

MSAD # 46

POLICY **Bomb Threats**

CODE **EBCC**

M.S.A.D. # 46 recognizes that bomb threats are a significant concern to the school district. Whether real and carried out or intended as a prank or for some other purpose, a bomb threat represents a potential danger to the safety and welfare of students and staff and to the integrity of school property. Bomb threats disrupt the instructional program and learning environment and also place significant demands on school financial resources and public safety services. These effects occur even when such threats prove to be false.

Any bomb threat will be regarded as an extremely serious matter and treated accordingly. The School Board directs the Superintendent to react promptly and appropriately to information concerning bomb threats and to initiate or recommend suitable disciplinary action.

A. **Prohibited Conduct**

No person will make, or communicate by any means, whether verbal or non-verbal, a threat that a bomb has been, or will be, placed on school premises. Because of the potential for evacuation of the schools and other disruption of school operations, placement of a bomb or of a “look-alike” bomb on school premises will be considered a threat for the purpose of this policy.

It is also a violation of School Board policy to communicate by any means that any toxic or hazardous substance or material has been placed, or will be placed, on school premises with the intent to endanger the safety and welfare of students or staff and/or disrupt the operations of the schools. For the purpose of this policy, “toxic or hazardous substance or material” means any material or substance, including biomedical materials or organisms, that, when placed as threatened, could be harmful to humans.

B. **Definitions**

1. A “**bomb**” means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, “Molotov cocktail” or other destructive device.
2. A “**look-alike bomb**” means any apparatus or object that conveys the appearance of a bomb or other destructive device.
3. A “**bomb threat**” is a communication, by any means, whether verbal or non-verbal, that a bomb has been, or will be, placed on school premises, including possession or placement of a bomb or “look-alike bomb on school premises.
4. “**School premises**” means any school property and any location where any school activities may take place.

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The Superintendent/designee will be responsible for developing and implementing procedures specific to bomb threats as part of the District's Crisis Response Plan/Emergency Protocol. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a bomb threat is received and should include provisions to address:

1. Threat assessment (for the purpose of identifying a response that is in proportion to the threat, in light of what is necessary to ensure safety);
2. Building evacuation and re-entry (including selection of potential alternative sites for those who are evacuated);
3. Incident "command and control" (who is in charge, and when);
4. Communications contacts and mandatory bomb threat reporting;
5. Parent notification process;
6. Training for staff members; and
7. Support services for students and staff.

D. Reporting of Bomb Threats

A student who learns of a bomb threat or the existence of a bomb on school premises must immediately report such information to the building principal, teacher, or other employee in a position of authority.

An employee of M.S.A.D. # 46 who learns of a bomb threat will immediately inform the building administrator. The building administrator will immediately take appropriate steps to protect the safety of students and staff in accordance with the District's bomb threat procedure, as developed under Section C, and inform the Superintendent of the threat.

All bomb threats will be reported immediately to the local law enforcement authorities, as provided in the bomb threat procedures.

The Superintendent will be responsible for reporting any bomb threats to the Department of Education within two business days of the incident. Reports will include the name of the school, the date and time of the threat, the medium used to communicate the threat, and whether or not the perpetrators have been apprehended.

E. Student Disciplinary Consequences

Making a bomb threat is a crime under Maine law. Any student suspected of making a bomb threat will be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law,

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and without regard to the existence or status of criminal charges, a student who makes a bomb threat will be subject to disciplinary action by the school. The administration will suspend and recommend for expulsion any student who makes a bomb threat. The making of a bomb threat will be considered deliberately disobedient and deliberately disorderly within the meaning of 20-A M.R.S.A. § 1001(9-A) and will be grounds for expulsion for the peace and usefulness of the school.

In addition, a student who is found, after a hearing by the School Board, to have brought a bomb to school will be expelled from school for at least one year in accordance with 20-A M.R.S.A. § 1001(9-A) and Policy JICIA, except that the School Board may authorize the Superintendent to modify the requirement for expulsion based on individual circumstances.

A student who has been identified through the PET process as having a disability and whose conduct in violation of this policy is related to the disability will be disciplined as provided in Policy JKF.

F. Aiding Other Students in Making Bomb Threats

A student who knowingly encourages, causes, aids or assists another student in making or communicating a bomb threat will be subject to the disciplinary consequences described in Section E of this policy.

G. Failure to Report a Bomb Threat

A student who fails to report information or knowledge of a bomb threat or the existence of a bomb or other destructive device in a school building or on school property may be subject to disciplinary consequences, which may include suspension and/or expulsion.

H. Staff Disciplinary Consequences

A District employee who makes or communicates a bomb threat will be reported to appropriate authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action taken will be consistent with collective bargaining agreements, other employment agreements and School Board policies.

I. Civil Liability

M.S.A.D. #46 reserves the right to bring suit against any individual responsible for a violation of this policy and to seek restitution and other damages as permitted by law.

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Instructional time lost as a result of a bomb threat will be rescheduled at the earliest appropriate opportunity as determined by the Superintendent in consultation with the School Board and the MSAD #46 Education Association.

Time lost may be rescheduled on a weekend or vacation day, or after what would normally be the last day of the school year, except on days when schools must be closed as required by law.

K. Notification Through Student Handbook

All student handbooks will address the District's bomb threat policy and procedures and explain the educational consequences of a bomb threat. In addition, student handbooks will notify students and parents that bomb threats violate Board policy and civil and criminal law.

LEGAL REF. _____

DATE ADOPTED 01/08/03