

Browning Public Schools

Policy # **5232**

Policy Name: *Abused and Neglected Child Reporting*

Regulation: -----

Child Abuse, Neglect, and Sex Trafficking Reporting

A District employee who has reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused, neglected, or subjected to sex trafficking by anyone regardless of whether the person suspected of causing the abuse, neglect, or trafficking is a parent or other person responsible for the child's welfare, shall report the matter promptly to the Department of Public Health and Human Services and local law enforcement.

Child abuse or neglect means actual physical or psychological harm to a child, substantial risk of physical or psychological harm to a child, exposure to or involvement with sex trafficking, and abandonment. This definition includes sexual abuse and sexual contact by or with a student. The obligation to report suspected child abuse or neglect also applies to actual or attempted sexual or romantic contact between a student and a staff member.

The District administration is authorized to provide access to educational resources for interested parents, teachers, and students on how to prevent and report child abuse, neglect and sex trafficking; identify the warning signs of child abuse, neglect and sex trafficking; recognize predatory behaviors; and coordinate efforts with law enforcement, the Department of Public Health and Human Services, and local organizations on these topics.

A District employee who makes a report of child abuse, neglect, or sex trafficking is encouraged to notify the building administrator of the report. 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, neglect, or sex trafficking to law enforcement or the Department of Public Health and Human Services, or who prevents another person from doing so, may be civilly liable for damages proximately caused by such failure or prevention and is guilty of a misdemeanor. The employee will also be subject to disciplinary action up to and including termination.

When a District employee makes a report, the Department of Public Health and Human Services may share information with that individual or others as permitted by law. Individuals in the District who receive information related to a report of child abuse, neglect, or sex trafficking shall maintain the confidentiality of the information.

Cross Reference: 5223 Personal Conduct
3225 Sexual Harassment of Students

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
§ 45-5-501 MCA, Definitions

1 § 45-5-502 MCA, Sexual Assault
2 § 20-7-1316 MCA, Child Sex Trafficking Prevention
3
4 **Policy History:**
5 Adopted on:
6 Reviewed on: 4/13/21
7 Revised on: