



Selected Texas and Federal School Health Laws

The following document is meant as a tool in assisting school nurses or other school health personnel in locating selected school health laws and rules. It is not an exhaustive list, but a snapshot of the most frequently requested citations. If you need additional citations, visit the [Texas Legislature Online Statutes](https://legis.state.tx.us/) to search for all state statutes.

Area of School Health or Health- Related Services	Associated State/Federal Code (Title, Subtitle/Part, Chapter, Subchapter, and Section) or Other Resource	State or Federal Statute
Access to Student Medical Records	By Staff: Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.009 By Parents: Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.095	State
Alcohol-Free School Zone	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.007	State
Asthma/Anaphylaxis	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.015 Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0151	State
Anaphylaxis/Preference for States that Require Stock Epinephrine	Description of the Law: School Access to Emergency Epinephrine Act Actual Link to the Law: Public Health Service Act, Title 3, Part P, Section 399L	Federal

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Automated External Defibrillator (AED)	Health and Safety Code, Title 9, Subtitle B, Chapter 779, Section 779.001 Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.017	State
Bacterial Meningitis Meningitis Notification Letter	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0025	State
Bloodborne Pathogens	Health and Safety Code, Title 2, Subtitle D, Chapter 81, Subchapter A, Section 81.301 Texas Administrative Code, Title 25, Part 1, Chapter 96	State and Federal, with State only cited
Breakfast Programs	Texas Education Code, Title 2, Subtitle G, Chapter 33, Subchapter Z, Section 33.901	State
Bullying, Cyberbullying and Harassment	Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter A, Section 37.001 Texas Education Code, Title 2, Subtitle G, Chapter 25, Subchapter B, Section 25.0342	State
Cardiac Assessment in Extracurricular Activities by UIL	Texas Education Code, Title 2, Subtitle F, Chapter 33, Subchapter D, Section 33.096	State
Cardiopulmonary Resuscitation (CPR)	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.018	State

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CPR for Secondary Students	Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.0023	State
Child Abuse Prevention and Reporting	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.004 Texas Administrative Code, Title 19, Part 2, Chapter 61, Subchapter EE, Section 61.1051	State and Federal with State only cited
Child Sexual Abuse and Other Maltreatment Policies	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0041	State and Federal with State only cited
Communicable Diseases	Health and Safety Code, Title 2, Subtitle D, Chapter 81, Subchapter A, Section 81.041 Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter A	State and Federal with State only cited
Concussion Oversight Team Training for Schools	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.154	State
Consent for Treatment by Non-Parent or Child	Texas Family Code, Title 2, Subtitle A, Chapter 32, Subchapter A, Section 32.001	State
Consent for Treatment by a Minor for Certain Conditions (Mental Health Services, Pregnancy, Substance Abuse)	Texas Family Code, Title 2, Subtitle A, Chapter 32, Subchapter A, Sections 32.002 and 32.003	State

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Continuing Education Credit for Instruction on the Use of an Automated External Defibrillator (AED)	Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter B, Section 21.0541	State
Coordinated School Health (CSH) Program (K-8)	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.013 and 38.014	State
CSH as part of the Campus Improvement Plan / CSH and Oral Health Education	Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter F, Section 11.253	State
Dating Violence Policy	Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter C, Section 37.0831	State
Diabetes and Unlicensed Diabetes Care Assistant (UDCA) Training	Health and Safety Code, Title 2, Subtitle H, Chapter 168, Section 168.001 through Section 168.009	State
Type 2 Diabetes Education and Risk Assessment Program	Health and Safety Code, Title 2, Subtitle D, Chapter 95, Subchapter A, Section 95.001 through Section 95.006 Not required in all parts of state.	State
Dietary Supplements	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.011	State
Drug (Prescription) Misuse and Awareness Programs List	Texas Education Code, Title X, Subtitle X, Chapter 28, Subchapter X, Section 28.002. Look at (w) to find the actual text.	State

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Dyslexia	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.003	State
Epinephrine Auto- Injectors	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201 Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.208	State
Eye Protection	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.005	State
E-Cigarettes and Tobacco Products on School Property	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.006 Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.004(c)	State
Family Educational Rights and Privacy Act (FERPA) Law	U.S. Department of Education (USDE), General Laws and Guidance USDE Family Policy Compliance Office (FPCO)	Federal
Foster Care and Education	U.S. Department of Education (USDE), Guidance and Regulatory Information pertaining to new provisions in Every Student Succeeds Act (ESSA) for supporting children in foster care. USDE Dear Colleague Letter and Timeline on Foster Care	Federal

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Food Allergy and Children at Risk for Anaphylaxis	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.015 Texas Department of State Health Services' School Health Program, Food Allergy Guidelines Texas Education Code, Title 2, Subtitle G, Chapter 25, Subchapter A, Section 25.0022 Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201	State
Fitness Assessment	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter C, Section 38.101 through Section 38.104 Texas Administrative Code, Title 19, Part 2, Chapter 103, Subchapter AA, Section 103.1001	State
HIPAA Law - Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191	U.S. Department of Health and Human Services (HHS) HIPAA Rule HHS Health Information Privacy Texas Department of State Health Services (DSHS) HIPAA	Federal

