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Final Report of the Joint Study Committee to Study Bomb Threats in Maine Schools

Maine State Legislature

Office of Policy and Legal Analysis

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**STATE OF MAINE
119TH LEGISLATURE
SECOND REGULAR SESSION**

**Final Report
of the**

**JOINT STUDY COMMITTEE TO STUDY BOMB THREATS
IN
MAINE SCHOOLS**

November 1, 2000

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EXECUTIVE SUMMARY

The Committee to Study Bomb Threats in Maine Schools was established in the Second Regular Session of the 119th Legislature by Joint Order, House Paper 1938. The Commission was co-chaired by Senator Peggy Pendleton and Representative John McDonough and included members from the Joint Standing Committee on Education, the Joint Standing Committee on Judiciary and the Joint Standing Committee on State and Local Government.

The Committee was charged with studying the problem of bomb threats in Maine schools and possible methods of deterring bomb threats in schools, including withholding privileges to perpetrators, such as driver's licenses and recreational and professional licenses.

The Committee was convened on August 17, 2000 and met five times, including conducting three public hearings in three different regions of the State. The Committee received testimony from school administrators, students and teachers, state agency personnel, law enforcement representatives, representatives from the legal community and the general public. In addition, the Committee members requested that Committee staff conduct a survey of Maine's superintendents to collect data to assist the Committee in identifying issues concerning school bomb threats.

During the 1999-2000 school year, many Maine schools were inundated with bomb threats. The latest statistics provided by the Department of Education show that at least 193 bomb threats were received at Maine schools for the last academic year. Bomb threats occurred at schools in 14 of Maine's 16 counties. Although bomb threats are not a new occurrence in Maine schools, the number and frequency of the threats that occurred in the 1999-2000 school year was unprecedented. Many school received bomb threats on several consecutive class days, including Bonny Eagle, George Stevens Academy, Calais, Portland, Mt. Blue and Georges Valley High School. Although the majority of the bomb threats occurred at high schools, threats were also received at middle and elementary schools, as well as several of Maine's institutes of higher learning. On average, each school that received a bomb threat received between 2 to 6 threats during the school year.

Bomb threats have heightened the awareness among educators of the need for a timely response to incidents that provide a potential safety risk to their students. In the wake of several widely publicized tragic school events, such as the school shootings at Columbine High School in April of 1999, school administrators are compelled to consider all bomb threats as serious. The most significant danger in bomb threat cases is the potential for serious injury or property damage. Maine schools that experienced bomb threats in the 1999-2000 school year were fortunate that the bomb threats they received were hoaxes.

After considering testimony from more than 60 school, law enforcement and legal officials, bomb experts, parents and students, as well as reviewing the results of two surveys of the State's school superintendents, the Committee makes the following 7 recommendations:

1. Restorative justice should be applied to school bomb threat cases when appropriate as an option for holding juveniles accountable for their actions when making school bomb threats.
2. Every school district, school union, and municipal school system should develop school bomb threat policies and protocols that are appropriate for the communities in which the schools operate. The State Department of Education should work with other state and local governmental agencies to develop a prototype process that will help communities across the State develop their own bomb threat policies and protocols.

3. The Department of Education should continue to work closely with school districts across the state in accessing existing resources that assist schools in preventing and responding to bomb threats.
4. The First Regular Session of the 120th Legislature should enact legislation that:
 - Requires the Department of Education to develop school bomb threat guidelines and protocols for use by school districts across the State;
 - Requires schools to report bomb threats to the Department of Education;
 - Requires each school district to develop and adopt a bomb threat response policy; and
 - Requires each school to include information in its student handbook that spells out the school's bomb threat policy and that specifies the educational and legal consequences of making a bomb threat.
5. The First Regular Session of the 120th Legislature should enact legislation to amend the Juvenile Code to require judges to give priority to school bomb threat cases in scheduling juvenile cases for hearing and to require that a juvenile charged in connection with a bomb threat be given a date certain on which he or she will be required to appear in court. The initial juvenile court appearance date would be no later than 30 days after the juvenile community corrections officer is provided the police report on the juvenile.
6. The First Regular Session of the 120th Legislature should enact legislation that:
 - Requires the Secretary of State to suspend, while the case is pending final disposition, the driving privileges of any person charged in connection with a bomb threat at a school;
 - Requires the court to revoke until the age of 20 the driving privileges of, or to postpone the granting of a driver's license to, any juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school;
 - Requires the court to order the Commissioner of Inland Fisheries and Wildlife to deny effective to age 20, the granting of hunting, fishing or other recreational license to any juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school; and
 - Requires the court to order the revocation or denial of any occupation, business, trade or professional license to a juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school.

[Note: A minority of the study committee proposed to authorize the court to suspend for up to three years, the driver's license of a person convicted of a terrorizing or other crime in connection with making a bomb threat; to revoke or deny hunting, fish, or other recreational licenses for up to three years; and to deny for up to three years any business, trade or professional license.]

7. The First Regular Session of the 120th Legislature should adopt legislation amending Title 15 §3314 to allow the court, on behalf of the victims of bomb threats in schools, to require that the parents of juveniles adjudicated to have been responsible for making such threats to pay restitution up to \$10,000 and to require that parents or guardians attend all juvenile proceedings involving their child.

I. INTRODUCTION

During the Second Regular Session of the 119th Legislature, Representative John F. McDonough introduced a joint order requesting a study of the issue of bomb threats in Maine schools. The Joint Study Order, House Paper 1938, was amended in the Senate to clarify the member appointments and to change the date by which the first meeting of the Committee was to be convened. The Joint Order was passed by the Senate on April 24, 2000 and by the House of Representatives on April 25, 2000. A copy of the Joint Order is attached as **Appendix A**.

A. Charge to the Committee

Joint Order, H.P. 1938 established the 6 member Committee to Study Bomb Threats in Maine Schools (referred to in this report as “the Committee”). The Committee was charged with studying the problem of bomb threats in Maine schools and possible methods of deterring bomb threats in schools, including withholding privileges to perpetrators, such as driver’s licenses, professional licenses and recreational licenses.

B. Committee Membership

The Committee was comprised of six legislators: two members of the Senate appointed by the President of the Senate and four members of the House of Representatives appointed by the Speaker of the House of Representatives, including two members who serve on the Joint Standing Committee on Education, one member who serves on the Joint Standing Committee on Judiciary and one member who serves on the Joint Standing Committee on State and Local Government. The Committee’s enabling legislation provided that the first named Senator is the Senate chair and the first named House member is the House chair. Senator Peggy Pendleton served as the Senate chair and Representative John McDonough served as the House chair. A list of other Commission members is included as **Appendix B**.

C. Committee Timetable

The Committee conducted its work from August through October 2000. The Committee was first convened on August 17, 2000. In addition to this first organizational meeting, the Committee held three public hearings in three different regions of the State: Bonny Eagle High School in Standish, Cony High School in Augusta and Brewer High School in Brewer. At the public hearings, the Committee heard testimony on the subject of school bomb threats from invited guest speakers, including school administrators, students and teachers, state agency personnel, law enforcement representatives, representatives from the legal community and from the general public. The Committee held a final meeting to formulate findings and recommendations on October 13, 2000 in Augusta. Joint Order, House Paper 1938 established November 1, 2000 as the reporting date of the Committee to the 120th Legislature. The following report represents the Committee’s fulfillment of that requirement

D. Scope and Focus of Committee Meetings

1. At the first meeting of the Committee, the Committee reviewed other state laws on bomb threat punishments and current Maine laws on bomb threat punishments and discussed the study information-gathering process. In addition, the Committee heard testimony from the following individuals and others:
 - Duke Albanese, Commissioner of the Maine Department of Education

- Christine Thibeault, Assistant District Attorney, Cumberland County
 - Tim Culbert, Bomb Threat Trainer and former member of the State Police bomb squad
 - Joseph Rogers, Hampden police chief,
 - Stewart Jacobs, a fire investigator with the State Fire Marshal's Office
2. The second meeting of the Committee was conducted as a public hearing at Bonney Eagle High School in Standish, Maine. At this public hearing, the Committee heard testimony from the following individuals:
- Grace Ward, Superintendent, SAD 6
 - Kent Rosberg, Superintendent, SAD 44, Bethel
 - Richard Abramson, Superintendent, Wells School Department
 - Michael Chitwood, Police Chief, City of Portland
 - Dana Allen, Director, Elementary and Secondary Programs, Portland Public Schools
 - Stephanie Anderson, District Attorney, Cumberland County
 - Darren Tripp, Chief, Bethel Police Department
 - Mark Dion, Sheriff, Cumberland County
 - Tim Carr, Maine Fire Training and Education Program, SMTTC
 - Peter McMullen, Youth Alternatives Inc., Portland
 - Edwin Chester, Esq.
 - Ted Miles, Southern Maine Technical College
 - Richard Feeney, Cumberland County Commissioner
 - Scott Edwards, teacher, Bethel school system
 - Doris Luther, victim-offender mediator
 - Francine Philophose, student, Bonney Eagle high School
 - Shelia Jepson, Principal, Bonney Eagle high School
 - Norma Noyes, SAD 6 school board member
3. The third meeting of the Commission was conducted as a public hearing at Cony High School in Augusta, Maine. At this public hearing, heard testimony from the following individuals:
- Michael Cormier, Superintendent, SAD 9, New Sharon
 - Principal Greg Potter, Mt. Blue High School
 - Matt Davis, student, Mt. Blue High School
 - John Dirnbauer, Superintendent, SAD 50
 - Sarah Allen, student, Georges Valley high School
 - Elizabeth Townsend, student, Georges Valley High School
 - Randy Cooper, teacher, Georges Valley High School
 - Ed Hastings, teacher, Georges Valley High School
 - Benjamin Vale, Principal, Georges Valley High School
 - Quenten Clark, Superintendent, SAD 58, Kingfield
 - Barbara Woodlee, President, Kennebec Valley Technical College
 - Scott Phair, Principal, Livermore High School
 - Brian Mahaney, Assistant District Attorney, Kennebec County
 - Geoffrey Rushlau, District Attorney, Knox-Waldo-Lincoln-Sagadahoc counties
 - Hon. Robert Mullen, Judge, Maine District Court, Farmington
 - Bryan Lamoreau, Sheriff, Kennebec County

