

**REDEEMER CHRISTIAN ACADEMY
PRESCHOOL AND
PRE-KINDERGARTEN**

**PRESCHOOL HANDBOOK:
PARENT INFORMATION
POLICIES AND PROCEDURES**

2021-2022

*** There are things that are changed this year, due to Covid, there is a separate Covid policy also available to parents.

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REDEEMER CHRISTIAN ACADEMY PRESCHOOL AND PRE-KINDERGARTEN

115 W. Wayzata Blvd.
Wayzata, MN 55391

MISSION

The mission of Redeemer Christian Academy is to equip disciples for Jesus Christ with teachings for a lifetime: Faith, Knowledge, Character, and Responsibility. The Preschool and Pre-Kindergarten years provide children the opportunity to begin building educational and spiritual foundations in a safe and nurturing environment.

EDUCATIONAL PHILOSOPHY

Our Preschool and Pre-Kindergarten classes provide the interactive learning environment, age-appropriate curriculum, and social development that children need at this age. To this end, each program and activity is intended to help the children grow in Faith, Knowledge, Character, and Responsibility.

EDUCATIONAL GOALS

The activities, curriculum, and programs of Redeemer Christian Academy Preschool and Pre-Kindergarten are designed to assist parents in their God-given responsibility and to help their children grow in the following ways:

1. *Spiritually* to ...

- realize the need for God's love and learn appropriate means to respond to His unconditional love.
- know Jesus as their friend and personal Savior.
- grow in their security of Salvation through their Baptism and as revealed by the Word of God, the Bible.
- grow in their personal relationship with Jesus Christ by the power of the Holy Spirit.
- begin to understand a sense of the Triune God.
- learn corporate worship skills and behaviors and better understand how they can praise God together and individually.

2. *Intellectually* to ...

- develop language use and understanding.
- develop pre-reading skills such as visual discrimination, auditory discrimination, and understanding of visual symbols.

- develop interest in books.
- develop pre-math skills such as sorting, classifying, seriation, understanding of symbols, counting, spatial relations, time, and sequencing.
- increase their level of attention.
- develop initiative in their own learning processes.
- experience hands-on interaction with age-appropriate technology.

3. **Physically** to...

- develop gross and fine motor coordination.
- develop eye-hand and eye-foot coordination.
- become aware of the unique nature of the body that God has given them.
- learn cooperation and sharing in games and other physical activities.
- understand a sense of rules and fair play.

4. **Emotionally** to...

- develop a positive self-concept in the light of God's unconditional love.
- be free to risk failure and be comfortable with mistakes.
- develop a sense of security and trust.
- show independence and self-responsibility.
- be more aware of their emotions and learn appropriate means of sharing them.

5. **Socially** to...

- learn to play, work and communicate appropriately with peers and adults.
- learn appropriate behaviors in group situations.
- accept others with God's unconditional love.
- develop a sense of belonging and community with fellow students.
- learn to adapt to change in environment and routines.
- better understand sharing and cooperation with others.

6. **Creatively** to...

- understand their uniqueness as a gift from God.
- express ideas in their own unique way.
- be free to create artistically using a variety of media.
- recognize and develop their God-given talents and abilities.

PROGRAMS

Redeemer Christian Academy Preschool and Pre-Kindergarten options include:

1. 3-year old Preschool: A 2-morning per week (Tuesdays and Thursdays) program that introduces children to a structured learning environment. A variety of age-appropriate methods introduce language learning skills, pre-math skills, art exploration, physical activities, learning centers, music, Jesus time, story time, and science concepts.
2. 4-year old Pre-Kindergarten: A 3-morning per week (Mondays, Wednesdays, and Fridays) program that builds on Preschool skills. This class delves deeper into pre-reading skills, including phonics, and works more on letter identification. Regular gym time, Spanish, and greater exposure to music and art also part of this experience. This class also includes chapel on Wednesday mornings "with the big kids" of the Day School.
3. 3-year old Preschool Flex Enrollment: In addition to attending the two mornings of the preschool program, students may attend full day on Tuesday/Thursday.
4. 4-year old Pre-Kindergarten Flex Enrollment: In addition to attending the three mornings of the Pre-Kindergarten program, students may attend full day on Monday/Wednesday/ and Friday. The increased level of learning included in this option allows for more exposure to skills necessary for transitioning to Kindergarten.
5. A Preschool Plus Program which offers full-time care to families in our program, M-F from 8:00 to 5:30. See Appendix.

ACCOUNTABILITY

Redeemer Christian Academy Preschool and Pre-Kindergarten help extend the ministry of Redeemer Christian Academy Church and School. Six members of the congregation are elected (two each year) to the School Board, which has direct oversight of the rules, policies, and procedures of the Prechool and Pre-Kindergarten. Any clarification or further definitions of policies which operate Redeemer Christian Academy Preschool and Pre-Kindergarten shall be made by the School Board of Redeemer Christian Academy Church and School.

Redeemer Christian Academy Preschool and Pre-Kindergarten are licensed to serve a maximum of 18 children per class, ages 3-5, by the Minnesota Department of Human Services. However, class sizes may be smaller to optimize student learning.

CURRICULUM

Formal curricular subjects are generally integrated into themes which may be taught weekly (e.g., one different letter may be taught each week) or may last as long as 6-8 weeks (e.g., the

Preschool room may be converted into a "Jungle" to teach the scientific concept of environments and ecosystems). Occasionally "big books," worksheets, and other instructional materials are used to help reinforce the curriculum. The religion series used in our program is published by Concordia Publishing House.

Young children learn best by meaningful hands-on experiences. To this end, curriculum is developed by the Preschool/Pre-Kindergarten Director/Teacher to maximize exploration, manipulatives, imagination, and tactile (sensory) experience. Learning centers and activities include dramatic play, introduction to technology, gluing, stacking, building, pouring, painting, cutting, creating, writing, coloring, and many others.

The Preschool/Pre-Kindergarten Director/Teacher is trained in early childhood education and knowledgeable regarding age-appropriate curricula. These materials are ordered under the supervision of the Redeemer Christian Academy Administrator.

DAILY SCHEDULE

A typical morning in Preschool/Pre-Kindergarten may be as follows:

8:15 a.m.	Arrival Time
	Children begin activity in Learning Centers
8:30	Starting Bell for School Day
	Group Time: Calendar, Weather, Helper-of-the-Day, Sharing time
8:45	Jesus Time/Faith Lesson of the Day (Chapel on Wednesday am)
9:00	Lesson Unit Time
9:15	Gym Time/Large Motor Play
9:30	Bathroom Break and Snack Time
9:50	Book Time/quiet reading
10:00	Learning Centers/Art
10:40	Science/Social Studies/Music
10:55	Closing of Day/Outdoor Play
11:15	Dismissal.

Morning classes run from 8:30 a.m. to 11:15 a.m.

Extended classes run to 2:45 p.m.

Preschool Plus care runs until 5:30

Additions to the daily schedule MAY include from time-to-time:

- *Guests speakers:* "Officer Friendly," fire safety instructors, seeing-eye dog trainers, grandparents/parents with unique occupations, story tellers, etc.
- *Field Trips:* Apple orchard, trolley rides, picnics, Children's Theater, etc.
- *School Assemblies* with the Day School children: Concerts, plays, special performers or speakers, etc.

Preschool and Pre-Kindergarten events which occur off-site will require a guardian-signed permission form for each different event. Parents will be made aware of these "special events" via a weekly newsletter and/or via e-mail.

ANNUAL CALENDAR

The annual Preschool/Pre-Kindergarten calendar is set in close conjunction with the calendar of Redeemer Christian Academy and follows the calendar of the Wayzata Public Schools as closely as possible. Copies of the calendar are distributed to parents through enrollment folders and back-to-school mailings. The calendar is also posted on the school's website.

POLICIES AND PROCEDURES

Attendance and Tardiness

Your child benefits from regular attendance because consistency in attendance creates structure and supports the learning foundation you want for your child. While short periods of absence for vacations, grandparent visits, and the like may also benefit your child, we want you to avoid extended periods of absence. If your child is absent or you find it necessary to have your child miss school, please notify the teacher. Classes missed for illness or other reasons are not considered refundable.

Being present and on time are good life skill habits. Please respect the starting time of 8:30 a.m. Students should arrive after 8:15 and before 8:30, ready to learn when school starts. The seemingly unstructured learning center time at the beginning of their schedule will be important to their routine and social development.

Also respect the Teacher's need for time before class begins to prepare for the day. Please make an appointment if you need extended time to speak with the teacher.

If absenteeism becomes a chronic problem (i.e., more than 50% of any one quarter), the Director/Teacher will discuss the problem with the parent. If the problem continues, the Principal will be informed, and a conference will be scheduled to discuss the situation and the potential impact of the absenteeism on the child.

Birthday Parties

Celebrating children's birthdays is a special event that is welcomed with proper advance notification. Please contact the Teacher at least one week in advance of the birthday so the Teacher may properly coordinate any activities, as well as advise of any food allergies with in the class. The desired "treats" parents may wish to provide for these days must be pre-packaged and store-bought. No homemade treats can be accepted.

Invitations for personal parties may be handed out at school only if all of the students (or all boys or all girls) are included.

Busing

Busing is available for children enrolled in the elementary school and live in the Wayzata Public School District. Children in Redeemer’s Preschool and Pre-Kindergarten are NOT eligible for busing, nor may they ride home on the bus with older siblings or family friends.