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Immunizations	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.001 Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter B Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter C	State and Federal with State only cited
Joint Use Agreements / Establishing Community Partnerships	Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.004	State
Medicaid Reimbursement for Qualified Students and Services	School Health and Related Services (SHARS) for Medicaid-eligible students	State and Federal
Medication Administration	Texas Education Code, Title 2, Subtitle D, Chapter 22, Subchapter B, Section 22.052	State
Mental Health First Aid Training	Health and Safety Code, Title 12, Chapter 1001, Subchapter H, Section 1001.201	State
Multi-hazard Emergency Operations Plan	Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter D, Section 37.108 and Section 37.109	State and Federal
Notice Concerning Health Care Services	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.012	State

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Nursing-Definition of School Nurse	Texas Administrative Code, Title 19, Part 2, Chapter 153, Subchapter CC, Section 153.1021 Texas Occupations Code, Title 3, Subtitle E, Chapter 301	State
Nursing-Role of RN and LVN in Schools	Board of Nursing Position Statement - Role of RN and LVN in Schools 15.13	State
Nursing-Limitations for Expanding Scope of Practice	Board of Nursing Position Statement - Limitations for Expanding Scope of Practice 15.10	State
Nursing-Duty of a Nurse in Any Practice Setting	Board of Nursing Position Statement - Duty of a Nurse in Any Practice Setting 15.14	State
Nursing-Supervision of LVN	Nurse Practice Act (Texas Occupations Code, Title 3, Subtitle E, Chapter 301) - Supervision of LVN	State
Nursing-LVN Supervision and Practice Rule	Nurse Practice Act (Texas Occupations Code, Title 3, Subtitle E, Chapter 301) - LVN Supervision and Practice Rule Section 217.11	State
Nursing License Revocations or Denials	Criminal Justice Code, Title 1, Chapter 42, Article 42.01	
Opioid Addiction and Abuse Education in Schools	Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004	State
Outside Counselors	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.010	State

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P.A.P.A. Training	Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.002 Look under (p) to find the specific language.	State
Physical Education (Adapting for children with mental health issues)	Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.002	State
Policy and Procedures for school safety, mental health promotion, building safety	Texas Education Code, Title 2, Subtitle B, Chapter 7, Subchapter A, Section	State
Psychotropic Drugs and Psychiatric Evaluations or Examinations	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.016	State
Reporting Family Violence	Texas Family Code, Title 4, Subtitle C, Chapter 91, Section 91.001	State
School Health Advisory Council (SHAC)	Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004	State
SHAC Physical Activity and Fitness Planning Subcommittee	Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004 Look under (L-1) to find the specific language.	State
School Safety Task Force at State Level	Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter D, Section 37.1082	State

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Seizure Management and Treatment Plan	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.032-38.033	State
Special Education Laws	Texas Education Code, Title 2, Subtitle F, Chapter 29, Subchapter A, Section 29.001	State and Federal with State only cited
Spinal Screening	Health and Safety Code, Title 2, Subtitle B, Chapter 37, Section 37.001	State
Stock Epinephrine (Permissive Law)	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201	State
Suicide Training for Teachers	Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter B, Section 21.044 Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter J, Section 21.451	State
Suicide/Violence Prevention as Part of the District Improvement Plan	Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter F, Section 11.252	State
Suicide/Mental Health/ Substance Abuse Prevention Programs	Health and Safety Code, Title 2, Subtitle H, Chapter 161, Subchapter O-1, Section 161.325	State
Summer Food Service Program	Texas Agriculture Code, Title 2, Chapter 12, Section 12.00291	State
Sunscreen Use	Texas Education Code, Title 2, Subtitle , Chapter 38, Subchapter A, Section 38.021	State

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Sexual Abuse, Human Trafficking, and other maltreatment Training for School District Board Members and Superintendent	Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter A, Section 11.159	State
Traumatic Injury Bleeding Control Stations for Schools	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.030	State
Posting of Steroid Law and Steroid Testing	Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.008 and Section 38.0081	State
Vision and Hearing Screening	Health and Safety Code, Title 2, Subtitle B, Chapter 36, Section 36.001 (Look at this entire section for details)	State
Wellness Policy	The Child Nutrition and WIC Reauthorization Act of 2004, Section 204	Federal
Youth Suicide Prevention	Health and Safety Code, Title 2, Subtitle H, Chapter 161, Subchapter O-1, Section 161.325 Texas Education Code, Title 2, Subtitle G, Chapter 11, Subchapter F, Section 11.252	State

External links to other sites appearing here are intended to be informational and do not represent an endorsement by the Texas Department of State Health Services (DSHS). These sites also may not be accessible to people with disabilities. For information about any of the information listed, contact the sponsoring organization directly. For comments or questions about this publication, contact the school health program at (512) 776-7279 or SchoolHealth@dshs.texas.gov. Copyright free. Permission granted to forward or make copies as needed.