



Policy Number: 600.1

Policy Title: Non-tobacco Use, Smoke-free Workplace and Facilities

Subject: (choose one) Section 600 – Physical Plant

Date Adopted: December 18, 2006

Date(s) Revised: Sept. 12, 2012; Dec. 17, 2013; Jan. 6, 2021

Approved by:



Sandra J. Bauman
Dean/CEO
Helena College University of Montana

POLICY STATEMENT:

Helena College University of Montana has a vital interest in maintaining a healthy and safe environment for its students, faculty, staff, and visitors while respecting individual choice. Consistent with these concerns and with Montana Code Annotated (MCA), [Title 50](#) (Health and Safety); [Chapter 40](#) (Smoking in Public Places); and [Part 1](#) (Montana Clean Indoor Air Act), Policy 601 has been established to restrict the use of tobacco products inside all campus buildings owned, operated, or leased by Helena College. These buildings are designated as non-tobacco use, smoke-free facilities, and Helena College is considered a non-tobacco use, smoke-free workplace. This policy applies to all Helena College students, faculty, staff, and visitors, and replaces any existing related Helena College policies. (Links updated 1/6/2021)

All Helena College policies shall adhere to and be consistent with relevant federal and state laws, rules, and regulations and with Board of Regents' policies and procedures. (This paragraph updated 1/6/2021)

PROCEDURES:

PURPOSE:

Helena College Policy 600.1 has been developed to comply Montana Code Annotated (MCA), [Title 50](#) (Health and Safety); [Chapter 40](#) (Smoking in Public Places); and [Part 1](#) (Montana Clean Indoor Air Act), the purpose of which is:

- “(1) to protect the public health and welfare by prohibiting smoking in public places and places of employment;*
- (2) to recognize the right of nonsmokers to breathe smoke-free air; and*
- (3) to recognize that the need to breathe smoke-free air has priority over the desire to smoke” (MCA, Sections 50-40-101-102).*

As a campus of the Montana University System, Helena College is expected to comply with this directive by developing and enforcing an official policy to help protect all campus students, employees, and visitors from the effects of secondhand smoke, which has been shown to cause or contribute to cancer and respiratory diseases.

DEFINITIONS:

According to MCA, Section 50-40-103(8), *"Smoking" or "to smoke" includes the act of lighting, smoking, or carrying a lighted cigar, cigarette, pipe, or any smokable product and includes the use of marijuana for a debilitating medical condition as provided for in Title 50, chapter 46.*

Helena College's policy extends this definition to include the use of "smokeless tobacco."

SMOKE-FREE AREAS:

Helena College is considered a non-tobacco use, smoke-free campus. Tobacco use of any type is strictly prohibited anywhere inside the campus buildings or outside on any property owned or maintained by Helena College.

INDOOR SIGN REQUIREMENTS:

Signage indicating that Helena College is a non-tobacco use, smoke-free workplace will be clearly posted at all building entrances and near restrooms, stairwells, and other prominent locations. No ashtrays are permitted in any indoor area.

COMPLIANCE:

Compliance with Policy 600.1 is mandatory for all Helena College students, faculty, staff, and visitors during any hour of the day and any day of the week, including evenings and weekends. No exceptions will be permitted, and violators may be subject to disciplinary action or the penalties outlined in [MCA, Section 50-40-115](#), which states:

“Penalties. (1) It is unlawful for a person to smoke in any area where smoking is prohibited under [20-1-220](#) or [50-40-104](#). A person who violates [20-1-220](#) or [50-40-104](#) is guilty of a misdemeanor and shall be subject to a fine of not less than \$25 or more than \$100.”

CAMPUS CONTACT & RESPONSIBLE OFFICE:

Questions about this policy or reports concerning policy violations shall be directed to the office of the Director of Facilities and Maintenance. (Contact updated 1/6/2020)