Celebrations and Parent Helpers

Special parties will be planned for Thanksgiving, Christmas, Easter, and Valentine's Day. Other celebrations will be planned, as time permits, by the room parents and the Director/Teacher. Parents are always welcome to help at our parties, as well as with projects throughout the year. Please let the Teacher know you are interested in being an “art” mom or a “science” mom. We need to hear from you in person in order to get you as involved as you would like. We have a busy environment and routine, and the children’s needs always come first.

Class Sizes

The following class sizes will be maintained for all sessions:

5 or less	No Session
6-10	One Teacher
11-18	One Teacher and One Aide
19 or more	Waiting List

The only time a class size will exceed 18 is in the case of a full-time employee of Redeemer who has an eligible child and becomes employed after the class is full. An aide will be contracted when an enrollment of 11 is achieved.

Discipline and Behavior Guidelines

The Preschool/Pre-Kindergarten program teaches developmentally appropriate behavior and self-discipline, which is part of God's plan for all of us. This is a learning process that includes learning self-control and appropriate conflict resolution with peers and adults. However, forgiveness must accompany consequences for children to fully understand God's plan to balance Law and the Gospel, which is also the foundation for the discipline plan at Redeemer.

An important part of our discipline plan occurs as clear boundaries and expectations are laid out and modeled by the Teacher. Consistency on the part of parents and Teacher is required for this process to be effective. It is the responsibility of the Teacher to make sure these

boundaries are clearly communicated first to the child and then also to parents, especially if the boundaries are violated.

If inappropriate behavior exists, the following procedures will generally be followed in sequence. However, in the event of severe misbehavior (e.g., kicking, swearing, hitting, and the like) the Teacher may use any of the following interventions:

1. Identify unacceptable behavior and communicate this with child.
2. Re-direct the child to appropriate behavior and teach acceptable alternatives to problem behavior in order to reduce conflict.
3. Isolation from the rest of the group (time-out). No child may be separated from the group unless the staff has tried less intrusive methods which have been ineffective in guiding the child's behavior and/or the child's behavior threatens the well-being of the child or other children in the classroom. If a child is separated from the group, the child shall remain in an un-enclosed part of the classroom within continuous sight and hearing of the Teacher and/or aide. This isolation may last for up to as many minutes as the child is old.

If a child needs to be isolated from the group, it will be noted in the Teacher's daily log. Information included will be the child's name, staff person's name, time, date, and information indicating what less intrusive methods were used to guide the child's behavior and how the child's behavior continued to threaten the well-being of self or other children. If a child is separated from the group three times in one day, the child's parent shall be notified and notation of the parent notification will be indicated in the daily log, as well. If a child is separated five times or more in one week, eight times or more in two weeks, or displays behavior seriously threatening the well-being of other children, the following procedures will be followed:

1. Persistent unacceptable behavior requiring an increased amount of Teacher guidance and time will be documented by the Teacher. The Teacher will additionally document procedures used to respond to the unacceptable behavior.
2. A meeting will be conducted with parents and Teacher to address the documented behavior and develop a written plan to correct it. This plan may include the removal of the student from the class (suspension) if certain behaviors are not obtained. (Tuition during suspensions is not refundable.)

The safety of the children and staff is of utmost importance. Actions endangering children or staff will be addressed immediately. Injurious or threatening behaviors or safety concerns reported to parents should, in turn, be brought to the attention of the Teacher, who will submit a written explanation of the safety concern to the Principal.

If a child needs to have more than two of these plans developed in the course of one school year, the Director/Teacher may find it necessary for the well-being of the other children or the program to recommend that the child no longer be permitted to attend. This recommendation

would require action by the School Board and would be taken by the Director/Teacher after consultation and intervention of the Principal.

The State of Minnesota regulations also state the following for early childhood centers:

1. No child shall be handled roughly, such as shoving, hair-pulling, ear-pulling, spanking, slapping, or kicking (corporal punishment).
2. Children shall not be exposed to any form of emotional abuse by staff or others. Emotional abuse includes, but is not limited to, name-calling, shaming, ostracism, and the like.
3. No child shall be shamed, humiliated or labeled.
4. No child shall be punished for lapses in toilet training.
5. No discipline shall be delegated to another child.
6. Withholding of snacks, light, clothing, warmth, or medical care shall not be used as punishment.
7. The use of physical restraint other than to physically hold a child when containment is necessary to protect a child or others from harm is prohibited.
8. The use of mechanical restraints, such as tying, is prohibited.

Dress

Children should be dressed in comfortable, washable play clothes. When dresses are worn, shorts, leggings, or tights should also be worn to encourage freedom of movement in large motor activities. During the various seasons, elements like dust, dirt, mud, snow, and ice requires the teacher to use good judgment about playing on the playground. However, students should always dress appropriately for outside play. Outside play wear in the winter includes boots, snow pants, gloves, hat, and a winter coat. Please send these items in a sturdy carry bag with each item clearly marked with your child's name for easy identification.

During weather that permits the wearing of sandals, socks must also be worn. Sandals should include straps that secure the foot during various physical activities.

Drop Off and Pick Up

Students should be dropped off directly in the Preschool/Pre-Kindergarten room by the parents or other parent-authorized persons transporting them to their respective sessions. Please make sure the teacher or aide is present.

For pick up, the Teacher and/or aide will bring the children to meet the parents. In inclement weather, children will be taken to the designated exit by the Teacher and/or aide. Curbside pick-up is allowed, or parents may park in the parking lot and walk over to the area in which their children will be waiting.

A child can be picked up from school only by custodial parents or persons authorized by parents. There are no exceptions to this rule.

If it is necessary to pick your child up before school is over, please sign out your child in the log located in the Office Lobby.

Enrollment

Eligibility

Students who are toilet-trained and have reached their 3rd or 4th birthday before September 1st are eligible for enrollment into Redeemer's Preschool program. Students who have special needs or, who once enrolled, demonstrate the need for special assistance, may be required by the Preschool Director/Teacher to have testing (not provided by Redeemer) conducted by an outside consultant to help determine the learning needs of the child. If the needs of the child can be adequately addressed by the Preschool staff, an individualized learning plan will be developed by the teacher, parent, and other professionals as necessary. Redeemer reserves the right to deny or drop enrollment if this consultation demonstrates we cannot reasonably meet the needs of the child.

Process

Enrollment Application Timing

Enrollment for the following school year normally begins in January, as announced annually by school administration. Parents must submit the application documents along with the non-refundable tuition deposit to the office. Applications received between the opening of enrollment and the enrollment deadline will be prioritized and considered in the following order:

1. Currently enrolled students
2. Members of Redeemer Christian Academy Church
3. Siblings of currently enrolled students
4. All others

After enrollment deadline, registrations will be considered on a first-come, first-served basis.

Waiting List

In cases where enrollment isn't granted or a waiting list is necessary (such as when a maximum class size is met), the parent will receive written notification. If a student is placed on a waiting list, the completed application documents must still be submitted to hold the child's spot on the list. Once an opening is available, the parent will be notified and has one week to submit the non-refundable tuition deposit. If the deposit isn't received on a timely basis, the child's spot on the waiting list will be waived.

Enrollment Limitations and Probationary Period

It is Redeemer's desire that any enrollment limitations be clearly stated and fairly administered. Certain limitations in educating students may determine whether or not a child is accepted.

These limitations will apply equally to all students (both members and non-members) and, if accepted, every effort will be made by Redeemer Christian Academy to educate each child to the best of our ability. However, if Redeemer believes, in its sole and absolute discretion, that either the child's or Redeemer's best interests are not being served by enrolling the child, we retain the right to deny admission or re-enrollment to that child.

New students will be accepted on a one quarter probation period. If after one quarter, during which time the parent and child are kept informed about the child's behavior and academic progress, it is evident that the child's behavior is detrimental to the other students or the child's academic needs cannot be met, the student will be denied continued enrollment.

Educational Assessments

If a student has been accepted to Redeemer, the school retains the right to administer a test(s) which may best help the school diagnose the student's educational abilities. The cost of these tests will be the sole responsibility of the parents. These tests will not be used to determine eligibility for enrollment but rather as a tool to better assist the school and parents in meeting the needs of the student.

Non-Discrimination Policy

Redeemer Christian Academy's enrollment policy and procedures reflect the Great Commission and ensure non-discrimination. Redeemer Christian Academy admits students of any race, color, or national or ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, or national or ethnic origin in administration of its educational policies, admissions policies, scholarship and loan programs and athletic and other school-administered programs.

Extended School Care

Extended School Care is offered to K-8 students of Redeemer Christian Academy. We do not offer Extended School Care to Redeemer Christian Academy Preschool and Pre-Kindergarten students. We have added the Preschool Plus Option for preschool aged children. They will not spend more than 2 hours together with the K-8 children.

Field Trips

Great educational value can occur through field trips. The purpose of these trips will be made known by the staff to parents in writing well in advance. Written parental permission will be obtained before taking a child on a field trip.

Safety is a priority on these trips. The Teacher will have available emergency information for each child, a first aid kit, and first aid manual for all field trips. At least one person trained in pediatric CPR will accompany the children on field trips. Children will be transported according

to the Minnesota Passenger Restraint Act and Department of Health Services recommendations for transporting children on school buses.

Occasionally, a field trip may necessitate the use of a rented bus. In this case, there shall be no less than a one adult to five children ratio.

