Missoula County Public Schools

Personnel 5232

Abused and Neglected Child Reporting

A District employee who knows or has reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a student may be abused or neglected by anyone regardless of whether the person suspected of causing the abuse or neglect is a parent or other person responsible for the child's welfare shall report such a case to the Montana Department of Public Health and Human Services. The employee shall notify the Superintendent or principal that a report has been made by the employee. An employee does not discharge the obligation to personally report by notifying the Superintendent or principal.

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

When a District employee makes a report of abuse or neglect or suspicions thereof, the Montana Department of Public Health and Human Services may share information with that individual or others working with that person in an official capacity in accordance with 41-3-201(5), MCA. In such instance, District employees receiving information from the Montana Department of Public Health and Human Services regarding abuse and neglect reporting shall maintain the confidentiality of the information received.

Legal Reference:

§ 41-3-201, MCA   Reports
§ 41-3-202, MCA   Action on reporting
§ 41-3-203, MCA   Immunity from liability
§ 41-3-205, MCA   Confidentiality - disclosure exceptions
§ 41-3-207, MCA   Penalty for failure to report

Policy History:

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Approved on: October 8, 2013