- Wayne McCamish, Police Chief, City of Augusta
 - Robert Walker, Vice President of Maine Education Assn., Augusta
 - Richard Tyler, Executive Director, Maine Principals' Association
 - Dan Gwadosky, Secretary of State
 - John Pelletier, Maine Association of Criminal Defense lawyers
 - Doug Hapworth, student
 - Denise O'Toole, teacher, Cony High School
 - Mark O'Brien, Chair, Augusta school board
4. The fourth meeting of the Commission was conducted as a public hearing at Brewer High School in Brewer, Maine. At this public hearing, the Committee heard testimony from the following individuals:
- David Hitchings, Headmaster, George Stevens Academy, Blue Hill
 - Jerry White, Superintendent, SAD 33, St. Agatha
 - Terri Krass, Superintendent, SAD 31, Howland
 - Robert Ervin, Superintendent, Bangor School Department
 - Andrew Ketterer, Attorney General, State of Maine
 - Glenn Ross, Chief Deputy Sheriff, Penobscot County
 - Donald Winslow, Police Chief, City of Bangor
 - Christopher Almy, District Attorney, Penobscot County
 - Chris Martin, Brewer Police Department
 - Michael Sperry, Chief, Maine State Police
5. The last meeting of the Committee, held on October 13, 2000 at the State House in Augusta, focused on a discussion of findings and recommendations.

II. OVERVIEW OF BOMB THREATS IN MAINE SCHOOLS

A. Background

During the 1999-2000 school year, many Maine schools were inundated with bomb threats. The latest statistics provided by the Department of Education show that at least 193 bomb threats were received at Maine schools for the last academic year. Bomb threats occurred at schools in 14 of Maine's 16 counties. Although bomb threats are not a new occurrence in Maine schools, the number and frequency of the threats that occurred in the 1999-2000 school year was unprecedented. Many schools received bomb threats on several consecutive class days, including Bonny Eagle, George Stevens Academy, Calais, Portland, Mt. Blue and Georges Valley High School. Although the majority of the bomb threats occurred at high schools, threats were also received at middle and elementary schools, as well as several of Maine's institutes of higher learning. The majority of the schools that reported receiving a bomb threat received between 2 to 6 threats during the school year.

Bomb threats have heightened the awareness among educators of the need for a timely response to incidences that provide a potential safety risk to their students. In the wake of several widely publicized tragic school events, such as the school shootings at Columbine High School in April of 1999, school administrators are compelled to consider all bomb threats as serious. The most significant danger in bomb threat cases is the potential for serious injury or property damage. Maine schools that experienced bomb threats in the 1999-2000 school year were fortunate that the bomb threats they received were hoaxes.

Although bomb threats continue to be made by phone, many threats are now being received through notes left in hallways, through messages scrolled on bathroom walls and mirrors and through email messages. According to the statistics provided by the Department of Education as of early April 2000, 57% of the threats for the 1999-2000 school year were written on the wall, 27% were written in a note and 10% were made by telephone. New methods of communicating bomb threats have made it easier for perpetrators to make the threats.

B. Impact of Bomb Threats

Bomb threats have had several impacts on Maine schools, including lost instructional time, financial losses for food and transportation and a change in the school environment. Schools estimate that the average costs to them of not holding one day of school is \$25,000. This amount includes money expended for personnel salaries, wasted food and increased transportation costs involved with having to bus students to alternate sites. In addition, bomb threats created an atmosphere of fear, anxiety and frustration in many schools, particularly in those schools that experienced numerous bomb threats. The staff and students of some schools felt as though they were being terrorized and held hostage by the individuals making the threats. Some schools experienced a decline in school attendance rates due to safety concerns by students and their parents. Students felt the impact of bomb threats on their ability to learn. Some students felt they were not as prepared academically for the current academic year because of the instructional time that was lost to bomb threat responses during the 1999-2000 school year.

The impact of school bomb threats also extended beyond the school to the community by way of costs for bomb threat responses by police, fire and other related emergency personnel. The Portland Police Department estimates that for the 1999-2000 school year, the total cost of patrol responses was \$8,900, excluding

investigative follow-up costs. The Portland Police Department also spent \$5,000 in the acquisition and training of 2 bomb dogs. (See **Appendix C**)

C. Responses to Bomb Threats

Schools have responded to bomb threats in a number of ways. The primary goals of schools during bomb incidents are to ensure student safety and to minimize the disruption to student learning. Schools have taken a variety of different approaches toward that goal. The majority of schools have evacuated the school building until the building could be searched for bombs. Frequently, this type of response required schools to close for the remainder of the school day and students were sent home. However, in many instances, these actions by educators result in giving the perpetrator a sense of power and control. Many schools that experienced numerous bomb threats established new evacuation policies whereby students were located to other schools within the district or to other public buildings. By implementing this type of response, students were able to continue their education at alternative sites.

Other responses by schools have included working with emergency personnel to revise or create crisis response plans; training teachers, students and staff on how to recognize a potential bomb device and how to search their immediate area; informing students and parents about the potential serious consequences to students making a bomb threat; creating mentoring programs for students; involving parents and the community in the school; conducting community forums; and hiring in-school security officers. In many schools, students were restricted to using monitored bathrooms and passes were required to move throughout the building. A few schools added new technologies, such as metal detectors and security cameras, to help them screen for bombs or other suspicious devices.

The Department of Education responded to concerns about bomb threats by holding a town meeting of educators and school administrators last spring to share experiences with bomb threats and to discuss potential solutions. The Department, in conjunction with several other organizations, presented a conference on civil education. In addition, the Department issued a communication to the Maine news media of the importance of downplaying the reporting of bomb threats, and also asked that schools that did receive bomb threats report the threat to the Department to aid the Department in gathering data and identifying potential patterns.

Although the majority of schools have taken a cautious approach to handling bomb threats by treating all threats seriously, some schools have adopted policies to assist them in distinguishing real threats from hoaxes. After repeated bomb threats last school year, the Livermore Falls High School adopted a response approach for determining credible threats from non-credible threats based on recommendations by the from the Bureau of Alcohol, Tobacco and Firearms (ATF) publication entitled, “Bomb Threats and Physical Security Planning.” When a bomb threat is reported to the school, students are immediately secured in classrooms. Then a team of staff members searches all public access areas for any sign of a threat. Once the building has been searched, an announcement is made to students, staff and to the general public via radio that a threat has been received and the building has been searched. If a student or the parent of a student does not want the student to remain in the building, the student may be released for the day with parental permission. The Livermore Falls High School received four bomb threats in a two-month period during the last academic year. The school employed the non-credible threat procedure during two of those threats. Each time, approximately 35 students were released with parental permission.

However, because there is currently no State policy on how to evaluate threats and because of potential liability issues, most schools do not attempt to make the determination between real threats and potential hoaxes.

Many of the schools that experienced repeated bomb threats required students to make up the instructional time lost during bomb threats. Some schools had to change their graduation dates in order to meet state minimum graduation requirements.

Currently, Maine's Commission on Ethical and Responsible Student Behavior is working on drafting statewide standards for responsible and ethical student behavior. Although no specific recommendations will be made with respect to bomb threats, the overall goal of the Commission is to increase student responsibility and improve student conduct by developing a core of expectations of ethical behavior for students that is shared by the school and the community. In addition, the Department of Education is participating in a Character Education Partnership Grant to assist Maine school districts in designing strategies to implement character standards set forth in Maine's Learning Results.

D. Perpetrators of Bomb Threats

Students attending the school system in which the threat was reported made the majority of the bomb threats during the 1999-2000 school year. The Committee heard testimony during its study that bomb threats are not being made by a stereotypical student. Statistics collected by Committee staff, the Department of Education and the Juvenile Justice Advisory Group show that the average of age of perpetrators is 14 years old. However, bomb threats were made by students as young as 8 years old. Students who have been caught making bomb threats come from a wide range of socio-economic backgrounds and vary as to their academic performance in school. Several motivations have been ascribed to students who make the threats. These include:

- wanting a day off from school
- attempting to avoid punishment for skipping school
- committing a compulsive act
- copycatting other schools
- family problems
- social problems
- mental illness

The Committee also heard testimony that many juveniles view bomb threats as pranks rather than serious crimes. In addition, juveniles do not realize the potential seriousness of the consequences involved with making a bomb threat and the Committee believes that if they were educated about the consequences, juveniles may be deterred from making the threat. Bomb threat convictions remain on a juvenile's record and may affect his or her ability to attend college, seek employment or enter the military

In about 25% to 30% of the bomb threats reported, the perpetrators have been apprehended. Schools are usually the first authority to impose a punishment on perpetrators who are apprehended. The majority of schools have either expelled or suspended students caught making a bomb threat. In addition, some schools have attempted to receive restitution for damages.