Fundraisers

It is the general practice of Redeemer Christian Academy Preschool and Pre-Kindergarten to participate in no more than one organized fundraiser per school year. The profits of this fundraiser are normally credited to classroom improvements such as academic activities, blocks, games, and the like. This fundraiser must be approved by the School Board.

Insurance

In the case of an accident or injury, such as on the playground, your private insurance is normally expected to cover the incident. Redeemer invests in liability insurance to help cover all students and visitors. If it appears you are not covered by your insurance in such a situation, please contact the Preschool Director/Teacher.

Kindergarten Readiness Screening

As a service to students completing our Pre-K program, Redeemer conducts a Kindergarten readiness screening each spring. There is no cost for this service. It is not necessary that children apply to our Kindergarten program to have this screening conducted.

Parent Grievances

When a parent has a personal grievance against a member of the faculty, staff, other parent, or School Board, the parent is expected to follow the Biblical teaching found in Matthew 18:

1. First, schedule an appointment to respectfully and privately address the issue face-to-face with the individual in question. If you are uncomfortable approaching the person in question, please ask the principal for guidance. Approaching the person in question may need to be done more than once.
2. If the issue is not resolved through the face-to-face meeting, the parent should bring the issue to the attention of the principal and request that the principal sit in on a conference with the person with whom there is a grievance.
3. If the problem has not been resolved after following the above steps, the parent should present the matter in writing to the principal. The principal will advise Redeemer's pastor and the School Board Chairperson about the situation. These three persons – principal, pastor, and School Board Chairperson – will consult with all involved parties and work

together to resolve the situation. Grievances directed at people will not be discussed with the School Board in open forum sessions.

Parents are encouraged to keep concerns confidential and private while following the established lines of Christian communication. Any legitimate concern will be received with all due consideration so that a satisfactory solution can be reached.

For all grievances with policy matters, please refer first to the appropriate handbook, and consult with the principal for guidance.

Parent Meetings and Conferences

Parent-teacher communication is a great contributor to student success. Parents are encouraged to set up private meetings throughout the year to discuss their child's progress. Before the school year begins, an open house will take place to help children, parents, and Director/Teacher become better acquainted. Parent-Teacher Conferences will be scheduled in the fall and in the winter to discuss you child's progress and development.

Pictures

Individual student pictures are professionally taken of each Redeemer student in the fall and spring – including Preschool/Prekindergarten students. These pictures are made available to parents for purchase at your discretion and cost. These photos are also used in the annual school yearbook, which is made available for purchase.

Throughout the year, photographs are taken of the children in action. These are periodically displayed on bulletin boards or other “in-house” displays. Occasionally, pictures of students are used for news releases or marketing purposes. You are provided a form that you complete and submit if you are willing to give us your consent to use your child’s photo.

Playground

Students will play on the playground immediately north of the school building. Students will not be taken off-site to play on any other playground without written parent permission. Students will not play on the playground if the wind chill goes below 0 degrees.

Progress Reports

Written progress reports of student development will be provided to the parents no less than twice a year.

Records

Redeemer Christian Academy Preschool and Pre-Kindergarten maintain permanent records of its students including:

1. Registration Information
2. Progress Reports
3. Health and Immunization Records
4. Birth Certificate (copy)
5. Other pertinent information related to the child's educational development.

Transcripts will be forwarded to the child's next school upon receipt of a Release of Records Form signed by an authorized parent/guardian at the child's next school.

Sharing and Telling (Sharing Bag)

In bridging the gap from home and school, it frequently helps the child to bring an item that coincides with the letter of the week. Please leave valuable toys and objects, play weapons, and toys that can be placed in the mouth (balloons, whistles, horns, etc.) at home.

Snacks

Properly prepared, nutritious snacks are provided daily for children. While we appreciate parent involvement, state law requires a certified food preparer to provide these snacks. The cost of these snacks (including milk) are assessed once a year at the beginning of the year and is non-refundable if the student withdraws.

Supervision

Children will be under the direct supervision of a Preschool/Pre-Kindergarten staff members at all times.

Supplies

A supply list of needed school items (such as glue, crayons, markers, etc.) will be given to families prior to each school year. A pair of gym shoes, Velcro or slip-on and marked with your child's name, can be left at school for gym activities or recess. From time-to-time, supplies such as egg cartons, facial tissues, milk lids, and other items may be requested by the teacher. Each student should also carry a backpack for notes, art work, etc.

Tuition and Fees

Members and non-members pay a tuition deposit at the time of enrollment, a one-time snack fee before school begins, and then the remaining tuition balance. Other fees may occasionally be requested for special field trips or events.

Tuition and snack fee levels, as well as payment procedures and policies for all programs, are included in enrollment folders distributed annually to parents. In summary:

- A Tuition Deposit is due at the time of enrollment.
- A one-time Snack Fee is added to the tuition total.
- Monthly tuition is due the first of the month, and no later than the 15th, September through June. Tuition is divided into 10 payments.
- Accounts exceeding 30 days past due will be assessed 1.5% late fee. Accounts exceeding 60 days past due will also be assessed 1.5 %, and a letter will be sent to communicate the seriousness of the delinquency. Upon 90 days past due, the the School Board can withdraw the student's enrollment and turn the account over to a collection agency.

Visitation

Parents of current students are welcome to visit their child's room any time during hours of operation and be involved in the educational life of their child. Please wait one month from the start of your child's time in the classroom before asking to visit to help your child with any separation issues they may have. A parent or legal guardian of a child will be allowed access to their child at any time while their child is in care.

Parents of potential students are asked to schedule visits for no longer than 30 minutes. Please schedule visits with the Teacher or Office at least 24 hours in advance.

Basic rules regarding visitations are:

1. Visitors need to log in at the Reception Desk in the Office Lobby.
2. Please do not bring any siblings along.
3. Please remember that the Teacher's attention needs to be focused on the classroom. Keep conversations with the teacher to a minimum. It may be helpful to keep a record of questions which can be asked of the Teacher at a later time.

Volunteers and Background Checks

Parents may volunteer as Rocking Readers, room parents, craft helpers, snack helpers, or fill other roles by simply making the teacher aware of your desires. Child protection laws require that a background check be conducted for any volunteers who help regularly or work one-on-one with students. So if you are asked to do this, please understand that it is for your protection, as well as that of the students, to have a background check completed.

EMERGENCY GUIDELINES

BLIZZARDS

In the event of a blizzard, students will remain at Redeemer Christian Academy Preschool under staff supervision until parents can pick them up.

MALTREATMENT OF MINORS MANDATED REPORTING POLICY FOR DHS LICENSED PROGRAMS

Who should report child abuse and neglect

- Any person may voluntarily report abuse or neglect
- If you work with children in a licensed facility, you are legally required or mandated to report and cannot shift the responsibility of reporting to your supervisor or to anyone else at your licensed facility. If you know or have reason to believe a child is being or has been neglected or physically or sexually abused within the preceding three years you must immediately (within 24 hours) make a report to an outside agency.

Where to report

- If you know or suspect that a child is in immediate danger, call 911
- Reports concerning suspected abuse or neglect of children occurring in a licensed child foster care or family child care facility should be made to county child protection services.
- Reports concerning suspected abuse or neglect of children occurring in all other facilities licensed by the Minnesota Department of Human Services should be made to the Department of Human Services, Licensing Division's Maltreatment Intake line at (651) 431-6600.
- Reports regarding incidents of suspected abuse or neglect of children occurring within a family or in the community should be made to the local county social services agency at 612-348-3552 or local law enforcement at 952-404-5340.
- If your report does not involve possible abuse or neglect, but does involve possible violations of Minnesota Statutes or Rules that govern the facility, you should call the Department of Human Services Licensing Division at 651-431-6500

What to report

- Definitions of maltreatment are contained in the Reporting of Maltreatment of Minors Act (MN Statutes, section 626.556) and should be attached to this policy.
- A report to any of the above agencies should contain enough information to identify the child involved, any persons responsible for the abuse or neglect (if known), and the nature and extent of the maltreatment and/or possible licensing violations. For reports concerning suspected abuse or neglect occurring within a licensed facility, the report should include any actions taken by the facility in response to the incident.
- An oral report of suspected abuse or neglect made to one of the above agencies by a mandated reporter may be followed by a written report to the same agency within 72 hours, exclusive of weekends and holidays.

Failure to report

A mandated reporter who knows or has reason to believe a child is or has been neglected or physically or sexually abused and fails to report is guilty of a misdemeanor. In addition, a mandated reporter who fails to report maltreatment that is found to be serious or recurring maltreatment may be disqualified from employment in positions allowing direct contact with persons receiving services from programs licensed by the Department of Human Services and by the Minnesota Department of Health, and unlicensed Personal Care Provider Organizations.

Retaliation Prohibited

An employer of any mandated reporter shall not retaliate against the mandated reporter for reports made in good faith or against a child with respect to whom the report is made. The Reporting of Maltreatment of Minors Act contains specific provisions regarding civil actions that can be initiated by mandated reporters who believe that retaliation has occurred.

Internal Review

When the facility has reason to know that an internal or external report of alleged or suspected maltreatment has been made, the facility must complete an internal review within 30 calendar days and take corrective action, if necessary, to protect the health and safety of the children in care. The internal review must include an evaluation of whether:

1. Related policies and procedures were followed;
2. The policies and procedures were adequate
3. There is a need for additional staff training
4. The reported event is similar to past events with the children or services involved; and
5. There is a need for corrective action by the licenseholder to protect the health and safety of children in care.

