

ROCKY MOUNTAIN DEVELOPMENT COUNCIL, INC.
HEAD START
CHILD ABUSE AND NEGLECT REPORTING POLICY AND PROCEDURE

Rocky Mountain Development Council, Inc. Head Start follows the Montana School Guidelines for the Identification and Reporting of Child Abuse and Neglect. The School Guidelines are based on the Montana Code Annotated (MCA) 41-3-201 through 41-3-208 which contains Montana State Law for reporting of Child Abuse and Neglect. This section of MCA can be found at the following website: http://data.opi.state.mt.us/bills/mca_toc/41_3_2.htm.

The prevention, identification, treatment and reporting of child abuse and neglect are an integral part of the Head Start program.

41-3-201

When professionals and officials listed in 41-3-201 know or have reasonable cause to suspect as a result of information they receive in their professional or official capacity, that a child is abused or neglected, that shall report the matter promptly to the Department of Public Health and Human Services, Child and Family Services Division's **MONTANA'S STATEWIDE TOLL-FREE CHILD ABUSE HOTLINE**.

Professionals and officials required to report include, but are not limited to:

School teachers, other school officials, and employees who work during regular school hours.

A social worker, operator or employee of any registered or licensed day care or substitute care facility, staff of a resource and referral grant program organized under 52-2-711 of a child and adult food care program or an operator or employee of a child care facility.

The reports referred to under this section must contain:

- (a) the names and addresses of the child and the child's parents or other persons responsible for the child's care;
- (b) to the extent known, the child's age and the nature and extent of the child's injuries, including any evidence of previous injuries;
- (c) any other information that the maker of the report believes might be helpful in establishing the cause of the injuries or showing the willful neglect and the identity of person or persons responsible for the injury or neglect; and
- (d) the facts that led the person reporting to believe that the child has suffered injury or injuries or willful neglect, within the meaning of this chapter.

41-3-203 Immunity from liability

Anyone investigating or reporting any incident of child abuse or neglect, under 41-3-201 or 41-3-202 participating in resulting judicial proceedings, or furnishing hospital or medical records as required by 41-3-202, is immune from any liability, civil or criminal, that might otherwise be incurred or imposed, unless that person was grossly negligent or acted in bad faith or with malicious purpose or provided information knowing the information to be false.

41-3-207 Penalty for Failure to Report

- (1) Any person, official or institution required by law to report known or suspected child abuse or neglect who fails to do so or who prevents another person from reasonably doing so is civilly liable for the damages approximately caused by such failure or prevention.
- (2) Any person or official required by law to report known or suspected child abuse or neglect who purposely or knowingly fails to report known child abuse or neglect or purposely or knowingly prevents another person from doing so is guilty of a misdemeanor.

RMDC Head Start Procedures for Reporting Child Abuse and Neglect

Head Start will establish and maintain a cooperative relationship with the local Department of Public Health and Human Services, Child and Family Services that provide Child Protective Services.

Head Start will know community resources that are available for families with child abuse and neglect problems.

Under Montana law, if any school staff member has reasonable cause to suspect that a child is being abused or neglected, it remains the individual's obligation to see that the situation is reported to the local Child and Family Services Division Office, Law Enforcement or the County Attorney. Head Start staff will discuss the report with the Family if it appears desirable or necessary to do so (Federal Register 1977, pg. 971). Confidentiality of all suspected and reported cases of child abuse and neglect will be maintained.

Head Start will foster an attitude with staff, parents and volunteers of helping, rather than punishing, families with child abusing and neglecting potential.

Head Start has developed an Abuse Prevention Policy that must be signed by all employees and regular volunteers.