In the juvenile court system, the majority of perpetrators have been charged with terrorizing. The disposition of most cases has not included jail time, but instead has been community service and probation. In some instances, perpetrators were required to pay restitution to the school for costs incurred during the bomb threat. The Committee heard testimony that the court system has taken too long in adjudicating bomb threat cases. Perpetrators are not seeing the connection between the crime and the consequence because of the waiting period between the time the perpetrator is caught and the time the case goes to court. The Committee also

heard testimony that the juvenile court system has been inconsistent in its sentencing in bomb threat cases. Several school and police officials testifying before the committee maintained that in order to send a clear message to juveniles of the seriousness of making a bomb threat, courts need to impose consistent sentences.

III. Overview of Laws Related to Bomb Threats

A. Current Maine Laws

Under existing statutory law in Maine, bomb threat perpetrators can be charged with the following offenses: criminal threatening, terrorizing and false public alarm or report.

1. Criminal Threatening

Under 17-A MRSA §209, a person is guilty of criminal threatening if that person intentionally or knowingly places another person in fear of imminent bodily injury. Criminal threatening is a Class D crime, which is a misdemeanor.

2. Terrorizing

Under 17-A MRSA §210, a person is guilty of terrorizing if that person communicates to any person a threat to commit or to cause to be committed a crime of violence dangerous to human life, against the person to whom the communication is made or another, and the natural and probable consequence of such a threat, whether or not such consequence in fact occurs, is:

- a. To place the person to whom the threat is communicated or the person threatened in reasonable fear that the crime will be committed. A person who violates this provision of law is guilty of a Class D crime which is a misdemeanor; or
- b. To cause evacuation of a building, place of assembly or facility of public transport or to cause the occupants of a building to be moved to or required to remain in a designated secured area. A person who violates this provision of law is guilty of a Class C crime, which is a felony.

3. False public alarm or report

Under Title 17-A MRSA §509, a person is guilty of false public alarm or report if:

- a. The person knowingly gives or causes to be given false information to any law enforcement officer with the intent of inducing such officer to believe that a crime has been committed or that another has committed a crime, knowing the information to be false; or
- b. The person knowingly gives or causes to be given false information to any law enforcement officer, member of a fire fighting agency, including a volunteer fire department, or any other person knowing that such other is likely to communicate the information to a law enforcement officer or member of a fire fighting agency, concerning a fire, explosive or other similar substance which is capable of endangering the safety of persons, knowing that such information is false, or knowing that he has no information relating to the fire, explosive or other similar substance.

- c. The person knowingly gives or causes to be given false information concerning an emergency to any ambulance service, or to any government agency or public utility that deals with emergencies involving danger to life or property, with the intent of inducing such service, agency or utility to respond to the reported emergency, knowing such information to be false.

False public alarm is a Class D crime, which is a misdemeanor. (For additional information on related Maine juvenile laws please see **Appendix D.**)

B. Other state laws on bomb threat punishments

The laws of other states vary with respect to punishing juvenile perpetrators who make bomb threats. These punishments include:

- higher fines and longer incarceration
- seeking restitution for costs and damages
- holding parents of a minor convicted responsible for costs and damages
- revoking or suspending driving privileges for specific time periods (NY, MD, NC, and VT)
- expelling or suspending students from school

1. State laws on revoking driving privileges

Four states have laws that revoke driving privileges of individuals convicted of making a bomb threat. These four states are Maryland, New York, North Carolina, and Vermont.

Maryland –Under Maryland law, Article 27, §139A, 139C, 139D, 151A, 151C, a court may order the Motor Vehicle Administration to initiate an action to suspend the driving privileges of a juvenile found guilty of making a bomb threat. For a first offense, a driver license may be suspended for 6 months and for second or subsequent offenses, a driver’s license may be suspended for one year or until the person is 21 years old, whichever period of time is longer.

New York –Under the Consolidated Laws of New York, Penal Code § 240.55, 240.60, 240.61 and 240.62 and §510 of the Vehicle & Traffic Laws, a juvenile convicted of making a bomb threat on school grounds may have his or her license suspended or revoked for one year. The New York law also applies to juveniles who have not yet received their license. Juveniles who fall into this category may have the ability to receive their driver’s license postponed for up to one year.

North Carolina – Under the North Carolina General Statutes 20-13.2, 20-17(a), a juvenile under the age of 18 or any other person who is convicted of making a bomb threat in a public building is required to have their license revoked by the Motor Vehicle department.

Vermont – Under Vermont law, 13 Vermont Statutes Annotated §1753, a person who is under 18 years old or enrolled in a public school, an approved independent school, a home study program or tutorial program and who is convicted of making a bomb threat in a public building will receive a suspension of their drivers license for 180 days for the first offense and 2 years for a second or subsequent offense. If the perpetrator does not hold a drivers license, the law allows the Commissioner of Motor Vehicles to delay the person’s eligibility to obtain a license for 180 days for the first offense or 2 years for a second offense.

convicted of making a bomb threat. The only instances in Maine law that require a suspension or revocation of a driving license for offenders other than motor vehicle violations are:

- Under Title 19-A MRSA §2603-A a person may receive a suspension of his or her driver's license, a revocation of their occupational license or a revocation of his or her recreational license for failure to pay court ordered child support (the "deadbeat parents law")
- Under Title 12 MRSA §6408 and §7077 and Title 14 MRSA §§3141-3142, a person who refuses to pay a fine, surcharge or assessment for the violation of any criminal or civil statute may have suspended his or her driver's license and his or her license, certification, registration, or permit to fish, hunt or trap or to engage in a profession, occupation or business.

2. State parental responsibility laws

Parental Responsibility Laws are laws that hold parents accountable in civil or criminal proceedings for the crimes committed by their children. Parental liability laws are based on the premise that parents' failure to adequately supervise or control their child contributed to the youth's delinquent activities. Parental liability laws generally aim to involve parents in their children's lives, encourage improved parental control over children and decrease youth crime.

Almost every state has enacted some form of a parental liability law. Ten states have added a "parental accountability statement" to their Juvenile Code's "purpose clause". Although individual state laws vary widely, parental responsibility laws fall into several broad categories:

- All 50 states have laws requiring parents to pay institutional, service or procedural costs associated with their child's delinquent act, including paying for the cost of criminal prosecution (Florida), medical exams, medical treatment (Tennessee) and paying for the cost of graffiti clean up (Hawaii and Utah).
- Thirty-three states have laws requiring parents pay restitution or complete community service (New Jersey and Oklahoma), including paying for damage done by their children to a person or property. In most state laws, liability is "joint and several," which means that if the child is unable to fulfill his/her restitution obligations, the parent or guardian fully shares in the responsibility. Most state laws provide for limits to monetary liability, which is determined based upon the severity of the crime. State laws vary as to parents' liability for restitution orders once the child reaches age 18. Existing options include termination of orders, enforcement of orders until restitution is paid and allowing victims to convert joint and several liability orders to civil judgments. In addition, some state laws contain stipulations that base joint liability on a parent's "ability to pay" and provide that the parent provide clear proof of why they are unable to pay the restitution order.

Some state statutes provide affirmative defenses for the parent or guardian. These affirmative defenses include:

- reporting the child's act to local law enforcement, juvenile court or another appropriate authority;

- showing to the satisfaction of the court, that the parents took reasonable steps to control the conduct of the child at the time they are alleged to have failed to supervise the child;
- attempting to refer the child to appropriate treatment or corrective facilities; and
- failing to exercise control was not the proximate cause of the juvenile's delinquent acts.
- Thirteen states have laws making parents criminally responsible for failing to supervise their delinquent children, including fining or incarcerating parents of delinquent juveniles (California, Alabama, Louisiana and Hawaii);
- Thirty-eight states have laws involving parents through court-ordered treatment, training and probation (Arkansas, Colorado, New Mexico, Pennsylvania, Oregon and Idaho); and
- Several states have laws requiring parents attendance at court proceedings (Texas, Kansas, and Massachusetts)
- Eleven states have laws requiring parents to aid the enforcement of court orders concerning the child

To date, comprehensive research has not been conducted on the effectiveness of parental responsibility laws.

3. Court challenges to parental responsibility laws

Courts in at least four states (Connecticut, Louisiana, Oregon and Wyoming) have struck down statutes that hold parents responsible for children's acts using the "Void for vagueness" doctrine, maintaining that the laws fail to define parental negligence or incompetence.

California was the leader in enacting more punitive parental liability legislation. California's Street Terrorism Enforcement and Prevention Act of 1988 holds parents/legal guardians criminally liable when they have not exercised "reasonable care, supervision, protection, and control over the minor child." Punishments range from fines to imprisonment for up to one year. The California Supreme Court upheld the California statute against a challenge that the law was vague, subjective and infringed upon family privacy.

St. Clair Shores, Michigan was the first municipality to adopt a Parental Responsibility Ordinance that allows parents to be fined up to \$100 for failing to control their children's actions or seek professional assistance. The ordinance was challenged in court. Although the parents in the case were found guilty of violating the ordinance, they were not ordered to pay the restitution that was being sought. The judge ruled that the crime victims had other avenues to seek restitution, including seeking damages under Michigan's victim's rights law and filing civil suits against the parents.