Primary and Secondary Person or Position to Ensure Internal Reviews are Completed

The internal review will be completed by Marit Esterberg / Director. If this individual is involved in the alleged or suspected maltreatment, Lindsay Wiebold / Administrator will be responsible for completing the internal review.

Documentation of the Internal Review

The facility must document completion of the internal review and make internal reviews accessible to the commissioner immediately upon the commissioner's request.

Corrective Action Plan

Based on the results of the internal review, the license holder must develop, document, and implement a corrective action plan designed to correct current lapses and prevent future lapses in performance by individuals or the license holder, if any.

Staff Training

The license holder must provide training to all staff related to the mandated reporting responsibilities as specified in the Reporting of Maltreatment of Minors Act (MN Statutes,

section 626.556). The license holder must document the provision of this training in individual personnel records, monitor implementation by staff, and ensure that the policy is readily accessible to staff, as specified under Minnesota Statutes, section 245A.04, subdivision 14.

EMERGENCIES

Emergency numbers are posted in a prominent place by the telephones and on the Preschool bulletin board.

In the event of an emergency or accident:

1. For a minor accident, first aid will be administered and the parents will be contacted.
2. For a major accident requiring immediate medical attention, first aid will be administered and 911 will be called. The center's source of emergency care is North Memorial Hospital. After calling 911, the child's parents will be contacted.
3. Staff will not transport children.

EMERGENCY SHELTER AND EQUIPMENT

If emergency shelter is needed outside of this facility, staff and children will proceed to the Wayzata Community Church at 125 East Wayzata Blvd., Wayzata, MN (phone: 952-473-8876). A battery-operated radio and flashlight are kept in the classroom.

POWER/UTILITY FAILURE

In the event of a power/utility failure, parents will be contacted to take their child home. Supervision of all children will be maintained by the staff until all children are picked up.

SCHOOL CLOSING

During times of inclement weather, Redeemer Christian Academy will follow the lead of Wayzata Public Schools. If Wayzata Schools are closed, are closing early, or will be starting late, Redeemer Christian Academy will normally do the same. However, there may also be circumstances that will find Redeemer Christian Academy open, closed, closing early, or starting late independent from what Wayzata Schools may do. School closing announcements will be announced via email to all Redeemer families and also made on WCCO Radio (AM 830) and WCCO channel 4. Parents need to check these media outlets on days when inclement weather is either forecast or imminent.

Parents may pick up their child anytime they feel the weather is a threat to safe travel home.

TORNADOES

In the event of a tornado, students will be directed by the staff to the girls' locker room. They will be directed to sit facing the wall, with their hands held over their heads. Tornado drills will be practiced to familiarize the students with the procedure. The drills will be conducted regularly, particularly during prime fall and spring storm seasons, and a log will be kept of dates and times of the drills. A diagram with tornado procedures is posted in the Preschool Room.

HEALTH SERVICES, POLICIES, AND GUIDELINES

ACCIDENTS

All staff members review emergency and accident procedures during a faculty/staff orientation prior to each school year, with the procedures themselves reviewed annually, as well.

All accidents, injuries and emergencies that occur to children, staff, or visitors at Redeemer are recorded on an accident report form. Information recorded includes name, age, date, and place of incident, type of incident, action taken by staff, and to whom the incident was reported. The accident reports are reviewed annually to determine in any modifications in property or procedures are needed.

A report will be made to the Department of Health Services (phone: 651-431-6500) within 24 hours of the death of a child at Redeemer or of any injury to a child in care at Redeemer that requires treatment by a physician or any emergency medical service.

Prevention is the most important aspect with regards to promoting a safe environment. A daily inspection for potential hazards is done at Redeemer by the Preschool teacher. When hazardous equipment or areas are found, they are removed, repaired, or disposed of. All staff persons are always on the look out for potential hazards on the premises or on field trips.

ANIMAL BITES

In the event a child is bitten by an animal while in the care of Redeemer Preschool, the staff will immediately notify the Wayzata Police (phone: 952-404-5340) and the child's parent. Care and treatment of bites in the child care setting will follow standard first aid practices.

FIRST AID

All teachers and aides are required to have 8 hours of first aid training every two years. One staff member who is trained in pediatric CPR will be at Redeemer at all times the children are present.

If first aid procedures are required, they will be administered by the first staff member at the site. A second staff member will remain with the rest of the children. If additional help is needed, staff from other rooms will be called. All first aid procedures administered will be documented and kept on file on an accident report form at Redeemer.

A first aid kit and manual are kept in the Preschool cupboard above the sink. It is restocked regularly and contains all items required by the Department of Human Services.

FUSE BOX

The fuse box is located in the custodial closet next to the Preschool classroom. The location is known by all staff. Circumstances for cutting the power include flooding, a smoking outlet, flying spark, electrocution, or similar incidences.

HAND WASHING PROCEDURE

The following procedures for hand washing will be observed by all staff and taught to students:

1. Wet hands with warm running water and liquid soap.
2. Rub hands vigorously
3. Wash all surfaces: backs of hands, between fingers, wrists, under fingernails.
4. Rinse well.
5. Dry hands with single-use, disposable paper towel.
6. Turn off water using paper towel.

HEALTH CONSULTANT

A health consultant will review health and safety policies stipulated by Rule 3 on a yearly basis. Additionally, if there is a proposed change in health practices or policies, or if an outbreak of a contagious illness should occur, a health consultant will be contacted for review.

Redeemer is served by a Health Para Professional who is onsite during the middle of the day on a daily basis. Our Health Para Professional, among other duties, reviews immunization records and monitors students' diseases, providing notices when contagious conditions exist.

ILL CHILDREN

Children should be kept home if they have any of the following symptoms or illnesses:

- vomiting or diarrhea
- undiagnosed rash
- drainage from eye or ears
- 100 degree Fahrenheit temperature (axillary) or higher
- bacterial infection such as strep or impetigo and has not completed 24 hours of antibiotic therapy
- any contagious illness, such as lice, scabies, chicken pox, ringworm, or any reportable disease
- significant respiratory distress
- inability to participate in child care program activities with reasonable comfort or requiring more care than the staff can provide without compromising the health and safety of the other children.

If a child becomes ill during the day, he/she will be kept isolated from the other children. A staff member will remain with the child and make him/her as comfortable as possible. A parent will be notified and asked to pick up the child.

Parents are asked to notify Redeemer within 24 hours if their child contracts a communicable illness. Communicable illnesses will be reported to all parents the same day the information is received. The staff will post a notice in a prominent place identifying the illness, incubation period, early signs of detection, and exclusion recommendations.

Redeemer will notify the Public Health Department (phone: 612-201-4959) within 24 hours should an occurrence of a "reportable disease" take place.

IMMUNIZATIONS , PHYSICAL EXAM, AND EMERGENCY INFORMATION

The state law requires immunizations for all children entering a school in Minnesota. A Child Care Immunization Form **must be completed and submitted to the Office by the first day of your child's attendance.**

The State of Minnesota requires every student enrolled in a licensed Preschool to have a physical exam before entering school. A Health Summary Form **must be completed and submitted to the Office by the first day of your child's attendance.**

An Emergency Referral Information Form, which includes Health Status Update information, **must be completed and submitted to the Office by the first day of your child's attendance.** Please make sure the information is accurate.

Also remember to contact the Teacher and the Office (952-473-5356) if there are any changes during the year. It is vital that we have current contact information and names of people you authorize to provide care and transportation for your child.

MEDICATION

NO medication will be given at school.

MISSING CHILD OR PARENT

If a child is missing, the Preschool Director/Teacher, with help from available Redeemer staff, will conduct a thorough search of the area (building and grounds). If we are unable to find the child, the police will be notified (#911 or Wayzata Police – phone: 952-404-5340) and then the parents. If possible, a staff person will accompany the police to help identify the child.

If a parent has not picked up a child, the staff will attempt to contact the parent (home, work, mobile phone numbers as provided on the Emergency Referral Information Form). If attempts to contact the parent are unsuccessful, emergency contacts will be called. If we are unable to reach these persons within one hour, the police will be notified to pick up the child.

PETS

Pets will not be allowed in the preschool classroom. We may have a class fish, and we may have chicks in the classroom in the spring. If your child wants to bring in a bug... that they find, in a safe container, that is allowed.

PREVENTION POLICIES

Proper staff supervision is essential with regards to accident prevention. The staff at Redeemer will provide safety training to the children.

Poisoning

- All poisonous/hazardous substances will be stored out of the reach of children.
- All poisonous/hazardous substances are stored in their original container.
- All plants will be checked. If poisonous, they will be removed.
- Lead paint will not be used on equipment or walls.
- Food is not stored near or next to poisonous/hazardous substances.
- The phone number of the Poison Control Center (1-800-222-1222) is posted along with other emergency numbers by the telephones and on the Preschool bulletin board. Staff will be knowledgeable about Poison Control Center services.
- Children will be taught poison prevention.

Burns

- Water temperature will not exceed 120 degrees Fahrenheit.
- All outlets will be covered with protective coverings.
- Electrical cords will be kept out of the reach of children, and when in use, children will be closely supervised.
- Staff will not drink hot liquids when working around children.
- Food will be checked before serving to children. Food will be warm and not hot.
- The staff will protect the children from over-exposure to the sun by using protective clothing (sunscreen with parental permission) and by limiting time in direct sunlight.
- Children are generally not allowed in the kitchen. Should they be allowed in the kitchen for a cooking activity, they will be closely supervised.

Choking/Suffocation

- Plastic bags will be kept out of the reach of children. When discarded, they will be tied in a knot.
- Toys will be age-appropriate. Items that can cause choking will be removed.
- All water play in the classrooms will be closely supervised.
- All food given to the children will be age-appropriate and/or cut into small pieces.
- Children will sit while eating.
- No balloons will be used, due to choking potential.
- Window blind cords will be adjusted to prevent strangulation.
- To prevent strangulation, drawstrings on children's outerwear should not be worn.

Pedestrian/Traffic Safety

- Children will be taught traffic safety.
- No child will cross the street without a teacher/parent present. Children will not cross the street until the teacher tells them it is safe and crosses with them.

Other Injuries

- Scissors and knives and other sharp objects will be kept out of the reach of children.
- Rugs will have non-skid backing or be firmly fastened to the floor.
- Spills will be wiped up immediately.
- Children will be educated about equipment usage and have proper adult supervision.

PROCEDURES FOR FIRE SAFETY AND INTERVENTIONS

All staff are trained in fire prevention procedures along with appropriate interventions should a fire occur. Fire drills are held regularly and are recorded in a log to document drill times, dates, number of children and staff, and any comments.

Fire Evacuation:

- Primary and secondary exits are noted on the floor plan which is posted in a prominent area in each work unit.
- The person detecting the fire will call 911.
- The teacher will evacuate the children, taking the attendance sheet along and attempting to take, also, the first aid kit and emergency cards.
- The group will proceed outdoors, away from the building to the designated waiting area (far side of parking lot by Ferndale) and await further instructions.
- Attendance will be taken and any missing child reported to the school administrator or Fire Department official, if on hand. No one is to re-enter the building until the “all-clear” is given.
- A report will be made to the Department of Health Services (phone: 651-201-4959) within 48 hours of a fire that requires the Fire Department to be present.

Fire Extinguisher:

- The staff is trained in the use and is aware of the location of the fire extinguisher.
- Directions for the use of the fire extinguisher:
 - Pull pin.
 - Point extinguisher toward the base of the fire.
 - Squeeze trigger/sweep side to side.
- Fire extinguishers are checked annually.
- Written instructions on the use of the fire extinguisher, fire evacuation plans, and duties of staff are posted in the Preschool classroom.

SAFETY GUIDES

The teacher will daily inspect the classroom and other areas used by the children for any hazards. Guidelines followed include:

- No cleaning materials containing any chemicals will be kept in the classroom.
- Children will be instructed in safety rules, such as not running in the classroom or hallways to prevent injury.
- Snacks will be appropriate to the age level avoiding such foods as grapes, peanuts, popcorn, and other foods on which children could easily choke.

SANITATION PROCEDURES

- All staff and children will wash their hands after toileting, coughing, sneezing, or blowing their noses.
- All staff and children will wash their hands before preparing or eating any food.

- The staff will have minimal direct contact with food.
- Tables used for eating will be cleaned and sanitized before and after eating.
- Toys and other equipment will be cleaned and sanitized on a weekly basis or more often if necessary.
- Eating and cooking utensils will be either disposable and discarded after each use or properly cleaned and sanitized, utilizing the four-step process or run through a commercial NSF dishwasher.
- Floor of food service area will be properly swept and cleaned after each use and cleaned with a sanitizing solution daily.
- Bleach water used for food service area will be checked with test strips during the day.
- Any equipment used for food preparation or food service is kept completely separate from toileting procedures and equipment.
- Toilets will be cleaned and disinfected when soiled or at least daily.
- Bathroom sinks and floors will be cleaned and sanitized at least daily.
- Proper procedures will be utilized for cleaning up spills of bodily fluids.
- Proper procedures will be utilized for preparing bleach solutions.

UNAUTHORIZED OR INCAPACITATED PERSON PICK-UP

No unauthorized person shall take a child from Redeemer Preschool. If an unauthorized person should attempt to take a child from Redeemer Preschool, they will be firmly informed that this is not allowed. The custodial parent(s) will be called immediately. If the parents cannot be reached, the emergency names will be called. If there is still a problem, the police will be called. If there is any sign of immediate danger, 911 will be called. The staff will be instructed to ask for a picture ID of anyone picking up a child that the staff does not know.

In the event that the person picking up a child is in any way incapacitated, they will be firmly told that the staff does not feel it is safe for that person to transport the child. They will be asked for the name and number of someone who can safely transport them, or the staff will use the emergency numbers.

If this person resists the efforts of the staff, the vehicle (color, model, and license plate number) will be provided to the Police Department. Child Protection will be notified, and the incident will be documented and kept on file at Redeemer.

HANDBOOK AND POLICY REVIEW

Redeemer Christian Academy Administration, in conjunction with the Day School Board, reserves the right to amend the policies and procedures of the *Preschool Handbook* at any time.

PRESCHOOL/PRE-KINDERGARTEN STAFF

Director/Teacher	Marit Esterberg
Preschool Aide	Leah Zbacnik
ESC Teachers	Andrea Kurilla/Linda Edmison
Principal	Linda Wiebold
Pastor	Steve Ferber
Office Administrator	Kris Hanson
Custodian	Jim Menzel

PRESCHOOL/PRE-KINDERGARTEN DIRECTORY

Redeemer Office.....school..... 952-473-5356
church..... 952-473-1281

Redeemer Christian Academy Fax..... 952-473-3186

EMERGENCY..... 911

Police..... 952-525-6210
Non Emergency Police..... 952-404-5340

Fire..... 952-525-6210
Non Emergency Fire..... 952-473-0234

Poison Center.....1-800-222-1222

Division of Licensing & Health Inspector..... 651-296-3971

Web site: www.RedeemerWayzata.org

Redeemer Christian Academy Church Ministry:

Sunday Worship

8:15 a.m. – Traditional Service

10:45 a.m. – Contemporary Service

9:30 a.m. – Sunday School/Bible Classes

APPENDIX PRESCHOOL PLUS HANDBOOK

PRESCHOOL PLUS REGISTRATION INFORMATION & PROGRAM FEES

REGISTRATION

Parents registering their child must complete and submit the Registration and Payment Agreement and the Identification Form. A registration fee of \$25.00 must accompany these forms prior to participation in the program. The registration fee is non-refundable and does not apply to tuition.

CARE FOR ENROLLED REDEEMER STUDENTS

Enrolled Redeemer students (those who have paid the registration fee and have Registration and Identification forms on file) may choose from the following types of care:

***CONTRACT USE FOR PRESCHOOL PLUS**

Families who wish to use Preschool Plus on a regular basis need to fill out and sign a contract scheduling those days. A two week notice is required for any (permanent) changes to a contract.

Mon-Fri Full Day	8:00am – 5:30pm (5 days)	\$235/week (includes preschool)
M/W/F 2:45-5:30 care	8:00am – 5:30pm (3 days)	\$130/week (includes preschool)
Mon-Fri Flex	8:00am – 2:45pm (5 days)	\$170/week (includes preschool)
T/Th Full Day	8:00am - 5:30pm (2 days)	\$95/week (includes preschool)
T/Th Flex	8:00am – 2:45pm (2 days)	\$75/week (includes preschool)

Parents may not switch days on any given week, but if space permits, parents may schedule additional days beyond their contracted sessions with at least a 24 hour notice. A prorated fee will be charged.

Tuition is divided into 10 equal payments, September –June. All contracted days will be billed for and are subject to payment, whether the child is in attendance or not, with the exception of the following:

- School/Preschool Plus closures due to weather.
- School sponsored events or sporting practices and games which cause a child to be absent from Preschool Plus.
- Scheduled vacations – If the Preschool Plus director is notified in writing no less than two weeks prior to departure.

- If your child will be absent, you must notify the Preschool Plus director at mesterberg@redeemerwayzata.org or 952/473-5356, ext. 321.

***CONTRACTED MORNING CARE (Currently unavailable.):** \$5.00/child/day fee. Morning care availability requires that five or more children be signed up for daily contracted morning care. We will advise you when this program becomes available.

***OCCASIONAL USE**

Families who wish to use Preschool Plus on an occasional basis may sign up at least 24 hours in advance by notifying the Preschool Plus director at mesterberg@redeemerwayzata.org or 952/473-5356, ext. 321.

Fee: \$50.00/child/full day (T/Th), \$35.00/child T/Th 8:00 – 2:45, \$20/child T/Th 11:00 – 2:45, \$15.00/child M/W/F 2:45 – 5:30 *There is no morning Preschool Plus care at this time.

Please do not write notes to teachers, or notify the school office to schedule care. Schedule care directly with the Preschool Plus director through email or the extension as stated above.

If cancellation is necessary, the Preschool Plus director must be notified directly. Cancellations of less than 24 hours will be subject to full payment of daily fee.

CARE FOR REDEEMER STUDENTS NOT SCHEDULED FOR PRESCHOOL PLUS

Students are not allowed in the school building or on the school grounds without supervision at any time. If for any reason your child has not been picked up by 11:20 or 2:50, as planned, he/she will be taken to Preschool Plus for supervision in the preschool room.

All unscheduled drop-in care will be charged as follows: \$5.00/child from 11:20 a.m. to 11:35p.m., \$25.00/child until 2:45 p.m., and the full drop in rate of \$50.00/child 11:20 – 5:30. These fees will be billed to the family during the first full week of the following month.

Late Pick-up Fees

We understand that sometimes it's challenging to get to Redeemer on time to pick up your child, but since our staff needs to be paid for staying late, we need to charge our families late pick-up fees. The fees are as following, with a general guideline of \$1/minute past 5:30.

