

### **Drug-Free Workplace Notice**

The college district prohibits the unlawful manufacture, distribution, dispensation, possession, or use of controlled substances, illegal drugs, inhalants, and alcohol in the workplace.

Employees who violate this prohibition will be subject to disciplinary sanctions. Sanctions may include:

- Referral to drug and alcohol counseling or rehabilitation programs;
- Referral to employee assistance programs;
- Termination from employment with the college district; and
- Referral to appropriate law enforcement officials for prosecution.

As a condition of employment, an employee must:

- Abide by the terms of this notice; and
- Notify the college president, in writing, if the employee is convicted for a violation of a criminal drug statute occurring in the workplace. The employee must provide the notice in accordance with college district policy.

This notice complies with the requirements of the federal Drug-Free Workplace Act (41 U.S.C. 8103).

All College District employees shall perform their duties in accordance with state and federal law, College District policy, and ethical standards.

All College District personnel shall recognize and respect the rights of students, other employees, and members of the community and shall work cooperatively with others to serve the best interests of the College District.

Employees wishing to express concern, complaints, or criticism shall do so through appropriate channels. [See DGBA]

**Ethical Standards** The College District holds all employees to the ethical standards expressed in the Texas Community College Teachers Association Code of Professional Ethics (PDF).<sup>1</sup>

**Violations** Employees shall comply with the standards of conduct set out in this policy and with any other policies, regulations, and guidelines that impose duties, requirements, or standards attendant to their status as College District employees. Violation of any policies, regulations, or guidelines may result in disciplinary action, including termination of employment. [See DCC and DM series]

**Electronic Media** Electronic media includes all forms of social media, such as text messaging, instant messaging, electronic mail (email), web logs (blogs), electronic forums (chat rooms), video-sharing websites, editorial comments posted on the internet, and social network sites. Electronic media also includes all forms of telecommunication, such as landlines, cell phones, and web-based applications.

**Record Retention** An employee shall comply with the College District's requirements for records retention and destruction to the extent those requirements apply to electronic media. [See CIA]

**Personal Use** Employees shall be held to the same professional standards in their public use of electronic media as they are for any other public conduct. If an employee's use of electronic media violates state or federal law or College District policy, or interferes with the employee's ability to effectively perform his or her job duties, the employee is subject to disciplinary action, up to and including termination of employment.

**Safety Requirements** All employees shall adhere to College District safety rules and regulations and shall report unsafe conditions or practices to the appropriate supervisor.

**Tobacco and E-cigarettes** An employee shall not use tobacco products or e-cigarettes on College District property, in College District vehicles, or at College District-related activities.

"E-cigarette" means an electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device. The term does not include a prescription medical device unrelated to the cessation of smoking. The term includes:

1. A device described by this definition regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and
2. A component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

**Alcohol and Drugs**

A copy of this policy, the purpose of which is to eliminate drug abuse from the workplace, shall be provided to each employee at the beginning of each year or upon employment.

Employees shall not manufacture, distribute, dispense, possess, use, or be under the influence of any of the following substances during working hours while on College District property or at College District-related activities during or outside of usual working hours:

1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.
2. Alcohol or any alcoholic beverage.
3. Any abusable glue, aerosol paint, or any other chemical substance for inhalation.
4. Any other intoxicant, or mood-changing, mind-altering, or behavior-altering drugs.

An employee need not be legally intoxicated to be considered "under the influence" of a controlled substance.

**Exceptions**

It shall not be considered a violation of this policy if the employee:

1. Manufactures, possesses, or dispenses a substance listed above as part of the employee's job responsibilities;
2. Uses or possesses a controlled substance or drug authorized by a licensed physician prescribed for the employee's personal use; or

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DH  
(LOCAL)

3. Possesses a controlled substance or drug that a licensed physician has prescribed for the employee's child or other individual for whom the employee is a legal guardian.

The College President is authorized by the Board to permit the serving and consumption of alcohol at appropriate College District functions.

