

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 webpage](#) 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	<ul style="list-style-type: none"> 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
Active Shooter Drills	<ul style="list-style-type: none"> Texas Education Code, Title 2, Chapter 37, Section 37.114 and 1141 	State
Alcohol-Free School Zone	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.007 	State
Asthma/Anaphylaxis	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.015 	State
Anaphylaxis/Preference for States that Require Stock Epinephrine	<ul style="list-style-type: none"> 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
Automated External Defibrillator (AED)	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0025 	State
Bloodborne Pathogens	<ul style="list-style-type: none"> 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

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Breakfast Programs	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 33, Subchapter Z, Section 33.901</u> 	State
Bullying, Cyberbullying and Harassment	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter A, Section 37.001</u> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 25, Subchapter B, Section 25.0342</u> 	State
Cardiac Assessment in Extracurricular Activities by UIL	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle, F, Chapter 33, Subchapter D, Section 33.096</u> 	State
Cardiopulmonary Resuscitation (CPR)	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.017</u> 	State
CPR for Secondary Students	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.0023</u> 	State
Child Abuse Prevention and Reporting	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.004</u> • <u>Texas Administrative Code, Title 19, Part 2, Chapter 61, Subchapter EE, Section 61.1051</u> 	State and Federal with State only cited
Child Sexual Abuse and Other Maltreatment Policies	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0041</u> 	State and Federal with State only cited
Communicable Diseases	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle D, Chapter 81, Subchapter A, Section 81.041</u> • <u>Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter A</u> 	State and Federal with State only cited
Consent for Treatment by Non-Parent or Child	<ul style="list-style-type: none"> • <u>Texas Family Code, Title 2, Subtitle A, Chapter 32, Subchapter A, Section 32.001</u> 	State

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Consent for Treatment by a Minor for Certain Conditions (Mental Health Services, Pregnancy, Substance Abuse)	<ul style="list-style-type: none"> • <u>Texas Family Code, Title 2, Subtitle A, Chapter 32, Subchapter A, Sections 32.002 and 32.003</u> 	State
Continuing Education Credit for Instruction on the Use of an Automated External Defibrillator (AED)	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter B, Section 21.0541</u> 	State
Coordinated School Health Program (K-8)	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.013 and 38.014</u> 	State
CSH as part of the Campus Improvement Plan / CSH and Oral Health Education	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter F, Section 11.253</u> 	State
Dating Violence Policy	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter C, Section 37.0831</u> 	State
Diabetes and Unlicensed Diabetes Care Assistant (UDCA) Training	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle H, Chapter 168, Section 168.001 through Section 168.009</u> 	State
Type 2 Diabetes Education and Risk Assessment Program	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle D, Chapter 95, Subchapter A, Section 95.001 through Section 95.006</u> <p style="text-align: center;">Not required in all parts of state.</p>	State

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Dietary Supplements	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.011 	State
Drug (Prescription) Misuse and Awareness Programs List	<ul style="list-style-type: none"> Texas Education Code, Title X, Subtitle X, Chapter 28, Subchapter X, Section 28.002. <p style="text-align: center;">Look at (w) to find the actual text.</p>	State
Dyslexia	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.003 	State
Epinephrine Auto-Injectors	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201 	
Eye Protection	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.005 	State
E-Cigarettes and Tobacco Products on School Property	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> U.S. Department of Education (USDE), General Laws and Guidance 	Federal
Foster Care and Education	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.015</u> • <u>Texas Department of State Health Services' School Health Program, Food Allergy Guidelines</u> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 25, Subchapter A, Section 25.0022</u> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201</u> 	State
Fitness Assessment	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter C, Section 38.101 through Section 38.104</u> • <u>Texas Administrative Code, Title 19, Part 2, Chapter 103, Subchapter AA, Section 103.1001</u> 	State
HIPAA Law - Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191	<ul style="list-style-type: none"> • <u>U.S. Department of Health and Human Services (HHS) HIPAA Rule webpage</u> • <u>HHS webpage on Health Information Privacy</u> • <u>Texas Department of State Health Services (DSHS) HIPAA webpage</u> 	Federal
Immunizations	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.001</u> • <u>Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter B</u> • <u>Texas Administrative Code, Title 25, Part 1, Chapter 97, Subchapter C</u> 	State and Federal with State only cited
Joint Use Agreements / Establishing Community Partnerships	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.004</u> 	State

