

**Billings School District 2**

**STUDENTS**

Student Rights, Responsibilities, and Code of Conduct

Tobacco Free Schools

As it is a medical fact that the use of tobacco and related substances is a major health hazard, the Board of Trustees of School District No. 2 hereby institutes a "tobacco free" policy in all schools, school functions, and school activities. Use of tobacco by minors is also against the law. It is the belief of the Board that staff modeling is critical to the educational process and that this policy supports our instructional expectations and curriculum. Since it is also a medical fact that passive smoke consumption can be as life-threatening as active smoke consumption, the Board of Trustees hereby directs that all buildings utilized by School District No. 2 shall be "tobacco free," in order to insure that all students, staff, and public alike within school buildings shall be free and protected from passive smoke exposure. Students who use tobacco on school premises, at school functions, or during school activities are subject to discipline.

Cross References:

<b>Number</b>	<b>Title</b>
1700	Uniform Complaint Procedure
3210-F1	Form: Harassment/Intimidation/Bullying Incident Reporting Form
3200	Student Rights, Responsibilities, and Code of Conduct
3201	Student Freedom of Expression
3202	Student Publications
3203	Student Dress
3203-P1	Student Dress – Gang Activity or Association and Extracurricular Activities
3204	Searches and Seizures
3204-P1	Searches of Students and Their Property
3204-P2	Video Surveillance
3204-P3	Video Surveillance – School Buses, Vehicles, School Buildings and Grounds
3205	District-Provided Access to Electronic Information, Services, and Networks for Students
3205-P1	District-Provided Access to Electronic Information, Services, and Networks for Students
3210	Harassment, Intimidation, and Bullying
3210-F1	Form: Billings Public Schools – Harassment/Intimidation/Bullying Incident Reporting Form
3220	Equal Educational Opportunity (use reporting Form 3210-F1)
3230	Non-Discrimination and Anti-Harassment (use reporting Form 3210-F1)
3235	Student Drug and Chemical Use and Abuse
3235-P1	Chemical Use Procedure
3235-F1	Activities Participation Agreement
3240	Tobacco Free Schools

Number	Title
3250	Gun-Free Schools
3255	Bomb Threats and Threats of Hazardous Substances
6430	Development of Administrative Procedures
1700	Uniform Complaint Form

Legal References:

§ 20-1-220, MCA Use of tobacco product in public school  
§ 50-40-101 to 206, MCA Montana Clean Indoor Air Act of 1979  
§ 20-5-101, MCA Admittance of child to school  
§ 20-5-102, MCA Compulsory enrollment and excuses  
§ 20-5-103, MCA Compulsory attendance and excuses  
§ 20-5-201, MCA Duties and sanctions  
§ 20-5-202, MCA Suspension and expulsion  
§ 20-4-302, MCA Discipline and punishment of pupils – definition of corporal punishment  
§§ 49-3-101, et. seq., MCA Montana Human Rights Act  
20 USC 6081 et seq. Pro Children Act of 1994  
Title IX of the Educational Amendments, 20 U.S.C. §1681, et seq. 34 CFR Part 106  
Art. X, Sec. 1, Montana Constitution

[Office for Civil Rights, U.S. Department of Education](#)

[Montana Human Rights Bureau](#)

*Tinker v. Des Moines Ind. Sch. Dist.*, 89 S.Ct. 733 (1969)

Policy History

First Reading: November 18, 2013  
Second Reading: November 25, 2013  
Third Reading: December 16, 2013  
Adopted on: December 16, 2013  
Effective on: December 16, 2013  
Revised on: