

Billings School District

SCHOOL FACILITIES

Alcohol, Tobacco and Drug-Free Schools, Events, Activities and Facilities

The District's schools, events, activities and facilities, as defined in Policy 5007, shall be free of alcohol, tobacco, and drugs. The Board of Trustees considers a violation of this policy as a very serious matter.

The Board of Trustees hereby notifies its employees, its students, its parents, its patrons, and all other persons that the possession, consumption, manufacture, distribution, or use of alcohol or drugs are strictly prohibited at or in any of the District's events, activities, schools and other facilities.

The district also hereby notifies its employees, its students, its parents, its patrons, and all other persons that the district maintains tobacco-free events, activities, schools, buildings, facilities, and grounds. The use of tobacco is prohibited at any school event or activity and in any school, district building, facility, and grounds, including without limitation parking lots. All employees shall be notified of this policy. This prohibition applies to all hours, not just school hours.

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 or used 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 or used to affect the structure or function of the mind or body.

Students

As provided in District policies specifically pertaining to students, a student shall not use, possess, distribute, purchase, sell or attempt to use, possess, distribute, purchase or sell alcohol, tobacco, or drugs at any school activity, event, function, or in any school or other District facility. In addition, students under the influence of alcohol will not be permitted to attend school functions and will be treated as though they had alcohol in their possession. Students shall not use, possess, distribute, purchase, sell, or attempt to use, possess, distribute, purchase, or sell illegal drugs or controlled substances, look-alike drugs, or drug paraphernalia. Students who are under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.

Any student who violates this policy shall be subject to discipline as provided for in District policies.

Employees

As provided in District policies specifically pertaining to its employees, 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. The District intends to comply with the requirements of the federal Drug-Free Workplace Act of 1988.

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

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.

Other Persons

Any volunteer, parent, patron, or other person who violates this policy may be asked to leave a particular District event, activity, schools and other facilities. Additionally, the Superintendent may prohibit temporarily or permanently any volunteer, parent, patron or other person who violates this policy from attending District events or activities. The Superintendent may also banish temporarily or permanently any parent, patron or other person who violates this policy from District schools or other facilities.

In addition to the tobacco prohibition outlined above, the Board of Trustees specifically prohibits the formal or informal designation of a smoking area on any district property.

Previously Policy 9315, updated and changed December 17, 2018.

Cross References: Student Policies:
 3231, Searches and Seizure
 3250, Student Discipline
 3300, Suspension and Expulsion
 3340, Chemical Use and Student Activities
 3416, Administering Medicines to Students

Employee Policies:
5001, Personnel Policies
5007, Alcohol, Tobacco and Drug-Free Workplace Policy
5008, Alcohol and Drug Dependency
5009, Employee Assistance Program

Legal References: Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.)
 §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:
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