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3 **PERSONNEL**

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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 is suspected of causing the abuse or neglect is a parent or other person  
10 responsible for the child’s welfare, they shall report the matter promptly to the Department of  
11 Public Health and Human Services (DPHHS). Child abuse or neglect means actual physical or  
12 psychological harm to a child, substantial risk of physical or psychological harm to a child, and  
13 abandonment. This definition includes sexual abuse and sexual contact by or with a student. The  
14 obligation to report suspected child abuse or neglect also applies to actual or attempted sexual or  
15 romantic contact between a student and a staff member.

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17 In addition to reporting to DPHHS, employees are expected to also report their concerns to the  
18 Superintendent, their principal or supervising administrator. An employee does not discharge the  
19 obligation to personally report to DPHHS by notifying the Superintendent, principal, or  
20 supervising administrator.

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

32 Child Abuse & Neglect Mandatory Reporting Guidelines

33 <http://www.gfps.k12.mt.us/sites/default/files/Mandatory%20Reporting%20v.3.pdf>

34 Policy 5223 Personal Conduct

35 Policy 3225 Sexual Harassment of Students

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37 Legal Reference:

38 §41-3-201, MCA Reports

39 §41-3-202, MCA Action on Reporting

40 §41-3-203, MCA Immunity from Liability

41 §41-3-205, MCA Confidentiality – Disclosure Exceptions

42 §41-3-207, MCA Penalty for Failure to Report

43 §45-5-501, MCA Definitions

44 §45-5-502, MCA Sexual Assault

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1 Policy History:

2 Adopted on: July 1, 2000

3 Revised on: April 23, 2018

4 Revised on: November 9, 2020