Notice

Each employee shall be given a copy of the College District's notice regarding a drug-free workplace. [See D1(EXHIBIT)]

**Arrests, Indictments, Convictions, and Other Adjudications**

An employee shall notify his or her immediate supervisor within three calendar days of any arrest, indictment, conviction, no contest or guilty plea, or other adjudication of the employee for any felony or offense involving moral turpitude.

Moral Turpitude

Moral turpitude includes but is not limited to:

1. Dishonesty, fraud, deceit, theft, or misrepresentation;
2. Deliberate violence;
3. Base, vile, or depraved acts that are intended to arouse or gratify the sexual desire of the actor;
4. Felony possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481 of the Health and Safety Code;
5. Acts constituting public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct, if any two or more acts are committed within any 12-month period; or
6. Acts constituting abuse under the Texas Family Code.

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<sup>1</sup> Texas Community College Teachers Association Code of Professional Ethics (PDF): <http://www.tccta.org/wp-content/uploads/2016/01/TCCTA-Ethics.pdf>

EMPLOYEE STANDARDS OF CONDUCT

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- Public Servants** All college district employees are public servants and therefore subject to Title 8 of the Penal Code, regarding offenses against public administration, including bribery and corrupt influence (Chapter 36), perjury and other falsification (Chapter 37), obstructing governmental operation (Chapter 38), and abuse of office (Chapter 39). [See DBD and BBFA] *Penal Code 1.07(a)(41), Title 8*
- Low-THC Cannabis** A municipality, county, or other political subdivision, including a college district, may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by Health and Safety Code Chapter 487.201. *Health and Safety Code 487.201*
- Drug and Alcohol Abuse Program** A person other than an individual shall not receive a grant from a Federal agency unless the person agrees to provide a drug-free workplace by:
- Federal Drug-Free Workplace Act
1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violations of the prohibition [see DI(EXHIBIT)];
  2. Establishing a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the grantee's policy of maintaining a drug-free workplace; available drug counseling, rehabilitation, and employee assistance programs; and the penalties that may be imposed on employees for drug abuse violations;
  3. Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by item 1;
  4. Notifying the employee in the statement required by item 1 that as a condition of employment in the grant the employee will abide by the terms of the statement; and notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after the conviction;
  5. Notifying the granting agency within ten days after receiving notice under item 4 from an employee or otherwise receiving actual notice of a conviction;
  6. Imposing a sanction on, or requiring the satisfactory participation in a drug abuse assistance or rehabilitation program by, any employee who is convicted, as required by 41 U.S.C. 8104; and

7. Making a good faith effort to continue to maintain a drug-free workplace through the implementation of items 1 to 6.

*41 U.S.C. 8103(a)(1)*

**Sex Offender  
Registration**

Not later than the later of the seventh day after the date on which the person begins to work or the first date the applicable authority by policy allows the person to register, a person required to register under Code of Criminal Procedure Chapter 62 who is employed or carries on a vocation at a public or private institution of higher education in this state shall report that fact to:

1. The authority for campus security for that institution; or
2. If an authority for campus security for that institution does not exist the local law enforcement authority of:
  - a. The municipality in which the institution is located; or
  - b. The county in which the institution is located, if the institution is not located in a municipality.

The person described above shall provide the authority for campus security or the local law enforcement authority all information the person is required to provide under Code of Criminal Procedure 62.051(c). The person shall notify the authority for campus security or the local law enforcement authority not later than the seventh day after the date of termination of the person's status as a worker at the institution.

The authority for campus security or the local law enforcement authority shall promptly forward to the administrative office of the institution any information received from the person under Code of Criminal Procedure 62.153 and any information received from the Texas Department of Public Safety under Code of Criminal Procedure 62.005.

This section does not impose the requirements of public notification or notification to public or private primary or secondary schools on:

1. An authority for campus security; or
2. A local law enforcement authority, if those requirements relate to a person about whom the authority is not otherwise required by Code of Criminal Procedure Chapter 62 to make notifications.

[See also GCA]

*Code of Criminal Procedure 62.153(a)-(d), (f)*

<b>Searches— General Rule</b>	<p>The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated. <i>U.S. Const. Amend. IV; Tex. Const. Art. I, Sec. 9</i></p> <p>A governmental entity, including a college district, may search an employee or an employee's property if:</p> <ol style="list-style-type: none"><li>1. The governmental entity has reasonable grounds to believe that the search will turn up evidence that the employee is guilty of work-related misconduct or that the search is necessary for a non-investigatory, work-related purpose; and</li><li>2. The search is reasonably related in scope to the circumstances that justified the interference in the first place.</li></ol> <p><i>City of Ontario, Cal. v. Quon, 130 S. Ct. 2619 (2010); O'Connor v. Ortega, 480 U.S. 709 (1987)</i></p>
Drug / Alcohol Testing	<p>Blood, urine, and breath tests of public employees to determine drug use are searches under the Fourth Amendment of the U.S. Constitution. <i>Skinner v. Railway Labor Executives Ass'n, 489 U.S. 602 (1989)</i></p>
Random Drug Testing	<p>A governmental entity, including a college district, may conduct drug tests, without a warrant and without individualized suspicion, when the test serves special governmental needs that outweigh the individual's privacy expectation. <i>Skinner v. Railway Labor Executives Ass'n, 489 U.S. 602 (1989); Nat'l Treasury Employees Union v. Von Raab, 489 U.S. 656 (1989)</i></p>
Safety- Sensitive Positions	<p>Random alcohol and drug testing of employees in "safety-sensitive" positions may be permissible when the intrusiveness of the search is minimal and the governing board of a governmental entity is able to demonstrate that the drug-testing program furthers its interest in ensuring the physical safety of students. "Safety-sensitive" positions include those that involve the handling of potentially dangerous equipment or hazardous substances in an environment including a large number of children. <i>Aubrey v. School Board of LaFayette Parish, 148 F.3d 559 (5th Cir. 1998)</i></p> <hr/> <p><b>Note:</b> The following testing requirements apply to every employee who operates a commercial motor vehicle and is subject to commercial driver's license requirements in accordance with federal regulations.</p> <hr/>
<b>Testing of Drivers</b>	<p>An employer, including a college district, shall conduct testing, in accordance with federal regulations, of commercial motor vehicle</p>

	operators for use of alcohol or a controlled substance that violates law or federal regulation. <i>49 U.S.C. 31306; 49 C.F.R. Part 382</i>
"Commercial Motor Vehicle"	<p>A "commercial motor vehicle" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the vehicle:</p> <ol style="list-style-type: none"><li>1. Has a gross combination weight rating or gross combination weight of 11,794 kilograms or more (26,001 pounds or more), whichever is greater, inclusive of a towed unit(s) with a gross vehicle weight rating or gross vehicle weight of more than 4,536 kilograms (10,000 pounds), whichever is greater; or</li><li>2. Has a gross vehicle weight rating or gross vehicle weight of 11,794 or more kilograms (26,001 or more pounds), whichever is greater; or</li><li>3. Is designed to transport 16 or more passengers, including the driver; or</li><li>4. Is of any size and is used in the transportation of materials found to be hazardous for the purposes of the Hazardous Materials Transportation Act (49 U.S.C. 5103(b)) and which require the motor vehicle to be placarded under the Hazardous Materials Regulations (49 C.F.R. Part 172, Subpart F).</li></ol> <p><i>49 C.F.R. 382.107</i></p>
Testing Procedures	Each employer shall ensure that all alcohol or controlled substances testing conducted under 49 C.F.R. Part 382 complies with the procedures set forth in 49 C.F.R. Part 40. <i>49 C.F.R. 382.105</i>
Tests Required	No driver shall refuse to submit to a preemployment controlled substance test required under 49 C.F.R. 382.301, a post-accident alcohol or controlled substances test required under 49 C.F.R. 382.303, a random alcohol or controlled substances test required under 49 C.F.R. 382.305, a reasonable suspicion alcohol or controlled substances test required under 49 C.F.R. 382.307, a return-to-duty alcohol or controlled substances test required under 49 C.F.R. 382.309, or follow-up alcohol or controlled substances test required under 49 C.F.R. 382.311. No employer shall permit a driver who refuses to submit to such tests to perform or continue to perform safety-sensitive functions. <i>49 C.F.R. 382.211</i>
Education and Treatment	As an employer, a college district is not required to provide a substance abuse professional (SAP) evaluation or any subsequent recommended education or treatment for an employee who has violated a U.S. Department of Transportation (DOT) drug and alcohol regulation.



