

1 **Bigfork School District #38**

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3 **NON-INSTRUCTIONAL OPERATIONS**

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5 Tobacco Free Policy

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7 The District maintains tobacco-free buildings and grounds. Tobacco includes but is not limited to  
8 cigarettes, cigars, snuff, pipe smoking tobacco, smokeless tobacco, vapor product, alternative  
9 nicotine product or any other tobacco or nicotine delivery innovation.

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11 Use of tobacco or nicotine products in a public school building or on public school property is  
12 prohibited, unless used in a classroom or on other school property as part of a lecture,  
13 demonstration, or educational forum sanctioned by a school administrator or faculty member,  
14 concerning the risks associated with using tobacco products or in connection with Native  
15 American cultural activities.

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17 For the purpose of this policy, “public school building or public school property” means:

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- 19 • Public land, fixtures, buildings, or other property owned or occupied by an institution for
- 20 the teaching of minor children, that is established and maintained under the laws of the
- 21 state of Montana at public expense; and
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- 23 • Includes playgrounds, school steps, parking lots, administration buildings, athletic
- 24 facilities, gymnasiums, locker rooms, and school vehicles.
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27 Violation of the policy by students and staff will be subject to actions outlined in District  
28 discipline policies.

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30 Use of FDA-approved cessation devices may be permitted at school buildings and on school  
31 grounds with the approval of the building administrator.

32	33 Legal Reference:	§ 20-1-220, MCA	Use of tobacco product in public school
34			building or on public school property
35			prohibited
36		§ 50-40-104(4)(e), MCA	Smoking in enclosed public places
37			prohibited – notice to public - place where
38			prohibition inapplicable
39		ARM 37.111.825(5)	Health Supervision and Maintenance
40		42 U.S.C. 1996, 1996a	American Indian Religious Freedom Act

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42 Policy History:

43 First reading on: 6/29/22

44 Second reading/Adopted on: 7/13/22