4. Maine laws related to parental responsibility and restitution

- Under Maine law (15 §3314, sub-§1), a court may allow a juvenile to remain in the legal custody of their parents if the juvenile's parents participate in treatment services aimed at the rehabilitation of the juvenile and improvement of the home environment.

- Under Maine law (15 §3314, sub-§4), the court can require the parent of a juvenile to provide medical insurance for or contract to pay the full cost of any medical treatment, mental health treatment, substance abuse treatment or counseling that may be provided to the juvenile while the juvenile is committed to Department of Human Services (DHS) or Department of Corrections (DOC) or for a period of detention or during probation.
- Under Maine law (15 §3314, sub-§5), the court can order parents of the juvenile to pay a reasonable amount of support for the juvenile while the juvenile is committed to DHS or DOC.
- Under Maine law (15 §3314, sub-§E), the court may require a juvenile to make restitution for any damages to the victim. The law does not currently apply to parental restitution.

C. Restorative justice

1. Background

Restorative justice is a victim-centered response to crime that provides opportunities for those most directly affected by crime; the victim, the offender, their families, and representatives of the community, to be directly involved in offering a response to the emotional and material losses of victims. Restorative justice emphasizes the need to provide opportunities for the victim while at the same time holding offenders directly accountable to the people and communities they have harmed. In addition, restorative justice programs offer opportunities for offenders to be rehabilitated and to lead productive lives in their communities. Specific examples of restorative justice include victim intervention programs, victim offender mediation, victim panels that speak to offenders, community reparative boards, citizen involved community service by the offender, and community based support groups for both the victim and the offender. According to the Center for Restorative Justice and Peacemaking at the University of Minnesota, research has found restorative justice programs to have high levels of victim and offender satisfaction with the process and outcome, greater likelihood of successful restitution completion by the offender, reduced fear among victims and reduced frequency and severity of further criminal behavior.

2. Restorative justice programs in Maine

Maine law, 15 MRSA §3301, paragraph 5a, authorizes the use of Community Resolution Teams by a juvenile caseworker. The goals of Community Resolution Teams are to resolve the case to the satisfaction of the victims, to promote an understanding of the impact that crime has on both its victim and the community, and to promote offender accountability. The community resolution team consists of six to forty local citizens who volunteer to receive training in the principles of restorative justice. The Community Resolution Teams involve the offender, the offender's family, the victim, victim supporters, the community and police officers who participate in a group meeting facilitated by a trained community volunteer. The Department of Correction's juvenile caseworkers have served in an advisory role to the teams.

A Juvenile Community Corrections Officer and the local police department are responsible for determining whether a particular juvenile case should be referred to a Community Resolution Team or if the case should be turned over to the Juvenile Court System. The Maine Criminal Justice Academy offers a certified training program designed to assist law enforcement officers in determining which cases should

be referred to a board of community volunteers. According to Department of Correction statistics, 67 juveniles have been referred to community resolution teams meetings; of those 42 have involved property crimes and 25 have involved the use or possession of tobacco, alcohol or marijuana. Twenty-three of the juveniles referred were female and 44 were male. All but 4 of the 28 victims who returned the post-conference survey indicated that they would have been less satisfied had the case gone to court.

The following Maine communities have Community Resolution Teams:

Damariscotta
Farmington
Hampden
Mount Desert Island
Orono
Fairfield
Greenville
Lisbon
Old Orchard Beach
St. George
Greater Waterville area

In addition to the Community Resolution Teams, other private and non-profit social service organizations in Maine provide restorative justice programs, including victim offender mediation and victim conferencing.

IV. COMMITTEE FINDINGS AND RECOMMENDATIONS

A. Surveys of Maine school superintendents

1. Committee staff survey

At the Committee's first meeting, the Department of Education provided statistics that the Department had been collecting on bomb threats in Maine schools. As a follow up to the information provided by the Department, the Committee asked staff to work with the Department to gather additional information on bomb threats concerning school policies on response to bomb threats, policies concerning lost instructional time and information on perpetrators. Committee staff developed and mailed a survey to all school superintendents. Responses to the survey were completed and returned on an Internet web form. The information received from superintendents mirrored the testimony the Committee heard throughout its fact finding. (For a copy of the survey and complete results, please see **Appendix E.**)

Surveys were returned by 32 school districts. Of the 32 school districts that responded to the survey, 27 reported receiving at least one bomb threat during the 1999-2000 school year. The remaining five respondents reported they had not received any bomb threats during the previous school year. Of the superintendents who returned surveys, 10% (3) responded they had received more than 10 bomb threats, 7% (2) responded they had received between 7 to 10 threats, 41% (11) responded they had received between 4 to 6 bomb threats, 22% (6) reported they received 2 or 3 bomb threats and 19% (5) of the superintendents reported they received only one bomb threat during the last academic year. Fifty-two percent (14) of the respondents did not evacuate their schools each time a bomb threat was received. 29% (8) of the school districts that did not evacuate their schools each time a threat was received chose not to evacuate the building only once. Reasons for the non-evacuation varied, including bomb threats having been called in after school was dismissed or before school was in session for the day, allowing students back into the building after a visual search of the building, and apprehending the perpetrators relatively quickly after the threat occurred and when the perpetrators admitted that the threat was a hoax.

Respondents to the survey that had received at least one bomb threat reported that 22% (6) of the perpetrators were identified in less than one half of the incidences in their school district, 15% (4) responded that perpetrators were identified in at least one half of the total number of incidences in their school district, 11% (3) responded that the perpetrator was identified in more than one half of the total number of incidences in their school district and 22 % (6) responded that the perpetrators were identified in all incidences in their school district. However, another 30% (8) of the respondents reported that the perpetrators were not identified. The perpetrators generally are 7th and 8th graders who, on average, are 14 years old. Of the perpetrators apprehended at each school receiving a bomb threat, 33% (9) were charged with a crime. 22% (6) of the respondents reported that more than one half of the perpetrators were charged with a crime, 11% (3) of the superintendents reported that none of the perpetrators were charged with a crime, 26% (7) responded that no perpetrators were identified and another 7% (2) of the respondents did not provide an answer to the question. Most of the perpetrators were charged with terrorizing and received a sentence of community service and probation. The majority of the superintendents reported that the perpetrators were either suspended or expelled from school.

Seventy-two percent (20) of the superintendents, who responded that their school district had received at least one bomb threat during the previous school year, reported that their district's policy toward bomb threats had not changed as a result of bomb threats. The 28% of the superintendents who said that their

district's policy had changed gave the following examples: All threats result in either a visual search of a search by bomb dogs; crisis management plans were upgraded to include bomb threats; administrators have attended workshops dealing with a bomb threats conducted by the FBI; all teachers receive bomb identification training; student discipline policies were revised to include bomb threats as examples of unacceptable behavior; and school districts worked more closely with local police and emergency personnel to develop response plans.

Sixty-three percent (17) of the superintendents, who responded that their school district had received at least one bomb threat during the previous school year, reported that their school district has established prevention or punishment policies that have been successful in deterring bomb threats. These policies include: revising school policy and handbooks to inform students that perpetrators of bomb threats will be recommended for expulsion by the School Committee; not releasing students to their homes during a bomb threat; restricting the number of bathrooms and monitoring bathrooms; evacuating students to alternative sites and continuing academic instruction; creating advisor/advisee groups, as well as other mentoring programs to work with students regarding the seriousness of bomb threats; stricter hallway monitoring; and returning students to the school following a search, if possible. Twenty-six percent (7) of the respondents reported that their school districts had not established any prevention or punishment policies that have been successful in deterring bomb threats. The remaining 11% (3) respondents either did not know if policies that had been established were successful in deterring bomb threats or did not provide an answer to the question.

Forty-eight percent (13) of the superintendents, who responded that their school district had received at least one bomb threat during the previous school year, reported that schools in their district that received bomb threats lost on average one-half of a school day during each bomb threat incident. Twenty-six percent (7) of the superintendents reported losing one full day of classroom time during each bomb threat incidence. Nineteen percent (5) responded that the school did not lose any instructional time during bomb threat incidences and another 7% (2) did not provide an answer to the question.

Forty-four percent (12) of the superintendents reported that students were required to make up the lost instructional time. The majority of schools either made the lost time up by holding Saturday classes or extending the school year. Thirty-three percent (9) of the respondents reported that students were not required to make up lost instructional time, 15% (4) reported that the school did not lose any instructional time during bomb threats and 7% (2) did not provide a response to the question.

2. Juvenile Justice Advisory Group survey

In addition to the survey conducted by Committee staff, the Juvenile Justice Advisory Group (JJAG) conducted a telephone survey of 111 school superintendents during August of 2000. Approximately half of the superintendents responded that their school district had received at least one threat in the 1999-2000 school year. The results of the JJAG survey paralleled the survey conducted by the Committee staff. In addition, the JJAG survey sought information on school responses to bomb threats and the needs of schools in handling threats. The JJAG survey results showed that there was little commonality among responses by superintendents concerning prevention techniques. Superintendents responded that the following were factors important in preventing bomb threats: student involvement and attachment to school; positive preventative actions such as conflict resolution and civil rights teams; guidance and protocols for threat assessment and assistance in engaging the community in bomb threat prevention and response; and informing students of the consequences of making a bomb threat.

