

Billings School District

HUMAN RESOURCES

Alcohol, Tobacco and Drug-Free Workplace Policy

The Billings Public Schools (the District) intends that each school event, activity, facility workplace and the District as a whole, be an environment free of alcohol, tobacco use and drugs.

The District hereby notifies its employees, volunteers, and all other persons that the manufacture, distribution, dispensing, possession, or use of alcohol, tobacco, or drugs is prohibited at any of the District's activities, events, workplaces and facilities.

All employees shall be notified of this policy. This prohibition applies to all hours, not just school hours.

The Board of Trustees considers a violation of this policy as a very serious matter. Any employee who violates this policy may be subject to disciplinary action, including termination, as provided for in district policies, Montana law, and any applicable collective bargaining agreements. A violation of this policy by a volunteer or any other person may lead to prohibition from entry into any District facility or from participation in any District event or activity.

For purpose of this policy, the District's workplaces and facilities means schools, school grounds, administrative building and offices, athletic facilities, auditoriums, workplaces, vehicles (including vehicles used to transport students and staff to and from events sponsored or sanctioned by the District, whether or not owned by the District) and other District properties.

For purposes of this policy, drug means a substance that is intended or used to affect the structure or function of the mind or body that is (a) not legally obtainable; (b) being used in a manner other than as prescribed; (c) legally obtainable but has not been legally obtained; or (d) designated as a controlled substance in State of Montana or United States statutes.

For the purposes of this policy, tobacco includes but is not limited to cigarettes, cigars, snuff, smoking tobacco, and smokeless tobacco (commonly referred to as "chew").

For purposes of this policy, alcohol means an intoxicating beverage, such as beer, wine, or liquor, or an alcohol derivative that is intended to affect the structure or function of the mind or body. In this context, alcohol does not mean alcohol or an alcoholic derivative used in the course of the duties of District employees, including without limitation, alcohol used in chemistry classes or alcohol swabs used by District nurses. This definition does not include mouthwash used to freshen breath, but does include mouthwash intended to affect the structure or function of the mind or body.

The District will inform all employees of this policy.

As required by the federal Drug-Free Workplace Act of 1988, employees are hereby notified of this policy and the consequences of violating this policy. Employees are also notified that as a condition of employment, each District employee will (1) abide by the terms of this policy and (2) notify the employee's supervisor in writing if the employee is convicted for a violation of a criminal drug statute occurring in the workplace no more than 5 calendar days after the conviction. The Superintendent shall comply with all applicable Federal and State drug-free workplace acts, including without limitation any reporting requirements.

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Cross References: Policy 3250, Student Discipline
Policy 5001, Personnel Policies
Policy 9315, Alcohol, Tobacco and Drug-Free Schools, Events, Activities and Facilities

Legal References: 41 USCA 701 et. seq., Drug Free Workplace Act
§20-1-220, MCA Use of tobacco product in public school building or on public school property prohibited.
§ 50-40-101, et seq., MCA Montana Clean Indoor Air Act of 1979

Policy History:

Adopted on: March 18, 1996
Revised on: November 19, 2007