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State of Minnesota
HOUSE OF REPRESENTATIVES

EIGHTY-EIGHTH SESSION

H. F. No. **1338**

03/07/2013 Authored by Norton and Scott

The bill was read for the first time and referred to the Committee on Early Childhood and Youth Development Policy

1.1 A bill for an act
1.2 relating to child protection; requiring parent notification of incidents that may
1.3 involve child maltreatment in a school facility; amending Minnesota Statutes
1.4 2012, sections 13.43, subdivision 14; 626.556, subdivision 7.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2012, section 13.43, subdivision 14, is amended to read:

1.7 Subd. 14. **Maltreatment data.** (a) When a report of alleged maltreatment of a
1.8 student in a school facility, as defined in section 626.556, subdivision 2, paragraph (f), is
1.9 made to the commissioner of education under section 626.556, data that are relevant to a
1.10 report of maltreatment and are collected by the school facility about the person alleged to
1.11 have committed maltreatment must be provided to the commissioner of education upon
1.12 request for purposes of an assessment or investigation of the maltreatment report. Data
1.13 received by the commissioner of education pursuant to these assessments or investigations
1.14 are classified under section 626.556.

1.15 (b) Personnel data may be released for purposes of providing information to a parent,
1.16 legal guardian, or custodian of a child under section 626.556, subdivision 7.

1.17 Sec. 2. Minnesota Statutes 2012, section 626.556, subdivision 7, is amended to read:

1.18 Subd. 7. **Report; information provided to parent.** (a) An oral report shall be made
1.19 immediately by telephone or otherwise. An oral report made by a person required under
1.20 subdivision 3 to report shall be followed within 72 hours, exclusive of weekends and
1.21 holidays, by a report in writing to the appropriate police department, the county sheriff, the
1.22 agency responsible for assessing or investigating the report, or the local welfare agency,
1.23 unless the appropriate agency has informed the reporter that the oral information does

2.1 not constitute a report under subdivision 10. The local welfare agency shall determine
2.2 if the report is accepted for an assessment or investigation as soon as possible but in no
2.3 event longer than 24 hours after the report is received. Any report shall be of sufficient
2.4 content to identify the child, any person believed to be responsible for the abuse or neglect
2.5 of the child if the person is known, the nature and extent of the abuse or neglect and the
2.6 name and address of the reporter. If requested, the local welfare agency or the agency
2.7 responsible for assessing or investigating the report shall inform the reporter within ten
2.8 days after the report is made, either orally or in writing, whether the report was accepted
2.9 for assessment or investigation. Written reports received by a police department or the
2.10 county sheriff shall be forwarded immediately to the local welfare agency or the agency
2.11 responsible for assessing or investigating the report. The police department or the county
2.12 sheriff may keep copies of reports received by them. Copies of written reports received by
2.13 a local welfare department or the agency responsible for assessing or investigating the
2.14 report shall be forwarded immediately to the local police department or the county sheriff.

2.15 (b) Notwithstanding paragraph (a), the commissioner of education must inform the
2.16 parent, guardian, or legal custodian of the child who is the subject of a report of alleged
2.17 maltreatment in a school facility within ten days of receiving the report, either orally or
2.18 in writing, whether the commissioner is assessing or investigating the report of alleged
2.19 maltreatment.

2.20 (c) Regardless of whether a report is made under this subdivision, as soon as
2.21 practicable after a school receives information regarding an incident that may constitute
2.22 maltreatment of a child in a school facility, the school shall inform the parent, legal
2.23 guardian, or custodian of the child that an incident has occurred that may constitute
2.24 maltreatment of the child, when the incident occurred, and the nature of the conduct
2.25 that may constitute maltreatment.

2.26 (d) A written copy of a report maintained by personnel of agencies, other than
2.27 welfare or law enforcement agencies, which are subject to chapter 13 shall be confidential.
2.28 An individual subject of the report may obtain access to the original report as provided
2.29 by subdivision 11.