Superintendents were also asked what they needed to assist them in responding to and preventing bomb threats. Among the needs reported were: criteria for assessing actual danger; a mechanism for sharing information with other schools; methods to promote student involvement; less media coverage or more responsible media coverage of bomb threats; more bomb sniffing dogs available for use by schools; training in searching buildings for bombs; and surveillance equipment or funds for safety measures.

B. Public hearing testimony

As noted in Section I, the Committee held three public hearings in different regions of the State. Testimony at each of these hearings touched on a wide-range of issues related to bomb threats in Maine schools. Among issues raised in testimony before the Committee were:

Hearing at Bonny Eagle High School:

- Students should not be let off the hook from dealing with the court system; they must be made responsible for their actions
- The most important costs of a bomb threat are loss of instructional time, inability of students to access homework from lockers shut down by threats; and teacher frustration at not being able to teach
- Expulsion from school is usually recommended for students apprehended in bomb threats
- Judges are inconsistent in their sentencing of juveniles charged in bomb threat cases
- Juvenile justice system is too slow
- Bomb threat offenders 16 or older should face mandatory jail time
- The juvenile justice system is not currently designed to handle the types of juvenile crimes being committed today
- Students who make bomb threats should be kept in school
- Immediacy of punishment is important
- 95% of juveniles who commit a crime do not commit another
- Juveniles making bomb threats do not understand the damage their actions may cause
- Need to find a way to distinguish credible from non-credible bomb threats
- Victim offender mediation program is a better way to go than incarceration
- Students are not aware of the punishments that may be imposed on them for calling a bomb threat
- Bomb threats consequences need to be included in the Student Handbook

Hearing at Cony High School:

- Revocation of driver's licenses or other licenses would be an appropriate punishment
- Full restitution of costs incurred by the school, school district and community
- Acceleration of the juvenile adjudication process
- Consistent sentencing of juveniles making bomb threats by the court system
- Colleges need to develop bomb threat response plans
- Local law enforcement and emergency personnel should be consulted
- Existing laws give the court the appropriate authority to impose an appropriate sentence

Hearing at Brewer High School:

- Each school district has to devise its own policy for dealing with students caught making bomb threats
- The media should downplay bomb threats when they occur

- Students are angry when a bomb threat occurs and their lives are disrupted
- Legislation to suspend driver’s licenses and to deny other privileges to students charged in bomb threats would send the right message to students
- Current criminal law is adequate to prosecute bomb threat perpetrators
- Expulsion or suspension of student may not be effective as confining the student to home for five or six consecutive weekends
- Sentences imposed by the courts need to be viable and uniformly applied
- Not all bomb threat cases are the same and thus cannot be treated the same by the courts
- It has never been the policy of the Maine Legislature to hold parents accountable for the actions of their juvenile children
- Staff training on how to deal with school bomb threats is very important

C. Committee findings and recommendations

1. Restorative justice

Findings: Criminal prosecution is not always appropriate in bomb threat incidents. In many cases, a greater impression may be made not only on a student who is caught making a bomb threat, but also on the entire student body, through the processes of restorative justice. The basic principles of restorative justice require that an individual who commits a crime must admit committing the crime, publicly apologize to those injured by his or her actions, and make restitution to those injured by his or her actions. [The draft report on the Commission on Ethical and Responsible Student Behavior (CERSB) likewise supports an approach to irresponsible, disrespectful or violent student behavior that involves a committed partnership among schools, parents and community. According to the draft report, “success here is about community, consistency and communication – features that do not change overnight and that need constant reaffirmation.”] (See excerpt from the CERSB’s draft “Foundations and Hallmarks for an Ethical and Responsible School Culture” in **Appendix F.**)

Recommendation: The Committee endorses the application of restorative justice when appropriate as an option in the adjudication of juveniles charged with making school bomb threats. Specifically, the Committee encourages the establishment of additional Community Resolution Teams across the State pursuant to Title 15, section 3301, to assist in resolving school bomb threat cases.

2. Bomb threat policies and protocols

Findings: The frequency and duration of school bomb threats made in recent years, in combination with tragic incidents such as the student shootings at Columbine High School in Colorado in April of 1999, have heightened anxieties among school administrators, staff, students and parents in responding to bomb threats in their school districts. Past approaches to dealing with bomb threats no longer seem adequate or appropriate in responding to threats in today’s more violent educational climate. School administrators often do not feel empowered to make what could be life or death decisions regarding the safety of their staffs and students. Although some school administrators have joined forces with local law enforcement and emergency services officials in assessing the seriousness of school bomb threats, many administrators choose to take no chances with the safety of students and staff and thus evacuate their buildings and send

staff and students home in response to each bomb threat. The Committee heard repeatedly during its public hearings that the safety of staff and students was paramount in responding to bomb threats.

Recommendation: The Committee has concluded that the responsibility to establish protocols and policies in response to school bomb threats extends well beyond the capable hands of the state's school administrators. The responsibility for developing appropriate responses to bomb threats belongs to the communities in which each school operates. Parents, emergency services officials, law enforcement officials, town and city appointed and elected leaders, school board members and the students themselves must participate in the process of developing policies and protocols within their school districts. The Committee found that there is no one-size-fits-all response to dealing with and preventing school bomb threats. The Committee recommends that every school district, school union, and municipal school system that has not already engaged in a district-wide effort to develop bomb threat policies and protocols do so at their earliest opportunity. The Committee recommends that the Department of Education, in cooperation with other state and local government agencies, develop a prototype process, including suggested policies and protocols, that can be used by communities across the State in their bomb threat prevention efforts.

3. Bomb threat prevention

Findings: Many educational resources currently exist in Maine to assist school districts, students and parents in preventing or reducing the financial and emotional impacts of school bomb threats. Among these are: Programs offered by the State Police bomb experts, Maine Chapter of the National Association of Arson Investigators, and various private sector firms to train administrators, staff and community volunteers to respond to school bomb threats; specific protocols that differentiate between credible and non-credible bomb threats; and victim/offender mediation. The Committee found that some school districts (e.g., SAD 6, SAD 9 and Livermore Falls High School) have employed these programs to help deal with or prevent bomb threats at their facilities. Other school districts have developed unique approaches to the handling and prevention of bomb threats. The Committee supports the efforts of the Department of Education to bring school districts together to exchange information and to develop approaches to dealing with school bomb threats. The Committee also supports the Department of Education's work with other partners to provide grants to 19 school districts to develop character education programs that address student/community training, professional development and/or curriculum/assessment, as well as the Department's efforts to provide small grants to school districts for conflict resolution.

Recommendation: The Committee recommends that the Maine Department of Education continue to work closely with school districts across the state in taking advantage of existing resources, such as those cited above, that assist schools in preventing and responding to bomb threats.

4. Education of students

Findings: The Committee learned that many of the students who are caught making bomb threats do not fully comprehend the consequence of their actions. At the same time, many schools seem reluctant to discuss the consequences for making bomb threats with their students during student orientations at the beginning of each school year when other behavioral issues are discussed for fear that action may motivate students to make a bomb threat. School leaders in other districts, however, indicated that they believe it is beneficial to discuss the consequences of making a bomb threat with their students.

Recommendation: The First Regular Session of the 120th Legislature should enact legislation that will: Require the Department of Education to develop prototypical school bomb threat guidelines, policies and protocols; require schools to report bomb threats to the Department of Education; require each school district to develop and adopt a bomb threat response policy; and require each school to include information in its student handbook that spells out the school's bomb threat policy and that specifies the educational and legal consequences of making a bomb threat.

5. Adjudication of cases

Findings: Current Maine criminal law, while adequate, is not complete in responding forcefully to perpetrators of bomb threats, particularly when the perpetrator is a juvenile. Although judges currently have discretion to require juveniles convicted of bomb threats to serve time in jail, many do not impose such a penalty particularly if the juvenile is a first-time offender. Further, many cases involving juveniles making school bomb threats take several months to adjudicate. The Committee frequently heard from school administrators, law enforcement officials and teachers that students charged in bomb threat cases often do not make the connection between their actions and the consequences of those actions because the punishment imposed does not occur until long after the crime was committed.

Recommendation: The First Regular Session of the 120th Legislature should enact legislation to amend the juvenile code to require judges to give priority to school bomb threat cases in scheduling juvenile cases. Further, legislation should be enacted to require that a juvenile charged in connection with a bomb threat be given a date certain on which he or she will be required to appear in court. The legislation should specify that the court date given to the juvenile will be set no later than 30 days after the police report is provided to the juvenile community corrections officer.

Note: Rep. Bull opposed the recommendations relating to finding Number 5.

6. Driver's licenses and other licenses

Findings: The threat of expulsion or suspension from school and current terrorizing statutes have not been completely effective in deterring bomb threats in Maine schools. Other states, however, have successfully established laws that require the suspension or postponement of driving privileges for students charged in school bomb threat incidents. The Committee heard testimony from many school, public safety and community officials that endorsed the suspending or revocation of a variety of licenses, in addition to drivers' licenses, as a way to impress upon students the seriousness of making a bomb threat.

Recommendation: The First Regular Session of the 120th Legislature should enact legislation that requires the Secretary of State to suspend, while the case is pending final disposition, the license of any person charged in connection with a bomb threat at a school. The legislation also should require the court to revoke the driving privileges of, or to postpone the granting of a driver's license to, any juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school. The revocation or postponement should be effective until age 20. The legislation should also require the court to order the Commissioner of Inland Fisheries and Wildlife to not grant, effective until age 20, hunting, fishing or other recreational licenses to any juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school. The legislation also should require the court to order the revocation or denial of any occupational, business, trade or professional license to a juvenile or young adult adjudicated to have been responsible for making a bomb threat to a school.

