

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4312

02/26/2024 Authored by Acomb, Edelson, Coulter, Hemmingsen-Jaeger, Kotyza-Witthuhn and others
The bill was read for the first time and referred to the Committee on Children and Families Finance and Policy

1.1 A bill for an act
1.2 relating to child welfare; modifying notification requirements for alleged
1.3 maltreatment or abuse of a child; amending Minnesota Statutes 2022, section
1.4 260E.29.

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

1.6 Section 1. Minnesota Statutes 2022, section 260E.29, is amended to read:

1.7 260E.29 NOTIFICATION REQUIREMENTS FOR SCHOOLS AND FACILITIES,
1.8 AND PRIVATE OR PUBLIC YOUTH RECREATION PROGRAMS.

1.9 Subdivision 1. Notification requirements for school facility. (a) Notwithstanding
1.10 section 260E.09, the commissioner of education must inform the parent, guardian, or legal
1.11 custodian of the child who is the subject of a report of alleged maltreatment in a school
1.12 facility within ten days of receiving the report, either orally or in writing, whether the
1.13 commissioner is investigating the report of alleged maltreatment.

1.14 (b) Regardless of whether a report is made under section 260E.09, as soon as practicable
1.15 after a school receives information regarding an incident that may constitute maltreatment
1.16 of a child in a school facility, the school shall inform the parent, legal guardian, or custodian
1.17 of the child that an incident occurred that may constitute maltreatment of the child, when
1.18 the incident occurred, and the nature of the conduct that may constitute maltreatment.

1.19 Subd. 2. Notification requirements for other types of facilities and private or public
1.20 youth recreation programs. When a report is received that alleges maltreatment of a child
1.21 while in the care of a licensed or unlicensed day care facility, residential facility, agency,
1.22 hospital, sanitarium, or other facility or institution required to be licensed or certified
1.23 according to sections 144.50 to 144.58; 241.021; or 245A.01 to 245A.16; or chapter 144H,

2.1 245D, or 245H; or a school as defined in section 120A.05, subdivisions 9, 11, and 13; and
2.2 chapter 124E; or a nonlicensed personal care provider organization as defined in section
2.3 256B.0625, subdivision 19a; or a report is received that alleges abuse of a child as defined
2.4 in section 260E.055, subdivision 1, paragraph (b), while in the care of a private or public
2.5 youth recreation program as defined in section 260E.055, subdivision 1, paragraph (f), the
2.6 commissioner of the agency responsible for investigating the report or local welfare agency
2.7 investigating the report shall provide the following information to the parent, guardian, or
2.8 legal custodian of a child alleged to have been the victim of maltreatment or abuse in the
2.9 facility or program: the name of the facility or program; the fact that a report alleging
2.10 maltreatment or abuse in the facility or program has been received; the nature of the alleged
2.11 maltreatment or abuse in the facility or program; that the agency is conducting an
2.12 investigation; any protective or corrective measures being taken pending the outcome of
2.13 the investigation; and that a written memorandum will be provided when the investigation
2.14 is completed.

2.15 Subd. 3. **Discretionary notification.** The commissioner of the agency responsible for
2.16 investigating the report or local welfare agency may also provide the information in
2.17 subdivision 2 to the parent, guardian, or legal custodian of any other child in the facility or
2.18 program if the investigative agency knows or has reason to believe the alleged maltreatment
2.19 or abuse of a child in the facility or program occurred. In determining whether to exercise
2.20 this authority, the commissioner of the agency responsible for investigating the report or
2.21 local welfare agency shall consider the seriousness of the alleged maltreatment or abuse of
2.22 a child in the facility or program; the number of alleged victims of maltreatment or abuse
2.23 of a child in the facility or program; the number of alleged offenders; and the length of the
2.24 investigation. The facility or program shall be notified whenever this discretion is exercised.