

BOMB THREATS AND THREATS OF ANY OTHER TOXIC
OR HAZARDOUS SUBSTANCES

The Board recognizes that bomb threats and threats of any other toxic and/or hazardous substances are a significant concern for MSAD 52. Whether real and carried out or intended as a prank or for some other purpose, such threats represent a potential danger to the safety and welfare of students and staff and to the integrity of school property. These threats disrupt the learning environment and place significant demands on school financial resources and public safety services. These effects occur even when such threats prove to be false.

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

A. Conduct Prohibited

No person shall make, plan 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 schools and other disruption of school operations, placement of a bomb or look-alike bomb on school premises will be considered a threat for the purpose of this policy.

It is also a violation of 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. Look alike toxic and/or hazardous substances or materials will also be considered a threat for the purposes of this policy.

B. Definitions

1. Bomb means an explosive, incendiary or poison gas bomb, grenade, rocket, missile, mine, Molotov cocktail or other destructive device.
2. Look-alike bomb means any apparatus or object that conveys the appearance of a bomb or other destructive device.
3. Bomb threat is the 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.

C. Development of Procedures for the Threat of Bombs and/or Other Toxic and/or Hazardous Substances

The Superintendent/designee shall be responsible for implementing procedures specific to threats as part of MSAD 52's Crisis Response Plan. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a threat is received and should include provisions to address:

1. Threat assessment;
2. Building evacuation and re-entry;
3. Incident command and control;
4. Communications contacts;
5. Parent/guardian notification process;
6. Training for staff and students;
7. Support services for staff and students;
8. Reporting incidents to state.

The Superintendent/designee will be responsible for overseeing a review or evaluation of threat procedures prior to the Board's required annual approval of MSAD 52's Comprehensive Emergency Plan or following implementation of the procedure in response to a specific threat.

D. Reporting of Bomb Threats, Toxic and/or Hazardous Substances, and other Threats

A student who learns of a bomb threat, the existence of a bomb, the threat or actual presence of a toxic and/or hazardous substance, or any plan to make such threats on school premises must immediately report such information any employee in a position of authority.

An employee of MSAD 52 who learns of such a threat or a plan to make such a threat shall immediately inform the building administrator. The building administrator shall immediately take appropriate steps to protect the safety of students and staff in accordance with MSAD 52's threat procedure, as developed under Section C, and inform the Superintendent of the threat.

All threats as defined within this policy shall be reported immediately to the local law enforcement authority, as provided in the threat procedures.

The Superintendent shall be responsible for reporting any bomb threat or threat of a toxic and/or hazardous substance 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 threat shall be reported to law enforcement authorities for investigation and possible prosecution. Apart from any penalty imposed by law, and without regard to the existence or status of criminal charges, a student who makes such a threat shall be subject to disciplinary action by the school.

The administration may suspend and/or recommend for expulsion any student who violates this policy. Such violations will be considered deliberately disobedient and deliberately disorderly within the meaning of 20-A M.R.S.A. §1001(9) and will be grounds for expulsion, if found necessary for the peace and usefulness of the school.

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

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

F. Aiding Other Students in Making Bomb Threats and/or other Threats

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

G. Failure to Report a Bomb Threat and/or other Threats

A student who fails to report information or knowledge of a threat as defined within this policy or about the existence of a bomb, other destructive device, and/or other threatening material as defined within this policy 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 MSAD 52 employee who makes, plans or communicates a threat as defined within this policy will be reported to appropriate law enforcement authorities and will be subject to disciplinary action up to and including termination of employment. Disciplinary action taken shall be consistent with collective bargaining agreements, other employment agreements and Board policies.

A MSAD 52 employee who fails to report information or knowledge of a threat as defined within this policy or the actual existence of a bomb or other threatening substances as defined within this policy on school premises will be subject to discipline up to and including termination of employment.

I. Civil Liability

The school unit 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.

J. Lost Instructional Time

Instructional time lost as a result of a threat as defined within this policy will be rescheduled at the earliest appropriate opportunity as determined by the Superintendent within parameters set by the Board.

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 shall address this policy and its procedures and explain the educational consequences of these threats. In addition, student handbooks shall notify students and parents/guardians that these threats violate Board policy and civil and criminal law.

Legal References: 18 U.S.C. § 921; 8921
17-A M.R.S.A. § 210
20-A M.R.S.A. §§ 263; 1001(9);1001(9-A);1001(17); 1001(18)

Cross References: EBC-School Emergency Management Plan
JKD- Suspension of Students
JKE- Expulsion of Students
JKF- Suspension/Expulsion of Students with Disabilities
JICIA- Weapons, Violence and School Safety
ADAAB - Standards for Ethical and Responsible Behavior

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