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Medicaid Reimbursement for Qualified Students and Services	<ul style="list-style-type: none"> School Health and Related Services (SHARS) for Medicaid-eligible students School Health and Related Services Texas Education Agency 	State and Federal
Medication Administration	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle D, Chapter 22, Subchapter B, Section 22.052 	State
Meningitis Notification Letter	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.0025 	State
Mental Health First Aid Training	<ul style="list-style-type: none"> Health and Safety Code, Title 12, Chapter 1001, Subchapter H, Section 1001.201 	State
Multi-hazard Emergency Operations Plan	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.012 	State
Nursing-Definition of School Nurse	<ul style="list-style-type: none"> 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	<ul style="list-style-type: none"> Board of Nursing Position Statement - Role of RN and LVN in Schools 15.13 	State
Nursing-Limitations for Expanding Scope of Practice	<ul style="list-style-type: none"> Board of Nursing Position Statement - Limitations for Expanding Scope of Practice 15.10 	State
Nursing-Duty of a Nurse in Any Practice Setting	<ul style="list-style-type: none"> Board of Nursing Position Statement - Duty of a Nurse in Any Practice Setting 15.14 	State

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Nursing-Supervision of LVN	<ul style="list-style-type: none"> • Nurse Practice Act (Texas Occupations Code, Title 3, Subtitle E, Chapter 301) - Supervision of LVN 	State
Nursing-LVN Supervision and Practice Rule	<ul style="list-style-type: none"> • Nurse Practice Act (Texas Occupations Code, Title 3, Subtitle E, Chapter 301) - LVN Supervision and Practice Rule Section 217.11 	State
Nursing License Revocations and Denials	<ul style="list-style-type: none"> • Criminal Justice Code, Title 1, Chapter 42, Article 42.01 	State
Opioid Addiction and Abuse Education in Schools	<ul style="list-style-type: none"> • Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004 	State
Outside Counselors	<ul style="list-style-type: none"> • Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.010 	State
P.A.P.A. Training	<ul style="list-style-type: none"> • Texas Education Code, Title 2, Subtitle G, Chapter 28, Subchapter A, Section 28.002 <p style="text-align: center;">Look under (p) to find the specific language.</p>	State
Physical Education (Adapting for children with mental disabilities)	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Texas Education Code, Title 2, Subtitle B, Chapter 7, Subchapter A, Section 	State
Psychotropic Drugs and Psychiatric	<ul style="list-style-type: none"> • Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.016 	State

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Evaluations or Examinations		
Reporting Family Violence	<ul style="list-style-type: none"> • <u>Texas Family Code, Title 4, Subtitle C, Chapter 91, Section 91.001</u> 	State
School Health Advisory Council (SHAC)	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004</u> 	State
SHAC Physical Activity and Fitness Planning Subcommittee	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle F, Chapter 28, Subchapter A, Section 28.004</u> Look under (L-1) to find the specific language. 	State
School Safety Task Force at State Level	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 37, Subchapter D, Section 37.1082</u> 	State
Seizure Management and Treatment Plan	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.032-38.033</u> 	State
Sexual Abuse, Human Trafficking, and other Maltreatment Training for School District Board Members and Superintendent	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter A, Section 11.159</u> 	State
Special Education Laws	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle F, Chapter 29, Subchapter A, Section 29.001</u> 	State and Federal with State only cited
Spinal Screening	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle B, Chapter 37, Section 37.001</u> 	State

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Stock Epinephrine (Permissive Law)	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter E, Section 38.201</u> 	State
Suicide Training for Teachers	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter B, Section 21.044</u> • <u>Texas Education Code, Title 2, Subtitle D, Chapter 21, Subchapter J, Section 21.451</u> 	State
Suicide/Violence Prevention as Part of the District Improvement Plan	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle C, Chapter 11, Subchapter F, Section 11.252</u> 	State
Suicide/Mental Health/Substance Abuse Prevention Programs	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle H, Chapter 161, Subchapter O-1, Section 161.325</u> 	State
Summer Food Service Program	<ul style="list-style-type: none"> • <u>Texas Agriculture Code, Title 2, Chapter 12, Section 12.00291</u> 	State
Sunscreen Use	<ul style="list-style-type: none"> • <u>Texas Education Code, Title, Subtitle, Chapter 38, Subchapter A, Section 38.021</u> 	State
Steroid Law Posting and Steroid Testing	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.008 and Section 38.0081</u> 	State
Traumatic Injury Bleeding Control Stations for Schools	<ul style="list-style-type: none"> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 38, Subchapter A, Section 38.030</u> 	State
Vision and Hearing Screening	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle B, Chapter 36, Section 36.001</u> (Look at this entire Section for details) 	State

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Wellness Policy	<ul style="list-style-type: none"> • <u>The Child Nutrition and WIC Reauthorization Act of 2004, Section 204</u> 	Federal
Youth Suicide Prevention	<ul style="list-style-type: none"> • <u>Health and Safety Code, Title 2, Subtitle H, Chapter 161, Subchapter O-1, Section 161.325</u> • <u>Texas Education Code, Title 2, Subtitle G, Chapter 11, Subchapter F, Section 11.252</u> 	State

These sites may not be accessible to people with disabilities. For information about any of the information listed, contact the sponsoring organization directly.