However, if a college district offers that employee an opportunity to return to a DOT safety-sensitive duty following a violation, the college district must, before the employee again performs that duty, ensure that the employee receives an evaluation by a SAP and that the employee successfully complies with the SAP's evaluation recommendations. Payment for SAP evaluations and services is left for employers and employees to decide and may be governed by existing management-labor agreements and health care benefits.

*49 C.F.R. 40.289*

Return-to-Duty  
Testing

As the employer, if a college district decides that it wants to permit the employee to return to the performance of safety-sensitive functions, the college district must ensure that the employee takes a return-to-duty test. This test cannot occur until after the SAP has determined that the employee has successfully complied with prescribed education and/or treatment. The employee must have a negative drug test result and/or an alcohol test with an alcohol concentration of less than 0.02 before resuming performance of safety-sensitive duties. *49 C.F.R. 40.305(a)*

As an employer, a college district must not return an employee to safety-sensitive duties until the employee meets the conditions of *49 C.F.R. 40.305(a)*. However, the college district is not required to return an employee to safety-sensitive duties because the employee has met these conditions. That is a personnel decision that the college district has the discretion to make, subject to legal requirements. *49 C.F.R. 40.305(b)*

Educational  
Materials

Each employer shall provide educational materials that explain the requirements of *49 C.F.R. Part 382* and the employer's policies and procedures with respect to meeting these requirements. The employer shall ensure that a copy of these materials is distributed to each driver prior to the start of alcohol and controlled substances testing under *Part 382* and to each driver subsequently hired or transferred into a position requiring driving a commercial motor vehicle. Each employer shall provide written notice to representatives of employee organizations of the availability of this information. The materials to be made available to drivers shall include detailed discussion of at least the items listed at *49 C.F.R. 382.601*. Each employer shall ensure that each driver is required to sign a statement certifying that he or she has received a copy of these materials. Each employer shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. *49 C.F.R. 382.601*

Reports

An employer required to conduct alcohol and drug testing of an employee who holds a commercial driver's license under Transportation Code Chapter 522 under federal safety regulations as part of the employer's drug testing program or consortium, as defined by 49 C.F.R. Part 382, shall report the following information to the Department of Public Safety:

1. A valid positive result on an alcohol or drug test performed and whether the specimen producing the result was a dilute specimen.

"Valid positive result" means an alcohol concentration of 0.04 or greater on an alcohol confirmation test, or a result at or above the cutoff concentration levels listed in 49 C.F.R. 40.87 on a confirmation drug test.

"Dilute specimen" means a urine specimen with creatinine and specific gravity values that are lower than expected for human urine.

2. A refusal to provide a specimen for an alcohol or drug test.
3. An adulterated specimen or substituted specimen, as those terms are defined by 49 C.F.R. 40.3, on an alcohol or drug test performed.

For purposes of this requirement, "employee" means any person who is designated in a U.S. Department of Transportation (DOT) agency regulation as subject to drug testing and/or alcohol testing. The term includes individuals currently performing safety-sensitive functions designated in DOT agency regulations and applicants for employment subject to preemployment testing.

*Transp. Code 644.251–.252; 49 C.F.R. 40.3*

STUDENT CONDUCT  
ALCOHOL AND DRUG USE

FLBE  
(LOCAL)

<b>Alcohol</b>	<p>A student shall be prohibited from using or being under the influence of intoxicating beverages in classroom buildings, laboratories, auditoriums, library buildings, museums, faculty and administrative offices, intercollegiate and intramural athletic facilities, and all other public campus areas. With the prior consent of the Board or the Board's designee, the provisions herein may be waived with respect to any specific event that is sponsored by the College District. State law shall be strictly enforced at all times on all property controlled by the College District in regard to the possession and consumption of alcoholic beverages.</p>
<b>Controlled Substances</b>	<p>No student shall possess, use, transmit, or attempt to possess, use, or transmit, or be under the influence of, any of the following substances on College District premises or off premises at a College District-sponsored activity, function, or event:</p> <ol style="list-style-type: none"><li>1. Any controlled substance or dangerous drug as defined by law, including but not limited to marijuana, any narcotic drug, hallucinogen, stimulant, depressant, amphetamine, or barbiturate.</li><li>2. Any abusable glue, aerosol paint, or any other volatile chemical substance for inhalation.</li><li>3. Any performance-enhancing substance, including steroids.</li><li>4. Any designer drug.</li><li>5. Any other intoxicant or mood-changing, mind-altering, or behavior-altering drug.</li></ol> <p>The transmittal, sale, or attempted sale of what is represented to be any of the above-listed substances shall also be prohibited under this policy.</p>
<b>Exception</b>	<p>A student who uses a drug authorized by a licensed physician through a prescription specifically for that student's use shall not be considered to have violated this rule.</p>
<b>Violation</b>	<p>Students who violate this policy shall be subject to appropriate disciplinary action. [See FM and FMA] Such disciplinary action may include referral to drug and alcohol counseling or rehabilitation programs or student assistance programs, suspension, expulsion, and referral to appropriate law enforcement officials for prosecution.</p>
<b>Notice</b>	<p>Each student taking one or more classes for any type of academic credit except for continuing education units shall be given a copy of the College District's policy prohibiting the unlawful possession, use, or distribution of illicit drugs and alcohol, a description of the applicable legal sanctions under local, state, or federal law, and a</p>

description of the health risks associated with the use of illicit drugs  
and the abuse of alcohol.

**Notice Regarding  
Steroids**

Each public institution of higher education, including each college district, shall post in a conspicuous location in each gymnasium at the institution the notice described in Education Code 51.921. [See FLBE(EXHIBIT)] *Education Code 51.921*

**Alcohol and Drug  
Abuse Programs**

Notwithstanding any other provision of law, no institution of higher education, including a college district, shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded or guaranteed student loan program, unless the institution certifies to the U.S. Secretary of Education that the institution has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees that, at a minimum, includes:

1. The annual distribution to each student of:
  - a. Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the institution's property or as part of any of the institution's activities;
  - b. A description of the applicable legal sanctions under local, state, or federal law for the unlawful possession or distribution of illicit drugs and alcohol;
  - c. A description of the health risks associated with the use of illicit drugs and the abuse of alcohol;
  - d. A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students; and
  - e. A clear statement that the institution will impose sanctions on students and employees (consistent with local, state, and federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violations of the standards of conduct required above.
2. A biennial review by the institution of the institution's program to:
  - a. Determine the program's effectiveness and implement changes to the program if the changes are needed;
  - b. Determine the number of drug- and alcohol-related violations and fatalities that occur on the institution's campus, as defined in 20 U.S.C. 1092(f)(6), or as part of any of

the institution's activities; and are reported to campus officials;

- c. Determine the number and type of sanctions described in 20 U.S.C. 1011i(a)(1)(E) that are imposed by the institution as a result of drug- and alcohol-related violations and fatalities on the institution's campus or as part of any of the institution's activities; and
- d. Ensure that the sanctions required by 20 U.S.C. 1011i(a)(1)(E) are consistently enforced.

