and Health Services: Physical Examinations

## Outside Counselors

Conditions under which a student can be referred to an outside counselor:

- [TEC 38.010](#)
- [FFEA Legal](#) - Counseling and Mental Health Counseling

## Drug, Alcohol, and Tobacco Prevention Resources

### TEA Web Resources

- [TEA Coordinated School Health Requirements and Approved Programs](#)
- [TEA Evidence-Based Programs for Alcohol Awareness](#)
- [TEA Health Education](#) and [Health TEKS](#)
- [TEA Healthy and Safe School Environment of the Coordinated School Health Model](#)
- [TEA Health, Safety, and Discipline](#)
- [TEA Mental Health and Behavioral Health](#)
- [TEA Substance Abuse Prevention and Intervention](#)
- [TEA's Texas School Mental Health Webpage](#)

### State and Other Resources

- [Texas Department of State Health Services Mental Health and Substance Abuse](#)

- [Texas Department of State Health Services Tobacco-Free Schools Signs and Toolkit](#)
- [Texas Department of State Health Services Youth Substance Use Prevention Programs](#)
- [Center for Disease Control \(CDC\) Healthy People 2020: Legal and Policy Resources Related to Substance Abuse](#)
- [Center for Disease Control \(CDC\) Mental Health Be Smart. Be Well.](#)
- [TxSSC Parent's Guide to School Safety Toolkit](#)