

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



120th MAINE LEGISLATURE

FIRST REGULAR SESSION-2001

Legislative Document

No. 269

H.P. 232

House of Representatives, January 23, 2001

**An Act to Implement the Recommendations Relating to Education Made
by the Joint Study Committee to Study Bomb Threats in Maine Schools.**

(EMERGENCY)

Reported by Representative BULL for the Joint Study Committee to Study Bomb Threats
in Maine Schools pursuant to Joint Order 1999, H.P. 1938.

Reference to the Joint Standing Committee on Education and Cultural Affairs suggested
and printing ordered under Joint Rule 218.

Millicent M. MacFarland

MILLICENT M. MacFARLAND, Clerk

2 **Emergency preamble.** Whereas, Acts of the Legislature do not
become effective until 90 days after adjournment unless enacted
as emergencies; and

4 Whereas, the number and frequency of school bomb threats
6 throughout the State during recent months has increased
significantly; and

8 Whereas, bomb threats occurred at schools in 14 of the
10 State's 16 counties during the 1999-2000 school year; and

12 Whereas, school bomb threats represent a significant danger
to the health and safety of the students and staffs of schools
14 throughout the State; and

16 Whereas, significant public resources are expended in
responding to school bomb threats, particularly by schools and by
18 municipalities; and

20 Whereas, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
22 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
24 safety; now, therefore,

26 **Be it enacted by the People of the State of Maine as follows:**

28 **Sec. 1. 20-A MRSA §263** is enacted to read:

30 **§263. Response to school bomb threats**

32 **1. Prototype guidelines, policies and protocols.** The
34 commissioner, in consultation with state and local emergency
services officials, shall develop prototypical guidelines,
36 policies and protocols for school administrative units to present
to their communities when those communities are considering
38 implementing local policies that concern prevention of and
response to school bomb threats. The prototypical guidelines,
policies and protocols developed by the commissioner must be made
40 available to all schools in the State no later than December 31,
2001.

42 **2. Reporting of school bomb threats.** Beginning with the
44 2001-2002 school year, all schools in the State must report each
bomb threat incident to the commissioner. The initial report
46 must be made to the office of the superintendent within the
school administrative unit. The office of the superintendent
48 receiving a report of a bomb threat at a school must report that
threat to the commissioner within 48 hours of the occurrence of
50 the bomb threat. The commissioner shall report annually on the

2 nature, frequency and impacts of school bomb threats in the
3 State's schools to the joint standing committee of the
4 Legislature having jurisdiction over education matters.

6 **Sec. 2. 20-A MRSA §1001, sub-§§17 and 18** are enacted to read:

8 **17. School bomb threat response policies.** Beginning with
9 the 2002-2003 school year, each school board in the State must
10 have adopted a school bomb threat policy that may include:

12 A. A determination of the distinction between a credible
13 and noncredible bomb threat and the related evaluative
14 criteria;

16 B. A bomb threat evacuation plan and a delineation of the
17 circumstances under which that plan becomes effective;

18 C. Identification of alternative classroom sites that are
19 available in locations other than the site of the bomb
20 threat;

22 D. The nature of the response and the level of preparedness
23 of local police, fire and other emergency officials when a
24 bomb threat to a school is reported;

26 E. Bomb search procedures and the parties responsible for
27 carrying out the search;

28 F. How lost classroom time may be made up;

30 G. The school board's policy on disciplining students
31 apprehended in bomb threats;

34 H. The methods by which the school board will make students
35 aware of the consequences of making a bomb threat to a
36 school, including relevant criminal penalties; and

38 I. Other policies to assist administrators and teachers in
39 preventing and responding to bomb threats in their schools.

40 **18. Bomb threat information in student handbooks.**
41 Beginning with the 2002-2003 school year, each school board shall
42 include in its student handbook a section that addresses in
43 detail the school's bomb threat policies and protocols. The
44 section of the handbook must explain to the students the
45 educational and legal consequences of making a bomb threat to a
46 school.

48 **Emergency clause.** In view of the emergency cited in the
50 preamble, this Act takes effect when approved.

2

SUMMARY

4

6 This bill is part of the report of the Joint Study Committee
8 to Study Bomb Threats in Maine Schools. It requires the
10 Department of Education to develop prototypical guidelines,
12 policies and protocols for school administrative units to use in
 developing local responses to school bomb threats. The bill also
 requires school boards to report bomb threats to the Commissioner
 of Education; to develop school bomb threat policies and
 protocols; and to include specific information addressing school
 bomb threat policies in their student handbooks.