*20 U.S.C. 1011i(a); 34 C.F.R. 86.100*

#### **Binge Drinking**

It is the sense of Congress that, in an effort to change the culture of alcohol consumption on college campuses, all institutions of higher education, including college districts, should carry out the following:

1. The president of the institution should appoint a task force consisting of school administrators, faculty, students, Greek system representatives, and others to conduct a full examination of student and academic life at the institution. The task force should make recommendations for a broad range of policy and program changes that would serve to reduce alcohol and other drug-related problems. The institution should provide resources to assist the task force in promoting the campus policies and proposed environmental changes that have been identified.
2. The institution should provide maximum opportunities for students to live in an alcohol-free environment and to engage in stimulating, alcohol-free recreational and leisure activities.
3. The institution should enforce a "zero tolerance" policy on the illegal consumption of alcohol by students at the institution.
4. The institution should vigorously enforce the institution's code of disciplinary sanctions for those who violate campus alcohol policies. Students with alcohol or other drug-related problems should be referred for assistance, including on-campus counseling programs if appropriate.
5. The institution should adopt a policy to discourage alcoholic beverage-related sponsorship of on-campus activities. It should adopt policies limiting the advertisement and promotion of alcoholic beverages on campus.
6. The institution should work with the local community, including local businesses, in a "Town/Gown" alliance to encourage re-

sponsible policies toward alcohol consumption and to address illegal alcohol use by students.

*20 U.S.C. 1011h*

**Low-THC Cannabis**

A municipality, county, or other political subdivision, including a college district, may not enact, adopt, or enforce a rule, ordinance, order, resolution, or other regulation that prohibits the cultivation, production, dispensing, or possession of low-THC cannabis, as authorized by Health and Safety Code Chapter 487.201. *Health and Safety Code 487.201*

**Alcohol Possession and Use by Minors**

Except as provided in Alcoholic Beverage Code 106.05(b), a minor commits an offense if he possesses an alcoholic beverage.

A minor commits an offense if he consumes an alcoholic beverage.

*Alcoholic Beverage Code 106.04, .05(a)*

Exceptions

*Consumption  
Related to  
Reported Sexual  
Assault*

The offenses of possession of an alcoholic beverage and of consumption of an alcoholic beverage do not apply to a minor who reports the sexual assault of the minor or another person, or is the victim of a sexual assault reported by another person, to:

1. A health-care provider treating the victim of the sexual assault;
2. An employee of a law enforcement agency, including an employee of a campus police department of an institution of higher education; or
3. The Title IX coordinator of an institution of higher education or another employee of the institution responsible for responding to reports of sexual assault.

A minor is entitled to raise the defense provided above in the prosecution of the offense of possession of an alcoholic beverage or the offense of consumption of an alcoholic beverage only if the minor is in violation at the time of the commission of a sexual assault that is reported by the minor as described above or committed against the minor and reported by another person as described above.

A minor who commits a sexual assault that is reported as described above is not entitled to raise the defense in the prosecution of the minor for the offense of possession of an alcoholic beverage or the offense of consumption of an alcoholic beverage.

*Alcoholic Beverage Code 106.04(f)–(h), .05(e)–(g)*

*Consumption as  
Part of a Course*

Notwithstanding any other law, a minor may taste an alcoholic beverage if:

1. The minor is at least 18 years old and is enrolled:
  - a. As a student at a public institution of higher education that offers a program in culinary arts, viticulture, enology or wine technology, brewing or beer technology, or distilled spirits production or technology; and
  - b. In a course that is part of the program;
2. The beverage is tasted for educational purposes as part of the curriculum for the course described by item 1b;
3. The beverage is not purchased by the minor; and
4. The service and tasting of the beverage is supervised by a faculty or staff member who is at least 21 years of age.

A public institution of higher education is not required to hold a license or permit to engage in the activities authorized under this section.

*Alcoholic Beverage Code 106.16(b)-(c)*



## NOTICE REGARDING STEROIDS

### *Education Code 51.921*

Anabolic steroids and growth hormones are for medical use only. State law prohibits possessing, dispensing, delivering, or administering an anabolic steroid or growth hormones in any manner not allowed by state law. State law provides that body building, muscle enhancement, or increasing muscle bulk or strength through the use of an anabolic steroid is not a valid medical purpose. Only a medical doctor may prescribe an anabolic steroid or human growth hormone for a person. A violation of state law concerning anabolic steroids or human growth hormones is a criminal offense punishable by confinement in jail or imprisonment in the Texas Department of Criminal Justice.