

## **BOMB AND HAZARDOUS MATERIALS THREATS**

The Board recognizes that bomb and hazardous materials threats are a significant concern to the school unit. Whether real and carried out or intended as a prank or for some other purpose, a bomb or hazardous materials threat represents a potential danger to the safety and welfare of students and staff and to the integrity of school property. Such 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 or hazardous materials 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 such threats and to initiate or recommend suitable disciplinary action.

### **A. Conduct Prohibited**

No person shall 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 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 to 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 “threat” is the communication, by any means, whether verbal or non-verbal, that a bomb or hazardous material has been, or will be, placed on school premises, including possession or placement of a bomb, hazardous materials, or “look alike” bomb or substance on school premises.
4. “School premises” means any school property and any location where any school activities may take place.

### **C. Development of Threat Procedures**

The Superintendent/designee shall be responsible for developing and implementing procedures specific to bomb and hazardous materials threats as part of the school unit's Emergency Management Plan. These procedures are intended to inform administrators and staff of appropriate protocols to follow in the event that a bomb or hazardous materials 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.

The initial bomb and hazardous materials threat procedure will be subject to approval by the Board. The Superintendent/designee will be responsible for overseeing a review or evaluation of bomb threat procedures prior to the Board's required annual approval of the school unit's Emergency Management Plan, or following implementation of the procedure in response to a specific threat.

### **D. Reporting of Bomb and Hazardous Materials 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 the school unit who learns of a bomb or hazardous material 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 the school unit's bomb threat procedure, as developed under Section C, and inform the Superintendent of the threat.

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

The Superintendent shall be responsible for reporting any threat 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 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 a bomb threat shall be subject to disciplinary action by the school.

The administration may suspend and/or 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) 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 hearing by the Board to have brought a bomb or hazardous material to school shall 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 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**

A student, who knowingly encourages, causes, aids or assists another student in making or communicating a bomb or hazardous material threat shall 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 or hazardous material 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 school system employee who makes or communicates a bomb or hazardous material threat 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 school system employee who fails to report information or knowledge of a threat or the existence of a bomb or hazardous material 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 bomb or hazardous materials threat will be rescheduled at the earliest practicable opportunity. This determination will be made by the Superintendent in consultation with the principal and the Board of Directors.

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. Consideration will be given to the terms of applicable collective bargaining and other employment agreements and other pertinent factors, such as potential conflicts with holiday or vacation periods or with planned school events, and school bus schedules, in determining the appropriate make-up time.

**K. Notification through Student Handbook**

All student handbooks shall address the school unit's bomb or hazardous materials threat policy and procedures and explain the educational consequences of bomb threats. In addition, student handbooks shall notify students and parents that bomb 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)  
                                  Ch. 125 § 10.06 (Me. Dept. of Ed. Rules)

Cross References:    EBCA – Comprehensive Emergency Management Plan  
                              JKD – Suspension of Students  
                              JKE – Expulsion of Students  
                              JKF – Disciplinary Removal of Students with Disabilities  
                              JICIA – Weapons, Violence and School Safety  
                              JIC - Student Code of Conduct

Adopted:            May 7, 2013