Minority recommendation: *Representative Bull recommends that legislation be enacted by the First Regular Session of the 120th Legislature that grants authority to the court to suspend for up to 3 years the driver's license of any person convicted of terrorizing or other crime in connection with making a school bomb threat. Further, the legislation would authorize the court to order the Commissioner of Inland Fisheries and Wildlife to revoke or deny fishing, hunting or other recreational licenses for up to 3 years to any person convicted of terrorizing or other crime in connection with making a school bomb threat. The legislation also would authorize the court to order the Commissioner of the Department of Marine Resources to revoke or deny for up to three years any commercial marine resources license to any person convicted of terrorizing or other crime in connection with making a school bomb threat.*

7. Parental liability

Findings: Nearly all states, including Maine, have enacted into law some form of parental liability for the criminal behavior of their juvenile children. Current Maine law allows the court to require a parent of a juvenile to provide medical insurance for or contract to pay the full cost of any medical treatment, mental health treatment, substance abuse treatment or counseling that; may be provided to the juvenile while the juvenile is committed to the custody of the Department of Human Services or the Department of Corrections (Title 15-A §3314, sub-§4). Current law also empowers the court to order the parents of a juvenile committed to the custody of DHS or DOC "a reasonable amount" of the cost of the juvenile's commitment (Title 15-A §3314, sub-§5). Most importantly, current state law empowers the court to require a juvenile to make restitution for any damages to the victim (Title 15-A §3314, sub-§E). That law, however, does not apply to parents.

Recommendation: The First Regular Session of the 120th Legislature should enact legislation to amend Title 15 §3314 to allow the court, on behalf of the victims of bomb threats in schools, to require the parents of juveniles adjudicated for making such threats to pay restitution. In no instance, however, would the parents' liability exceed \$10,000 per bomb threat for which the juvenile is adjudicated. The committee also recommended that the Juvenile Code be amended to require parents or guardians to attend all juvenile proceedings involving their child.

8. Juvenile justice system

Finding: The juvenile justice system needs to be fully funded by the State. The Committee heard testimony from several individuals that the system lacks necessary resources to effectively and efficiently carry out its mandate. The Committee concludes that a higher level of funding for the juvenile justice system would expedite juvenile cases, particularly those related to school bomb threats.

Recommendation: The Committee makes no specific recommendation regarding this finding.

V. RECOMMENDED LEGISLATION

1. Related to Recommendation Number 4:

Title:

An Act to Improve the Response to School Bomb Threats in Maine Schools

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

Sec. 1. 20-A MRS §263 is enacted to read:

§263. Response to School Bomb Threats.

1. Prototype guidelines, policies and protocols. The Commissioner of Education, in consultation with State and local emergency services officials, will develop prototypical guidelines, policies and protocols for school districts, school unions and municipal schools to present to their communities when considering implementing local policies that concern prevention of and response to school bomb threats. The prototypical guidelines and protocols developed by the Commissioner shall be made available to all schools in the State no later than December 31, 2001.

2. Reporting of school bomb threats. Beginning with the 2001-2002 school year, all schools in the State must report each bomb threat incident to the Commissioner of the Department of Education. The initial report shall be made to the Office of the Superintendent within the school's district, union or municipal school unit. The Superintendent's Office receiving a report of a bomb threat at a school must report that threat to the Office of the Commissioner of the Department of Education within 48 hours of the occurrence of the bomb threat. The Commissioner shall report annually on the nature, frequency and impacts of school bomb threats in Maine schools to the joint standing committee of the Legislature having jurisdiction over education issue.

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

17. School bomb threat response policies. Beginning with the 2002-2003 school year, all schools in the State must have adopted a school bomb threat policy that may include:

- a. A determination of the distinction between a credible and non-credible bomb threat and the related evaluative criteria;
- b. A bomb threat evacuation plan and a delineation of the circumstances under which that plan becomes effective;
- c. Identification of alternative classroom sites that are available in locations other than the site of the bomb threat;
- d. The nature of the response and the level of preparedness of local police, fire and other emergency officials when a bomb threat to a school is reported;
- e. Bomb search procedures and the parties responsible for carrying out the search;
- f. How lost classroom time will be made up;
- g. The school committee's policy on disciplining students apprehended in bomb threats;
- h. The methods by which the school will make students aware of the consequences of making a bomb threat to a school, including relevant criminal penalties; and

- i. Other policies that will assist administrators and teachers in preventing and responding to bomb threats in their schools.

18. Bomb threat information in student handbooks. Beginning with the 2002-2003 school year, each school shall include in its student handbook a section that addresses in detail the school's bomb threat policies and procedures. This section must also specify the education and legal consequences of making a bomb threat to a school.

Summary

This bill proposes to require the Department of Education to develop prototypical guidelines, policies and protocols for local school districts, unions and municipal schools to use in developing local responses to school bomb threats. The bill also proposes to require school districts, unions and municipal schools to report bomb threats to the Office of the Commissioner of the Department of Education; to develop school bomb threat policies and protocols; and to include specific information addressing school bomb threat policies in their student handbooks.

2. **Related to Recommendation Number 5:**

Title:

An Act to Expedite the Adjudication of School Bomb Threat Cases

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

Sec. 1. 15 MRSA §3009 is enacted to read:

§3009. Scheduling Priority

The court, in scheduling cases, shall give priority to cases involving making a bomb threat to a school.

Sec. 2. 15 MRSA §3304, sub-§1 is amended to read:

1. Issuance and contents. The summons issued by the law enforcement officer must include the signature of the law enforcement officer, a brief description of the alleged juvenile crime, the time and place of the alleged juvenile crime and the time and place the juvenile is to appear in court. The summons must also include a statement of the constitutional rights of the juvenile, including the right to have an attorney present at the hearing on the petition and to have an attorney appointed, if indigent. The summons must also include a notice that the case may be informally adjusted by a juvenile caseworker.

In a case involving making a bomb threat to a school, the date of the initial court appearance must be no later than 30 days after a juvenile community corrections officer receives the law enforcement officer's report pursuant to section 3202-A.

Summary

This bill amends the juvenile code to require the Juvenile Court to give scheduling priority to juvenile criminal cases involving making a bomb threat to a school. The bill also amends the Juvenile Code to

require that the date of initial court appearance for a juvenile involved in making a bomb threat to a school occur no later than 30 days after a juvenile caseworker receives the law enforcement officer's report on that case.

3. Related to Recommendation Number 6:

(Majority Report)

Title:

An Act to Suspend or Revoke the Driver's License or Recreational Licenses of A Person Charged with or Convicted of Making A School Bomb Threat

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

Sec. 1. 15 MRSA §3314 sub-§§3-B is enacted to read:

3-B. License suspension for making a bomb threat to a school. If a juvenile violates Title 17-A section 209, 210 or 509 and is adjudicated pursuant to this chapter to have committed a juvenile crime involving making a bomb threat to a school, the court shall prohibit the issuance or renewal of the following or shall suspend the following:

A. A license or permit to operate, right to operate a motor vehicle or right to apply for and obtain a motor vehicle license;

B. An occupational, business, trade or professional license; and

C. A hunting, fishing, boating or other recreational or sporting license.

The court shall issue an order to prevent the issuance or renewal of licenses under this subsection. The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State. The court also shall give notice of the order to prevent the issuance or renewal of licenses under this subsection to the commissioners of Inland Fisheries and Wildlife and Marine Resources.

Licenses suspended, revoked or denied issuance under this subsection may not be issued or reissued until the juvenile attains 20 years of age.

Sec. 2. 17-A MRSA §1152, sub-§2-D is enacted to read:

2-D. As part of a sentence for a person who is 18 to 19 years of age and is convicted of violating section 209, 210 or 509 and the crime involved making a bomb threat to a school, the court shall prohibit the issuance or renewal of the following or shall suspend the following:

A. A license or permit to operate, right to operate a motor vehicle or right to apply for and obtain a motor vehicle license;

B. An occupational, business, trade or professional license; and

C. A hunting, fishing, boating or other recreational or sporting license.

The court shall issue an order to prevent the issuance or renewal of licenses under this subsection. The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State. The court also shall give notice of the order to prevent the issuance or renewal of licenses under this subsection to the commissioners of Inland Fisheries and Wildlife and Marine Resources.

Licenses suspended, revoked or denied issuance under this subsection may not be issued or reissued until the person attains 20 years of age.

Sec. 3. 29-A §2463 is enacted to read:

§2463. Suspension for crime involving a bomb threat to a school

1. Suspension by Secretary of State. The Secretary of State shall immediately suspend the license or permit of a person alleged to have made a bomb threat to a school pending final disposition by the court.

2. Stay. If, within 10 days from the effective date of the suspension, the Secretary of State receives a request in writing for a hearing in accordance with section 2483, the suspension is stayed until a hearing is held and a decision is issued.

3. Restoration of license. The Secretary of State shall restore a license or permit to operate, right to operate a motor vehicle and right to apply for or obtain a license suspended under this section upon receipt of an attested copy of the court record finding the person not guilty of the crime involving making a bomb threat to a school.

Summary

This bill amends both the Juvenile Code and the Criminal Code. The bill requires that the court suspend, revoke or deny issuance of motor vehicle, occupational and recreational licenses to persons up to 19 years of age who are adjudicated or convicted of crimes involving making a bomb threat to a school. Licenses suspended, revoked or denied issuance under this subsection may not be issued or reissued until the person attains 20 years of age. The bill also requires the Secretary of State to suspend the license or permit of any person determined to have made a bomb threat to a school pending final disposition of the case by the court.

(Minority Report)

Title:

An Act to Revoke the Driver's License or Recreational Licenses of A Person Convicted of Making A School Bomb Threat

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

Sec. 1. 15 MRSA §3314 sub-§§3-B is enacted to read:

3-B. License suspension for making a bomb threat to a school. If a juvenile violates Title 17-A section 209, 210 or 509 and is adjudicated pursuant to this chapter to have committed a juvenile crime involving making a bomb threat to a school, the court may prohibit the issuance or renewal of the following or may suspend the following:

A. A license or permit to operate, right to operate a motor vehicle or right to apply for and obtain a motor vehicle license;

B. An occupational, business, trade or professional license; and

C. A hunting, fishing, boating or other recreational or sporting license.

The court may issue an order to prevent the issuance or renewal of licenses under this subsection. The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State. The court also shall give notice of the order to prevent the issuance or renewal of licenses under this subsection to the commissioners of Inland Fisheries and Wildlife and Marine Resources.

Licenses suspended, revoked or denied issuance under this subsection may be suspended, revoked or denied for a period not to exceed three years.

Sec. 2. 17-A MRSA §1152, sub-§2-D is enacted to read:

2-D. As part of a sentence for a person who is 18 to 19 years of age and is convicted of violating section 209, 210 or 509 and the crime involved making a bomb threat to a school, the court may prohibit the issuance or renewal of the following or may suspend the following:

A. A license or permit to operate, right to operate a motor vehicle or right to apply for and obtain a motor vehicle license;

B. An occupational, business, trade or professional license; and

C. A hunting, fishing, boating or other recreational or sporting license.

The court may issue an order to prevent the issuance or renewal of licenses under this subsection. The court shall give notice of suspension and take physical custody of an operator's license or permit as provided in Title 29-A, section 2434. The court shall immediately forward the operator's license and a certified abstract of suspension to the Secretary of State. The court also shall give notice of the order to prevent the issuance or renewal of licenses under this subsection to the commissioners of Inland Fisheries and Wildlife and Marine Resources.

Licenses suspended, revoked or denied issuance under this subsection may be suspended, revoked or denied for a period not to exceed three years.

Summary

This bill amends both the Juvenile Code and the Criminal Code. The bill allows the court to suspend, revoke or deny issuance of motor vehicle, occupational and recreational licenses to persons up to 19 years of age who are adjudicated or convicted of crimes involving making a bomb threat to a school. Licenses suspended,

revoked or denied issuance under this subsection may be suspended, revoked or denied for a period not to exceed three years.

4. Related to Recommendation Number 7:

Title:

An Act to Allow the Court to Order Payment of Restitution by Parents of Juveniles Adjudicated of Making School Bomb Threats

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

Sec. 1. 15 MRSA §3314, §1, sub-§E is amended to read:

E. The court may require the juvenile or the juvenile's parent, guardian or legal custodian when the juvenile is adjudicated of a juvenile crime involving making a bomb threat to a school, to make restitution for any damages to the victim or authorized claimant as compensation for economic loss upon reasonable conditions that the court determines appropriate. For purposes of this paragraph, the definitions in Title 17-A, section 1322 and the provisions of Title 17-A, sections 1324, 1328-A and 1329 apply, except that section 1329, subsection 3, paragraph A does not apply.

Sec. 2. 17-A MRSA §1322, sub-§5 is repealed and replaced with the following:

5. Offender. "Offender" means:

A. A natural person or organization convicted of a crime; or

B. A parent, guardian or legal custodian of a juvenile adjudicated of a juvenile crime involving making a bomb threat to a school.

Sec. 3. 17-A MRSA §1330-B is enacted to read:

§1330-B. Cap on certain restitution

An offender as defined in section 1322, subsection 5, paragraph B may be ordered to pay restitution to the school departments or municipal governments that incur costs in responding to a bomb threat. The amount of the restitution may not exceed \$10,000 per bomb threat.

Summary

This bill amends the restitution law to allow a court to order the parent or guardian of a juvenile adjudicated of a crime involving making a bomb threat to a school to make restitution to the school or other public agencies that incur costs in responding to the bomb threat. The bill limits the maximum amount of restitution that may be ordered to \$10,000 per incident.

Title:

An Act To Require Parents to Attend Juvenile Court Hearings

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

Sec. 1. 15 MRSA §3304, sub-§6-B is enacted to read:

6-B. Failure of parent or custodian to attend certain proceedings. The parent, guardian or legal custodian of a juvenile charged with committing a juvenile crime involving making a bomb threat to a school shall attend all court proceedings. A parent, guardian or legal custodian who knowingly or intentionally fails to attend a court proceeding for a juvenile charged with committing a juvenile crime involving making a bomb threat to a school commits a Class E crime.

Summary

This bill requires that the parent, guardian or legal custodian of a juvenile charged with committing a juvenile crime involving making a bomb threat to a school attend all juvenile court proceedings. A parent, guardian or legal custodian who knowingly or intentionally fails to attend such a juvenile proceeding commits a Class E crime.

REFERENCES

Chitwood, Mike. "Testimony before the Committee to Study Bomb Threats in Maine Schools," September 13, 2000.

Department of Corrections, "Report to the Criminal Justice Committee on Restorative Justice," January 2000.

Department of Education. "Commission on Ethical and Responsible Behavior, Charge to the Commission," January 2000.

Department of Education. "Reported Bomb Threats by School District, Data," August 16, 2000.

Trump, Kenneth S. "How to handle Bomb Threats and Suspicious Devices. School Planning and Management, www.spmmag.com/articles, August 24, 2000.

Lisante, Joan E. "Parental Liability, When the State Blames Mom and www.lawstreet.com/journal/art000121parentalliability.html, September 13, 2000.

Phair, Scott and Schenck William. Written testimony, "Keeping Kids Safe and In School after a Bomb Threat," September 19, 2000.

Thibeault, Christine. "Testimony before the Committee to Study Bomb Threats in Maine Schools," August 17, 2000.

Umbreit, Mark S. "What is Restorative Justice," Center for Restorative Justice and Peacemaking at the University of Minnesota, April 1999.

Yee, Adelia. NCSL Legisbrief, "Parental Responsibility in Juvenile Justice," NCSL, Vol. 7, No. 3, January 1999.

NOTE: A copy of all testimony and other related material received by the Committee during its study is available in the Law and Legislative Reference Library, Room 202 of the State House.

H.P. 1938

JOINT STUDY ORDER TO STUDY BOMB THREATS IN MAINE SCHOOLS

ORDERED, the Senate concurring, that the Joint Study Committee to Study Bomb Threats in Maine Schools is established as follows.

1. Committee established. The Joint Study Committee to Study Bomb Threats in Maine Schools, referred to in this order as the "committee," is established.

2. Membership. The committee consists of the following members:

- A. Two members of the Senate, appointed by the President of the Senate; and
- B. Four members of the House of Representatives, appointed by the Speaker of the House. When making the appointments, the Speaker of the House shall give preference to members from the following committees: the Joint Standing Committee on Judiciary, the Joint Standing Committee on Criminal Justice, the Joint Standing Committee on Education and Cultural Affairs and the Joint Standing Committee on State and Local Government.

3. Chairs. The first named Senate member is the Senate chair and the first named House of Representatives member is the House chair.

4. Appointments; convening committee. All appointments must be made within 30 days following the passage of this order. The appointing authorities shall notify the Executive Director of the Legislative Council once all appointments have been made. The chairs of the committee shall call and convene the first meeting of the committee no later than June 30, 2000.

5. Duties. The committee shall study the problem of bomb threats in schools in the State and possible methods of deterring bomb threats in schools, including withholding privileges, such as driver's licenses and other licenses, from a student convicted of or participating in making a bomb threat until the student is 20 years of age.

6. Staff assistance. Upon approval of the Legislative Council, the Office of Policy and Legal Analysis shall provide necessary staffing services to the committee.

7. Compensation. Members of the committee are entitled to receive the legislative per diem, as defined in the Maine Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary expenses for attendance at authorized meetings of the committee.

8. Report. The committee shall report on the issues studied with any recommended legislation for the First Regular Session of the 120th Legislature no later than November 1, 2000. If the committee requires an extension of time to make its report, it may apply to the Legislative Council, which may grant the extension.

9. Committee budget. The chairs of the committee, with assistance from the committee staff, shall administer the committee's budget. Within 10 days after its first meeting, the committee shall present a work plan and proposed budget to the Legislative Council for its approval. The committee may not incur expenses that would result in the committee's exceeding its approved budget. Upon request from the committee, the Executive Director of the Legislative Council or the executive director's designee shall provide the committee chairs and staff with a status report on the committee's budget, expenditures incurred and paid and available funds.

Passed by the Senate April 24, 2000 and the House of Representatives April 25, 2000.

