



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.

Student Curriculum

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

- [TEC 38.351](#)
- [TEC 28.002\(a\)\(2\), \(e\)](#)
- [TEC 28.004\(c\) Opioids and Fentanyl](#)
- [19 TAC 74.1\(a\)\(2\)](#)
- [Health TEKS](#)
- [EFA \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [EHAA \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [EHAC \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [FFEB \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [CKEC \(Legal\)](#) Districts should refer to their own **(Local)** board policy.

Annual fentanyl abuse prevention and drug poisoning awareness to students in grades 6-12.

- [TEC 38.040 Annual Fentanyl Awareness](#)
- [TGC 662.116 October Fentanyl Poisoning Awareness Month](#)
- [TEA TAA Implementation of Fentanyl-Related Legislation](#)
- [TEA Fentanyl Response Communications Toolkit](#)

- [TEA Texas School Mental Health Fentanyl Awareness and Prevention](#)

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

- [TEC 21.054\(d\)](#)
- [TEC 21.451\(d-2\)-\(d-3\)](#)
- [TEC 22.904 Mental Health Including recognition/support of substance use](#)
- [TEC 37.108\(f\)](#)
- [TEC 38.224 Administration of opioid antagonist](#)
- [DMA \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [EHAA \(Legal\)](#) Districts should refer to their own (Local) board policy.

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 \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FFAC \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FFAA \(Legal\)](#) Districts should refer to their own (Local) board policy.

Substance Training and District Documentation

Requirements for the districts' documentation of substance abuse training:

- [TEC 21.451\(d-2\)-\(d-3\)](#)
- [TEC 22.904 Mental Health Including recognition/support of substance use](#)
- [TEC 38.224 Administration of opioid antagonist](#)
- [DMA \(Legal\)](#) Districts should refer to their own (Local) board policy.

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 \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [EHAA \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [TEA Health Education](#) and [Health TEKS](#)

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 substance use:

- [TEC 37.115\(h\)-\(j\)](#)
- [FFB \(Legal\)](#) Districts should refer to their own (Local) board policy

Substance Abuse Prevention and Student Discipline

Student Code of Conduct and Discipline:

- [TEC 37.006](#) removal for vapes and other conduct
- [TEC 37.008\(K\)](#)
- [TEC 38.006](#)
- [TEC 38.007](#)
- [TEC 38.008](#)
- [TEC 48.01 \(a\)-\(c\)](#)
- [HSC 161.081 \(1-a\)](#)
- [HSC 481.002](#)
- [HSC 481.003](#)
- [HSC 481.134](#)
- [HSC 485.031](#)
- [HSC 485.033](#)
- [HSC 485.034](#)
- [FNCD \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FNCF \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FOCA \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [EL \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FOD \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [FNCD \(Legal\)](#) Districts should refer to their own (Local) board policy.
- [GKA \(legal\)](#) Districts should refer to their own (Local) board policy.

Substance Abuse Prevention and Intervention Requirements in the District Improvement Plan

Provision requirements in the district improvement plan:

- [TEC 11.252\(a\)](#)
- [BQ \(Legal\)](#) Districts should refer to their own (Local) board policy.

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 \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [TFC 32.003](#)
- [FFAC \(Legal\)](#) Districts should refer to their own **(Local)** board policy.
- [FFAA \(Legal\)](#) Districts should refer to their own **(Local)** board policy.

Outside Counselors

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

- [TEC 38.010](#)
- [FFEA \(Legal\)](#) Districts should refer to their own **(Local)** board policy.

Drug, Alcohol, and Tobacco Prevention Resources

TEA/State/Other Web Resources

- [TEA Fentanyl Response Communications Toolkit](#)
- [TEA Coordinated School Health Requirements and Approved Programs](#)
- [TEA Evidence-Based Programs for Alcohol Awareness](#)
- [TEA Health Education](#)
- [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](#)
- [Dead on Arrival Lesson Packet - Drug Demand Reduction Outreach OIC Joint Counterdrug Task Force Updated 8/2023](#)
- [Substance Use Prevention Communications Toolkit](#)

- [Texas Drug Impairment Training for Educational Professionals and Focus on Reducing Impaired Driving Among Youth Free Training](#)
- [DEA Texas is served by 3 field offices in Dallas, El Paso, and Houston](#)
- [Texas Health and Human Resource Prevention Resource Centers](#)
- [Texas Health and Human Services Fighting Fentanyl](#)
- [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](#)