

9560.0230 OFFICIAL RECORDS.

Subpart 1. **Report records.** The local agency shall maintain a record of every report of maltreatment under parts 9560.0218 to 9560.0222.

Subp. 2. [Repealed, L 2005 c 159 art 1 s 15]

Subp. 3. **Disclosure of report records.** The investigating agency may disclose report records to:

A. members of the case consultation committee of a multidisciplinary child protection team established under Minnesota Statutes, section 260E.02;

B. a family court services agency in accordance with Minnesota Statutes, section 260E.35; and

C. any other person or entity authorized by state or federal law to receive the reports.

Subp. 4. **Nondisclosure of reporter's identity.** Neither the local agency nor the investigating agency, if different, shall disclose the identity of the person making the report of maltreatment while the assessment or investigation is being conducted. After the assessment or investigation is completed, neither agency shall disclose the identity of the person reporting the maltreatment without:

A. the reporter's written consent to disclosure; or

B. a written court finding that the report is false and that there is evidence the report was made in bad faith.

Subp. 5. **Notice of determinations.** Within ten working days after the assessment or investigation is completed, the agency that conducted the assessment or investigation shall notify the parent or guardian of the child reported to be maltreated, the alleged offender, and, in facility investigations, the director of the facility in writing of the following:

A. the agency's determinations; and

B. the period of time report records will be maintained before being destroyed under subpart 6.

The notice must include a certification that information collection procedures under Minnesota Statutes, section 260E.20, subdivision 3, were followed and a notice of the right of data subjects to obtain access to other private data collected, created, and maintained as a result of the assessment or investigation.

Subp. 6. **Retention of report records.** The investigating agency's records relating to reports of maltreatment must be retained or destroyed according to items A to C.

A. If the investigating agency has made a determination that maltreatment has not occurred and that child protective services are not needed, the investigating agency must retain the records of the report for four years.

B. If the investigating agency has made a determination either that maltreatment has occurred or that child protective services are needed, the investigating agency shall maintain the records relating to the report for at least ten years after the date of the final entry in the case record.

C. The local agency shall notify a school that received a notice of intent to interview under part 9560.0220, subpart 3, to destroy all records relating to the report when records are destroyed under item A or B.

Subp. 7. **Data collection by the department.** Within ten days after completing the assessment or investigation, the local agency shall send the department data on every report of maltreatment. Data must be submitted in a manner approved by the department.

Statutory Authority: *MS s 14.388; 256.01; 256E.05; 257.175; 393.07; 626.556*

History: *13 SR 303; 17 SR 3412; 25 SR 1772; L 2005 c 159 art 1 s 15*

Published Electronically: *October 13, 2021*