APPENDIX 2

626.556 REPORTING OF MALTREATMENT OF MINORS.

Subdivision 1. Public policy.

(a) The legislature hereby declares that the public policy of this state is to protect children whose health or welfare may be jeopardized through physical abuse, neglect, or sexual abuse. While it is recognized that most parents want to keep their children safe, sometimes circumstances or conditions interfere with their ability to do so. When this occurs, the health and safety of the children must be of paramount concern. Intervention and prevention efforts must address immediate concerns for child safety and the ongoing risk of abuse or neglect and should engage the protective capacities of families. In furtherance of this public policy, it is the intent of the legislature under this section to:

(1) protect children and promote child safety;

(2) strengthen the family;

(3) make the home, school, and community safe for children by promoting responsible child care in all settings; and

(4) provide, when necessary, a safe temporary or permanent home environment for physically or sexually abused or neglected children.

(b) In addition, it is the policy of this state to:

(1) require the reporting of neglect or physical or sexual abuse of children in the home, school, and community settings;

(2) provide for the voluntary reporting of abuse or neglect of children;

(3) require an investigation when the report alleges sexual abuse or substantial child endangerment;

(4) provide a family assessment, if appropriate, when the report does not allege sexual abuse or substantial child endangerment; and

(5) provide protective, family support, and family preservation services when needed in appropriate cases.

Subd. 2. Definitions.

As used in this section, the following terms have the meanings given them unless the specific content indicates otherwise:

(a) "Accidental" means a sudden, not reasonably foreseeable, and unexpected occurrence or event which:

(1) is not likely to occur and could not have been prevented by exercise of due care; and

(2) if occurring while a child is receiving services from a facility, happens when the facility and the employee or person providing services in the facility are in compliance with the laws and rules relevant to the occurrence or event.

(b) "Commissioner" means the commissioner of human services.

(c) "Facility" means:

(1) a licensed or unlicensed day care facility, certified license-exempt child care center, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed under sections [144.50](#) to [144.58](#), [241.021](#), or [245A.01](#) to [245A.16](#), or chapter 144H, 245D, or 245H;

(2) a school as defined in section [120A.05, subdivisions 9](#), 11, and 13; and chapter 124E; or

(3) a nonlicensed personal care provider organization as defined in section [256B.0625, subdivision 19a](#).

(d) "Family assessment" means a comprehensive assessment of child safety, risk of subsequent child maltreatment, and family strengths and needs that is applied to a child maltreatment report that does not allege sexual abuse or substantial child endangerment. Family assessment does not include a determination as to whether child maltreatment occurred but does determine the need for services to address the safety of family members and the risk of subsequent maltreatment.

(e) "Investigation" means fact gathering related to the current safety of a child and the risk of subsequent maltreatment that determines whether child maltreatment occurred and whether child protective services are needed. An investigation must be used when reports involve sexual abuse or substantial child endangerment, and for reports of maltreatment in facilities required to be licensed or certified under chapter 245A, 245D, or 245H; under sections [144.50](#) to [144.58](#) and [241.021](#); in a school as defined in section [120A.05, subdivisions 9](#), 11, and 13, and chapter 124E; or in a nonlicensed personal care provider association as defined in section [256B.0625, subdivision 19a](#).

(f) "Mental injury" means an injury to the psychological capacity or emotional stability of a child as evidenced by an observable or substantial impairment in the child's ability to function within a normal range of performance and behavior with due regard to the child's culture.

(g) "Neglect" means the commission or omission of any of the acts specified under clauses (1) to (9), other than by accidental means:

(1) failure by a person responsible for a child's care to supply a child with necessary food, clothing, shelter, health, medical, or other care required for the child's physical or mental health when reasonably able to do so;

(2) failure to protect a child from conditions or actions that seriously endanger the child's physical or mental health when reasonably able to do so, including a growth delay, which may be referred to as a failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

(3) failure to provide for necessary supervision or child care arrangements appropriate for a child after considering factors as the child's age, mental ability, physical condition, length of absence, or environment, when the child is unable to care for the child's own basic needs or safety, or the basic needs or safety of another child in their care;

(4) failure to ensure that the child is educated as defined in sections [120A.22](#) and [260C.163, subdivision 11](#), which does not include a parent's refusal to provide the parent's child with sympathomimetic medications, consistent with section [125A.091, subdivision 5](#);

(5) nothing in this section shall be construed to mean that a child is neglected solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child in lieu of medical care; except that a parent, guardian, or caretaker, or a person mandated to report pursuant to subdivision 3, has a duty to report if a lack of medical care may cause serious danger to the child's health. This section does not impose upon persons, not otherwise legally responsible for providing a child with necessary food, clothing, shelter, education, or medical care, a duty to provide that care;

(6) prenatal exposure to a controlled substance, as defined in section [253B.02](#), subdivision 2, used by the mother for a nonmedical purpose, as evidenced by withdrawal symptoms in the child at birth, results of a toxicology test performed on the mother at delivery or the child at birth, medical effects or developmental delays during the child's first year of life that medically indicate prenatal exposure to a controlled substance, or the presence of a fetal alcohol spectrum disorder;

(7) "medical neglect" as defined in section [260C.007, subdivision 6](#), clause (5);

(8) chronic and severe use of alcohol or a controlled substance by a parent or person responsible for the care of the child that adversely affects the child's basic needs and safety; or

(9) emotional harm from a pattern of behavior which contributes to impaired emotional functioning of the child which may be demonstrated by a substantial and observable effect in the child's behavior, emotional response, or cognition that is not within the normal range for the child's age and stage of development, with due regard to the child's culture.

(h) "Nonmaltreatment mistake" means:

(1) at the time of the incident, the individual was performing duties identified in the center's child care program plan required under Minnesota Rules, part [9503.0045](#);

(2) the individual has not been determined responsible for a similar incident that resulted in a finding of maltreatment for at least seven years;

(3) the individual has not been determined to have committed a similar nonmaltreatment mistake under this paragraph for at least four years;

(4) any injury to a child resulting from the incident, if treated, is treated only with remedies that are available over the counter, whether ordered by a medical professional or not; and

(5) except for the period when the incident occurred, the facility and the individual providing services were both in compliance with all licensing requirements relevant to the incident.

This definition only applies to child care centers licensed under Minnesota Rules, chapter 9503. If clauses (1) to (5) apply, rather than making a determination of substantiated maltreatment by the individual, the commissioner of human services shall determine that a nonmaltreatment mistake was made by the individual.

(i) "Operator" means an operator or agency as defined in section [245A.02](#).

(j) "Person responsible for the child's care" means (1) an individual functioning within the family unit and having responsibilities for the care of the child such as a parent, guardian, or other person having similar care responsibilities, or (2) an individual functioning outside the family unit and having responsibilities for the care of the child such as a teacher, school administrator, other school employees or agents, or other lawful custodian of a child having either full-time or short-term care responsibilities including, but not limited to, day care, babysitting whether paid or unpaid, counseling, teaching, and coaching.

(k) "Physical abuse" means any physical injury, mental injury, or threatened injury, inflicted by a person responsible for the child's care on a child other than by accidental means, or any physical or mental injury that cannot reasonably be explained by the child's history of injuries, or any aversive or deprivation procedures, or regulated interventions, that have not been authorized under section [125A.0942](#) or [245.825](#).

Abuse does not include reasonable and moderate physical discipline of a child administered by a parent or legal guardian which does not result in an injury. Abuse does not include the use of reasonable force by a teacher, principal, or school employee as allowed by section [121A.582](#). Actions which are not reasonable and moderate include, but are not limited to, any of the following:

(1) throwing, kicking, burning, biting, or cutting a child;

(2) striking a child with a closed fist;

(3) shaking a child under age three;

- (4) striking or other actions which result in any nonaccidental injury to a child under 18 months of age;
 - (5) unreasonable interference with a child's breathing;
 - (6) threatening a child with a weapon, as defined in section [609.02, subdivision 6](#);
 - (7) striking a child under age one on the face or head;
 - (8) striking a child who is at least age one but under age four on the face or head, which results in an injury;
 - (9) purposely giving a child poison, alcohol, or dangerous, harmful, or controlled substances which were not prescribed for the child by a practitioner, in order to control or punish the child; or other substances that substantially affect the child's behavior, motor coordination, or judgment or that results in sickness or internal injury, or subjects the child to medical procedures that would be unnecessary if the child were not exposed to the substances;
 - (10) unreasonable physical confinement or restraint not permitted under section [609.379](#), including but not limited to tying, caging, or chaining; or
 - (11) in a school facility or school zone, an act by a person responsible for the child's care that is a violation under section [121A.58](#).
- (l) "Practice of social services," for the purposes of subdivision 3, includes but is not limited to employee assistance counseling and the provision of guardian ad litem and parenting time expeditor services.

(m) "Report" means any communication received by the local welfare agency, police department, county sheriff, or agency responsible for child protection pursuant to this section that describes neglect or physical or sexual abuse of a child and contains sufficient content to identify the child and any person believed to be responsible for the neglect or abuse, if known.

(n) "Sexual abuse" means the subjection of a child by a person responsible for the child's care, by a person who has a significant relationship to the child, as defined in section [609.341](#), or by a person in a position of authority, as defined in section [609.341](#), subdivision 10, to any act which constitutes a violation of section [609.342](#) (criminal sexual conduct in the first degree), [609.343](#) (criminal sexual conduct in the second degree), [609.344](#) (criminal sexual conduct in the third degree), [609.345](#) (criminal sexual conduct in the fourth degree), or [609.3451](#) (criminal sexual conduct in the fifth degree). Sexual abuse also includes any act which involves a minor which constitutes a violation of prostitution offenses under sections [609.321](#) to [609.324](#) or [617.246](#). Effective May 29, 2017, sexual abuse includes all reports of known or suspected child sex trafficking involving a child who is identified as a victim of sex trafficking. Sexual abuse includes child sex trafficking as defined in section [609.321, subdivisions 7a](#) and [7b](#). Sexual abuse includes threatened sexual abuse which includes the status of a parent or household member who has committed a violation which requires registration as an offender under section 243.166, subdivision 1b, paragraph (a) or (b), or required registration under section 243.166, subdivision 1b, paragraph (a) or (b).

(o) "Substantial child endangerment" means a person responsible for a child's care, by act or omission, commits or attempts to commit an act against a child under their care that constitutes any of the following:

- (1) egregious harm as defined in section [260C.007, subdivision 14](#);
- (2) abandonment under section [260C.301, subdivision 2](#);

(3) neglect as defined in paragraph (g), clause (2), that substantially endangers the child's physical or mental health, including a growth delay, which may be referred to as failure to thrive, that has been diagnosed by a physician and is due to parental neglect;

(4) murder in the first, second, or third degree under section [609.185](#), [609.19](#), or [609.195](#);

(5) manslaughter in the first or second degree under section [609.20](#) or [609.205](#);

(6) assault in the first, second, or third degree under section [609.221](#), [609.222](#), or [609.223](#);

(7) solicitation, inducement, and promotion of prostitution under section [609.322](#);

(8) criminal sexual conduct under sections [609.342](#) to [609.3451](#);

(9) solicitation of children to engage in sexual conduct under section [609.352](#);

(10) malicious punishment or neglect or endangerment of a child under section [609.377](#) or [609.378](#);

(11) use of a minor in sexual performance under section [617.246](#); or

(12) parental behavior, status, or condition which mandates that the county attorney file a termination of parental rights petition under section [260C.503, subdivision 2](#).

(p) "Threatened injury" means a statement, overt act, condition, or status that represents a substantial risk of physical or sexual abuse or mental injury. Threatened injury includes, but is not limited to, exposing a child to a person responsible for the child's care, as defined in paragraph (j), clause (1), who has:

(1) subjected a child to, or failed to protect a child from, an overt act or condition that constitutes egregious harm, as defined in section [260C.007, subdivision 14](#), or a similar law of another jurisdiction;

(2) been found to be palpably unfit under section [260C.301](#), subdivision 1, paragraph (b), clause (4), or a similar law of another jurisdiction;

(3) committed an act that has resulted in an involuntary termination of parental rights under section [260C.301](#), or a similar law of another jurisdiction; or

(4) committed an act that has resulted in the involuntary transfer of permanent legal and physical custody of a child to a relative under Minnesota Statutes 2010, section 260C.201, subdivision 11, paragraph (d), clause (1), section [260C.515, subdivision 4](#), or a similar law of another jurisdiction.

A child is the subject of a report of threatened injury when the responsible social services agency receives birth match data under paragraph (q) from the Department of Human Services.

(q) Upon receiving data under section [144.225, subdivision 2b](#), contained in a birth record or recognition of parentage identifying a child who is subject to threatened injury under paragraph (p), the Department of Human Services shall send the data to the responsible social services agency. The data is known as "birth match" data. Unless the responsible social services agency has already begun an investigation or assessment of the report due to the birth of the child or execution of the recognition of parentage and the parent's previous history with child protection, the agency shall accept the birth match data as a report under this section. The agency may use either a family assessment or investigation to determine whether the child is safe. All of the provisions of this section apply. If the child is determined to be safe, the agency shall consult with the county attorney to determine the appropriateness of filing a petition alleging the child is in need of protection or services under section [260C.007, subdivision 6](#), clause (16), in order to deliver needed services. If the child is determined not to be safe, the agency and the county attorney shall take appropriate action as required under section [260C.503](#), subdivision 2.

(r) Persons who conduct assessments or investigations under this section shall take into account accepted child-rearing practices of the culture in which a child participates and accepted teacher discipline practices, which are not injurious to the child's health, welfare, and safety.

Subd. 3. Persons mandated to report; persons voluntarily reporting.

(a) A person who knows or has reason to believe a child is being neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, shall immediately report the information to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person is:

(1) a professional or professional's delegate who is engaged in the practice of the healing arts, social services, hospital administration, psychological or psychiatric treatment, child care, education, correctional supervision, probation and correctional services, or law enforcement; or

(2) employed as a member of the clergy and received the information while engaged in ministerial duties, provided that a member of the clergy is not required by this subdivision to report information that is otherwise privileged under section [595.02, subdivision 1](#), paragraph (c).

(b) Any person may voluntarily report to the local welfare agency, agency responsible for assessing or investigating the report, police department, county sheriff, tribal social services agency, or tribal police department if the person knows, has reason to believe, or suspects a child is being or has been neglected or subjected to physical or sexual abuse.

(c) A person mandated to report physical or sexual child abuse or neglect occurring within a licensed facility shall report the information to the agency responsible for licensing or certifying the facility under sections [144.50](#) to [144.58](#); [241.021](#); [245A.01](#) to [245A.16](#); or chapter 144H, 245D, or 245H; or a nonlicensed personal care provider organization as defined in section 256B.0625, subdivision 19a. A health or corrections agency receiving a report may request the local welfare agency to provide assistance pursuant to subdivisions 10, 10a, and 10b. A board or other entity whose licensees perform work within a school facility, upon receiving a complaint of alleged maltreatment, shall provide information about the circumstances of the alleged maltreatment to the commissioner of education. Section [13.03, subdivision 4](#), applies to data received by the commissioner of education from a licensing entity.

(d) Notification requirements under subdivision 10 apply to all reports received under this section.

(e) For purposes of this section, "immediately" means as soon as possible but in no event longer than 24 hours.

Subd. 3a. Report of deprivation of parental rights or kidnapping.

A person mandated to report under subdivision 3, who knows or has reason to know of a violation of section [609.25](#) or [609.26](#), shall report the information to the local police department or the county sheriff. Receipt by a local welfare agency of a report or notification of a report of a violation of section [609.25](#) or [609.26](#) shall not be construed to invoke the duties of subdivision 10, 10a, or 10b.

Subd. 3b. Agency responsible for assessing or investigating reports of maltreatment.

The Department of Education is the agency responsible for assessing or investigating allegations of child maltreatment in schools as defined in section [120A.05, subdivisions 9, 11, and 13](#); and chapter 124E.

Subd. 3c. Local welfare agency, Department of Human Services or Department of Health responsible for assessing or investigating reports of maltreatment.

(a) The local welfare agency is the agency responsible for assessing or investigating allegations of maltreatment in child foster care, family child care, legally nonlicensed child care, and reports involving children served by an unlicensed personal care provider organization under section [256B.0659](#). Copies of

findings related to personal care provider organizations under section [256B.0659](#) must be forwarded to the Department of Human Services provider enrollment.

(b) The Department of Human Services is the agency responsible for assessing or investigating allegations of maltreatment in juvenile correctional facilities listed under section [241.021](#) located in the local welfare agency's county and in facilities licensed or certified under chapters 245A, 245D, and 245H, except for child foster care and family child care.

(c) The Department of Health is the agency responsible for assessing or investigating allegations of child maltreatment in facilities licensed under sections 144.50 to 144.58 and [144A.43](#) to [144A.482](#) or chapter 144H.

Subd. 3d. Authority to interview.

The agency responsible for assessing or investigating reports of child maltreatment has the authority to interview the child, the person or persons responsible for the child's care, the alleged perpetrator, and any other person with knowledge of the abuse or neglect for the purpose of gathering the facts, assessing safety and risk to the child, and formulating a plan.

Subd. 3e. Agency responsible for assessing or investigating reports of sexual abuse.

The local welfare agency is the agency responsible for investigating allegations of sexual abuse if the alleged offender is the parent, guardian, sibling, or an individual functioning within the family unit as a person responsible for the child's care, or a person with a significant relationship to the child if that person resides in the child's household. Effective May 29, 2017, the local welfare agency is also responsible for investigating when a child is identified as a victim of sex trafficking.

Subd. 3f. Law enforcement agency responsible for investigating maltreatment.

The local law enforcement agency has responsibility for investigating any report of child maltreatment if a violation of a criminal statute is alleged. Law enforcement and the responsible agency must coordinate their investigations or assessments as required under subdivision 10.

Subd. 4. Immunity from liability.

(a) The following persons are immune from any civil or criminal liability that otherwise might result from their actions, if they are acting in good faith:

(1) any person making a voluntary or mandated report under subdivision 3 or under section [626.5561](#) or assisting in an assessment under this section or under section [626.5561](#);

(2) any person with responsibility for performing duties under this section or supervisor employed by a local welfare agency, the commissioner of an agency responsible for operating or supervising a licensed or unlicensed day care facility, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed or certified under sections [144.50](#) to [144.58](#); [241.021](#); [245A.01](#) to [245A.16](#); or chapter 245B or 245H; or a school as defined in section [120A.05, subdivisions 9, 11, and 13](#); and chapter 124E; or a nonlicensed personal care provider organization as defined in section [256B.0625, subdivision 19a](#), complying with subdivision 10d; and

(3) any public or private school, facility as defined in subdivision 2, or the employee of any public or private school or facility who permits access by a local welfare agency, the Department of Education, or a local law enforcement agency and assists in an investigation or assessment pursuant to subdivision 10 or under section [626.5561](#).