JOINT STUDY COMMITTEE TO STUDY BOMB THREATS IN MAINE SCHOOLS

MEMBERS

Senator Peggy Pendleton, Senate Chair
Rep. John McDonough, House Chair
Senator John Benoit
Rep. Thomas Bull
Rep. Mary Black Andrews
Rep. Vaughn Stedman

REPRESENTING

Joint Standing Committee on State & Local Government
Joint Standing Committee on State & Local Government
Joint Standing Committee on the Judiciary
Joint Standing Committee on the Judiciary
Joint Standing Committee on Education & Cultural Affairs
Joint Standing Committee on Education & Cultural Affairs

SUPERINTENDENTS SURVEY RESULTS

Response rate: Of the schools known to have previously reported a bomb threat to the Department of Education (54), 27 school districts returned surveys (50%)

Total number of bomb threats: A total of 126 were received at the 27 districts that returned surveys and reported that their district had received at least one bomb threat during the 1999-2000 school year.

1. How many bomb threats were received at the school(s) in your district last year?

- 1 –19% (5)
- 2 or 3 – 22% (6)
- 4 to 6 – 41% (11)
- 7 to 10 – 7% (2)
- 11 to 14 – 7% (2)
- More than 14 –4% (1)

2a. Did you evacuate your school each time a bomb threat was received?

- Yes – 52% (14)
- No – 48% (13)

2b. If no, how many times were schools not evacuated?

- Evacuated all times – 48% (13)
- Once not evacuated – 29% (8)
- Twice not evacuated – 7% (2)
- Three times not evacuated – 7% (2)
- Four times not evacuated – 4% (1)
- More than five times not evacuated – 4% (1)

2c. If not evacuated, what action was taken to keep students safe? Please describe briefly:

- visual search of the building
- police contacted; building was “locked down” and staff searched area as well as police dogs
- police and administration searching building; other threats occurred after hours
- reports occurred late in day, had bomb dogs check building to reopen for next day
- removed students from wing where note stated bomb was located; held students in gym until building was searched by staff; returned students to classroom; allowed students who felt unsafe to call parents and go home
- threat happened near end of the day, students were dismissed to wait outside for buses
- consulted with safety officials to determine scope of the threat
- threat occurred in the evening, dogs searched building overnight and school was opened on time the next morning
- individuals were caught quickly and confessed that the threats were hoaxes
- threats received after school was dismissed, building was searched overnight by police and declared safe for entry next school day

- threat was found in a note by a student who did not tell staff about the threat until after school was dismissed; once threat was reported, police were called in to search the building
- threat was found after school was dismissed and building was searched
- threat was reported before the start of school, backpacks were searched, students were informed of the threat and allowed to leave with parental permission (18 students dismissed out of 340 students)

3. On how many occasions was the perpetrator of the bomb threat identified?

Not identified – 30% (8)

In less than one half of the total number of threats per school – 22% (6)

In at least one half of the total number of incidences per school– 15% (4)

In more than one half of the total number of threats per school – 11% (3)

All perpetrators were identified in the total number of threats per school – 22% (6)

4. If known, what was the age and grade of each perpetrator? Please list.

Age - Ages of the perpetrators ranged from age 8 to adults (age 75 was the oldest) with the majority being ages 14, 15 or 17

Grade – School grades of the perpetrators ranged from 3rd grade through 12th grade with the majority attending grades 7, 8 and 9

5a. How many perpetrators have been charged by law enforcement authorities with a crime?

None of the perpetrators were charged – 11% (3)

Less than one half of the perpetrators identified per school were charged – 0% (0)

One half of the perpetrators identified per school were charged – 0% (0)

More than one half of the perpetrators identified per school were charged – 22% (6)

All perpetrators identified per school were charged – 33% (9)

No perpetrators were identified – 26% (7)

No answer to the question – 7% (2)

5b. If charged, what were the specific charges (e.g., terrorizing – Class C felony)?

*The majority of the perpetrators were charged with terrorizing

Categories of charges reported in survey responses:

- terrorizing
- charge not known
- sent to MYC for probation violation
- misdemeanor
- limited ability adult
- bringing an explosive device to school
- criminal trespassing

6. What was the disposition of each case?

*The majority of the perpetrators were sentenced to probation or community service

Categories of final dispositions of cases reported in survey responses:

- juvenile court appearance; community service
- probation
- not known
- on-going investigation
- MYC for probation violation while awaiting court
- community service and probation
- given short jail time, community service and probation
- probation revoked and student arrested and charged
- found guilty of terrorizing

7. What punishment from the school did the perpetrator receive, if any?

*The majority of the perpetrators were expelled or suspended

Categories of school punishments reported in survey responses:

- suspension and expulsion
- expelled or suspended for 10 days and ordered to undergo counseling
- suspension and psychological exam for dangerousness
- suspended 10 days and placed in a home tutor program
- suspended until PET meeting was held
- expulsion or community service or extended suspension
- PET meeting held and student was not allowed to attend rest of school year; tutoring was received because of Special Ed. requirements, student was later admitted to high school
- school board voted not to expel the student
- student was prosecuted and did not return to school
- suspended indefinitely

8a. Has your district's policy toward bomb threats changed as a result of bomb threats made during the last academic year?

Yes, policy has changed – 28% (5)

No, policy has not changed – 72% (20)

No answer to the question – 8% (2)

8b. If so, how?

- all threats result in either a visual search or a search by bomb dogs
- procedures implemented at particular buildings
- too early to indicate actual changes
- increased discussions and clarifications
- upgraded crisis management policy; administrators have attended workshops dealing with bomb threats conducted by the FBI, all teachers receive bomb identification training

- student discipline policy revised to include bomb threats as examples
- developed a new policy as a result of other schools in the area having bomb threats
- rewritten policy to include elementary and middle schools, worked closely with the town and local police officials

9a. Have you established any prevention or punishment policies that have been successful in deterring bomb threats?

Yes – 63% (17)

No – 26% (7)

Unknown – 4% (1)

No answer – 7% (2)

9b. If yes, explain :

- bomb threats diminished, no specific cause and effect remedy was identified
- the policy and all handbooks indicate that a perpetrator of a bomb threat will be recommended for expulsion by the School Committee
- Do not release the students to their homes, do not allow students to move their vehicles
- only one bathroom was made available to males and one to females, allowed better supervision of the areas where bomb threats were found
- students are now evacuated to alternative sites and education continues
- students know we have a close relationship with law enforcement and a climate that supports student disclosure of information concerning student behavior; high school has a round table program that has an advisor meeting with students daily
- in advisor/advisee groups at the high school and middle school we continue to work with students regarding the seriousness of bomb threats
- students are evacuated and perpetrators will be expelled immediately and ask to appear before the school board for further determinations
- revised emergency plans have been implemented at each school
- students know they will not be sent home for bomb threats and that the alternative sites are unpleasant and crowded; they have also been informed of the criminal charges that may be brought against them
- immediate expulsion from the district
- used metal detectors for several days and school board was very supportive of any discipline recommendations
- possible assessment of cash damages against families of convicted students
- stricter hallway monitoring; return to school following a search, if possible

10. On average, how much classroom time was lost during each bomb threat incidence?

No time lost – 19% (5)

One half a day – 48% (13)

One day – 26% (7)

No answer - 2 (7%)

11a. Were students required to make up the classroom time lost during bomb threat incidences?

Yes, required to make up lost time – 44% (12)

No, not required to make up lost time – 33% (9)

No lost time – 15% (4)

No answer 7% (2)

11b. If yes, how was the lost school time made up? (e.g., extended school days, extended school year, Saturdays)

- Saturday classes
- extended school year by 1 day for middle school and high school students
- extended school year by 6 days
- one day was added to the school year
- days lost were made up at the end of the year and graduation was postponed 10 days
- extended school year
- added three days to the end of the high school year, senior graduation was moved to later in June to accommodate state minimum instructional time requirements
- extended school year and used our snow days
- extra school day, loss of time built into remaining schedule

Foundations and Hallmarks for an Ethical and Responsible School Culture

(Excerpted from the draft CERSB report)

The "Foundations" are what a school must have in place in order for the "Hallmarks" and community-identified core values to influence the lives of students and community members; the "Foundations" are:

- ** Institutional structures, including school and class sizes, that promote caring student-teacher relationships;
- ** Community involvement in the school environment;
- ** A school structure that respects democratic principles;
- ** A focus, in learning, on the individualized strengths of students; and
- ** Time and resources to teachers and staff that reflect recognition of the critical role of values in learning and teaching.

The "Hallmarks" are "precursors to ethical and responsible student behavior" and are "essential to the creation of a caring environment in which ethical and responsible behavior can take root and flourish." All are essential; none stands alone. They are:

- ** Commonly held core values are identified by the community and are consistently communicated by and to all community members.
- ** The entire community is welcomed and meaningfully involved in the process of value identification, standard setting and the enforcement of standards.
- ** Students' voices are welcomed and involved in the process of value identification, standard setting and the enforcement of standards.
- ** There is an active and genuine partnership between schools and parents.
- ** All adults, in and out of school, interacting with students are striving to model ethical and responsible behavior.
- ** Teachers are authorized and expected to teach and model ethical and responsible behavior.
- ** Efforts to create ethical and responsible behavior are an integrated part of the school's curriculum and culture and are not viewed as "extra."
- ** Ethical and responsible student behavior is actively promoted and recognized.
- ** Instilling and practicing ethical and responsible behavior is a life long endeavor that begins early and continues throughout the student's school experiences and beyond.

** Students apply and demonstrate principles of ethical and responsible behavior in the classroom and beyond the classroom

** The disciplinary process is inclusive, impartial, consistent, and educational.