

1 **Charlo Public School District**

2
3 **PERSONNEL**

5232

4
5 Abused and Neglected Child Reporting

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7 A District employee who has reasonable cause to suspect, as a result of information they receive
8 in their professional or official capacity, that a child is abused or neglected by anyone regardless
9 of whether the person suspected of causing the abuse or neglect is a parent or other person
10 responsible for the child's welfare, shall report the matter promptly to the Department of Public
11 Health and Human Services. Child abuse or neglect means actual physical or psychological
12 harm to a child, substantial risk of physical or psychological harm to a child, and abandonment.
13 This definition includes sexual abuse and sexual contact by or with a student. The obligation to
14 report suspected child abuse or neglect also applies to actual or attempted sexual or romantic
15 contact between a student and a staff member.

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17 A District employee who makes a report of child abuse or neglect is encouraged to notify the
18 building administrator of the report. An employee does not discharge the obligation to personally
19 report by notifying the Superintendent or principal.

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21 Any District employee who fails to report a suspected case of abuse or neglect to the Department
22 of Public Health and Human Services, or who prevents another person from doing so, may be
23 civilly liable for damages proximately caused by such failure or prevention and is guilty of a
24 misdemeanor. The employee will also be subject to disciplinary action up to and including
25 termination.

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27 When a District employee makes a report, the DPHHS may share information with that
28 individual or others as permitted by law. Individuals in the District who receive information
29 related to a report of child abuse or neglect shall maintain the confidentiality of the information.

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31 Cross Reference: Policy 5223 – Personal Conduct
32 Policy 3225- Sexual Harassment of Students

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34 Legal Reference: § 41-3-201, MCA Reports
35 § 41-3-202, MCA Action on reporting
36 § 41-3-203, MCA Immunity from liability
37 § 41-3-205, MCA Confidentiality – disclosure exceptions
38 § 41-3-207, MCA Penalty for failure to report
39 § 45-5-501, MCA Definitions
40 § 45-5-502, MCA Sexual Assault

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42 Policy History:

43 Adopted on:

44 Reviewed on:

45 Revised on: 10/15/13, 10/01/15, 7/12/16, 12/19/19