

PERSONNEL

Tobacco Product, Drug, and Alcohol Free Workplace

All District workplaces are tobacco product, drug and alcohol product free. All employees are prohibited from:

- Smoking or otherwise using a tobacco product, vapor product, or alternative nicotine product (tobacco includes, but is not limited to; cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco or any other tobacco or nicotine innovation) while on District premises or while performing work for the District;
- Unlawfully manufacturing, dispensing, distributing, possessing, using, or being under the influence of a controlled substance while on District premises or while performing work for the District; and
- Distributing, consuming, using, possessing, or being under the influence of alcohol while on District premises or while performing work for the District.

Nothing herein prohibits an employee from using a smoking cessation product on school property. Upon prior notice and approval by a building administrator, a teacher or other employee may possess a tobacco product, vapor product, or alternative nicotine product in a classroom or otherwise on school property as part of a lecture, demonstration, or educational forum concerning the risks associated with the use of a tobacco product, vapor product, or alternative nicotine product.

For purposes of this policy, a controlled substance is one that is not legally attainable, being used in a manner other than as prescribed, legally obtainable but has not been legally obtained or referenced in federal or state controlled-substance acts. For purposes of this policy, a controlled substance includes medical marijuana. Any employee must notify his or her supervisor of his or her conviction under any criminal drug statute, for a violation occurring on District premises or while performing work for the District, no later than five (5) days after such conviction.

In order to make employees aware of dangers of drug and alcohol abuse, the District will endeavor to:

- Provide each employee with notice of the District drug and alcohol-free workplace policy;
- Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
- Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

An employee who violates this policy may be subject to disciplinary action, including termination. Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant of \$5,000 or more, the Superintendent will notify the appropriate

state or federal agency from which the District receives contract or grant moneys of an employee's conviction, within ten (10) days after receiving notice of the conviction

Legal References:	20 USC 7101	Safe and Drug Free Schools & Community Act
	§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited
	§ 50-46-101 <i>et al.</i> , MCA	Montana Medical Marijuana Act
	10.57.601a, ARM	Definition of Immoral Conduct

Cross References:

Policy History:

Adopted on: 8.12.2013

Revised on: 9.10.2019