

PERSONNEL

Tobacco, Marijuana, Alcohol and Drug-Free Workplace

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

1. 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) (marijuana products include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for for smoking or vaping) while on District premises or while performing work for the District;
2. 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; including employees possessing a “medical marijuana” card and
3. 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.

As a condition of employment, each employee will:

1. Abide by the terms of the District policy respecting a drug and alcohol free workplace; and
2. Notify their supervisor of their 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:

1. Provide each employee with notice of the District drug and alcohol-free workplace policy;
2. Post notice of the District drug and alcohol-free workplace policy in a place where other information for employees is posted;
3. Enlist the aid of community and state agencies with drug and alcohol informational and rehabilitation programs, to provide information to District employees; and
4. Inform employees of available drug and alcohol counseling, rehabilitation, reentry, and any employee-assistance programs.

District Action Upon Violation of Policy

An employee who violates this policy may be subject to disciplinary action, including termination. Alternatively, the Board may require an employee to successfully complete an appropriate drug- or alcohol-abuse, employee-assistance rehabilitation program. The Board will take disciplinary action with respect to an employee convicted of a drug offense in the workplace, within thirty (30) days of receiving notice of a conviction.

Should District employees be engaged in the performance of work under a federal contract or grant, or under a state contract or grant, 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](#)
 (revised by House Bill 128)
 [10.57.601a, ARM](#) [Definition of Immoral Conduct](#)

Cross References:

Policy History:

Adopted on: 8.12.2013
Revised on: 9.10.2019, 1.9.2024
Reviewed on:

12.5.2023 Policy Committee – 1st Reading
1.2.2024 Policy Committee – 2nd Reading

12.12.2023 Full Board -1st Reading
1.9.2024 Full Board – 2nd Reading