(b) A person who is a supervisor or person with responsibility for performing duties under this section employed by a local welfare agency, the commissioner of human services, or the commissioner of education complying with subdivisions 10 and 11 or section [626.5561](#) or any related rule or provision of law is immune from any civil or criminal liability that might otherwise result from the person's actions, if the person is (1) acting in good faith and exercising due care, or (2) acting in good faith and following the information collection procedures established under subdivision 10, paragraphs (h), (i), and (j).

(c) This subdivision does not provide immunity to any person for failure to make a required report or for committing neglect, physical abuse, or sexual abuse of a child.

(d) If a person who makes a voluntary or mandatory report under subdivision 3 prevails in a civil action from which the person has been granted immunity under this subdivision, the court may award the person attorney fees and costs.

Subd. 4a. Retaliation prohibited.

(a) An employer of any person required to make reports under subdivision 3 shall not retaliate against the person for reporting in good faith abuse or neglect pursuant to this section, or against a child with respect to whom a report is made, because of the report.

(b) The employer of any person required to report under subdivision 3 who retaliates against the person because of a report of abuse or neglect is liable to that person for actual damages and, in addition, a penalty up to \$10,000.

(c) There shall be a rebuttable presumption that any adverse action within 90 days of a report is retaliatory. For purposes of this paragraph, the term "adverse action" refers to action taken by an employer of a person required to report under subdivision 3 which is involved in a report against the person making the report or the child with respect to whom the report was made because of the report, and includes, but is not limited to:

- (1) discharge, suspension, termination, or transfer from the facility, institution, school, or agency;
- (2) discharge from or termination of employment;
- (3) demotion or reduction in remuneration for services; or
- (4) restriction or prohibition of access to the facility, institution, school, agency, or persons affiliated with it.

Subd. 5. Malicious and reckless reports.

Any person who knowingly or recklessly makes a false report under the provisions of this section shall be liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury, plus costs and reasonable attorney fees.

Subd. 6. Failure to report.

(a) A person mandated by this section to report who knows or has reason to believe that a child is neglected or physically or sexually abused, as defined in subdivision 2, or has been neglected or physically or sexually abused within the preceding three years, and fails to report is guilty of a misdemeanor.

(b) A person mandated by this section to report who knows or has reason to believe that two or more children not related to the perpetrator have been physically or sexually abused, as defined in subdivision 2, by the same perpetrator within the preceding ten years, and fails to report is guilty of a gross misdemeanor.

(c) A parent, guardian, or caretaker who knows or reasonably should know that the child's health is in serious danger and who fails to report as required by subdivision 2, paragraph (g), is guilty of a gross misdemeanor if the child suffers substantial or great bodily harm because of the lack of medical care. If the child dies because of the lack of medical care, the person is guilty of a felony and may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both. The provision in section [609.378, subdivision 1](#), paragraph (a), clause (1), providing that a parent, guardian, or caretaker may, in good faith, select and depend on spiritual means or prayer for treatment or care of a child, does not exempt a parent, guardian, or caretaker from the duty to report under this subdivision.

Subd. 6a. Failure to notify.

If a local welfare agency receives a report under subdivision 3, paragraph (a) or (b), and fails to notify the local police department or county sheriff as required by subdivision 10, the person within the agency who is responsible for ensuring that notification is made shall be subject to disciplinary action in keeping with the agency's existing policy or collective bargaining agreement on discipline of employees. If a local police department or a county sheriff receives a report under subdivision 3, paragraph (a) or (b), and fails to notify the local welfare agency as required by subdivision 10, the person within the police department or county sheriff's office who is responsible for ensuring that notification is made shall be subject to disciplinary action in keeping with the agency's existing policy or collective bargaining agreement on discipline of employees.

Subd. 7. Report; information provided to parent; reporter.

(a) An oral report shall be made immediately by telephone or otherwise. An oral report made by a person required under subdivision 3 to report shall be followed within 72 hours, exclusive of weekends and holidays, by a report in writing to the appropriate police department, the county sheriff, the agency responsible for assessing or investigating the report, or the local welfare agency.

(b) The local welfare agency shall determine if the report is to be screened in or out as soon as possible but in no event longer than 24 hours after the report is received. When determining whether a report will be screened in or out, the agency receiving the report must consider, when relevant, all previous history, including reports that were screened out. The agency may communicate with treating professionals and individuals specified under subdivision 10, paragraph (i), clause (3), item (iii).

(c) Any report shall be of sufficient content to identify the child, any person believed to be responsible for the abuse or neglect of the child if the person is known, the nature and extent of the abuse or neglect and the name and address of the reporter. The local welfare agency or agency responsible for assessing or investigating the report shall accept a report made under subdivision 3 notwithstanding refusal by a reporter to provide the reporter's name or address as long as the report is otherwise sufficient under this paragraph. Written reports received by a police department or the county sheriff shall be forwarded immediately to the local welfare agency or the agency responsible for assessing or investigating the report. The police department or the county sheriff may keep copies of reports received by them. Copies of written reports received by a local welfare department or the agency responsible for assessing or investigating the report shall be forwarded immediately to the local police department or the county sheriff.

(d) When requested, the agency responsible for assessing or investigating a report shall inform the reporter within ten days after the report was made, either orally or in writing, whether the report was accepted or not. If the responsible agency determines the report does not constitute a report under this section, the agency shall advise the reporter the report was screened out. Any person mandated to report shall receive a summary of the disposition of any report made by that reporter, including whether the case has been opened for child protection or other services, or if a referral has been made to a community organization, unless release would be detrimental to the best interests of the child. Any person who is not

mandated to report shall, upon request to the local welfare agency, receive a concise summary of the disposition of any report made by that reporter, unless release would be detrimental to the best interests of the child.

(e) Reports that are screened out must be maintained in accordance with subdivision 11c, paragraph (a).

(f) A local welfare agency or agency responsible for investigating or assessing a report may use a screened-out report for making an offer of social services to the subjects of the screened-out report. A local welfare agency or agency responsible for evaluating a report alleging maltreatment of a child shall consider prior reports, including screened-out reports, to determine whether an investigation or family assessment must be conducted.

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

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

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

Subd. 7a. Guidance for screening reports.

(a) Child protection staff, supervisors, and others involved in child protection screening shall follow the guidance provided in the child maltreatment screening guidelines issued by the commissioner of human services and, when notified by the commissioner, shall immediately implement updated procedures and protocols.

(b) Any modifications to the screening guidelines must be preapproved by the commissioner of human services and must not be less protective of children than is mandated by statute. The county agency must consult with the county attorney before proposing modifications to the commissioner. The guidelines may provide additional protections for children but must not limit reports that are screened in or provide additional limits on consideration of reports that were screened out in making screening determinations.

Subd. 8. Evidence not privileged.

No evidence relating to the neglect or abuse of a child or to any prior incidents of neglect or abuse involving any of the same persons accused of neglect or abuse shall be excluded in any proceeding arising out of the alleged neglect or physical or sexual abuse on the grounds of privilege set forth in section [595.02, subdivision 1](#), paragraph (a), (d), or (g).

Subd. 9. Mandatory reporting to medical examiner or coroner.

When a person required to report under the provisions of subdivision 3 knows or has reason to believe a child has died as a result of neglect or physical or sexual abuse, the person shall report that information to the appropriate medical examiner or coroner instead of the local welfare agency, police department, or county sheriff. Medical examiners or coroners shall notify the local welfare agency or

police department or county sheriff in instances in which they believe that the child has died as a result of neglect or physical or sexual abuse. The medical examiner or coroner shall complete an investigation as soon as feasible and report the findings to the police department or county sheriff and the local welfare agency. If the child was receiving services or treatment for mental illness, developmentally disabled, chemical dependency, or emotional disturbance from an agency, facility, or program as defined in section [245.91](#), the medical examiner or coroner shall also notify and report findings to the ombudsman established under sections [245.91](#) to [245.97](#).

Subd. 10. Duties of local welfare agency and local law enforcement agency upon receipt of report; mandatory notification between police or sheriff and agency.

(a) The police department or the county sheriff shall immediately notify the local welfare agency or agency responsible for child protection reports under this section orally and in writing when a report is received. The local welfare agency or agency responsible for child protection reports shall immediately notify the local police department or the county sheriff orally and in writing when a report is received. The county sheriff and the head of every local welfare agency, agency responsible for child protection reports, and police department shall each designate a person within their agency, department, or office who is responsible for ensuring that the notification duties of this paragraph are carried out. When the alleged maltreatment occurred on tribal land, the local welfare agency or agency responsible for child protection reports and the local police department or the county sheriff shall immediately notify the tribe's social services agency and tribal law enforcement orally and in writing when a report is received.

(b) Upon receipt of a report, the local welfare agency shall determine whether to conduct a family assessment or an investigation as appropriate to prevent or provide a remedy for child maltreatment. The local welfare agency:

(1) shall conduct an investigation on reports involving sexual abuse or substantial child endangerment;

(2) shall begin an immediate investigation if, at any time when it is using a family assessment response, it determines that there is reason to believe that sexual abuse or substantial child endangerment or a serious threat to the child's safety exists;

(3) may conduct a family assessment for reports that do not allege sexual abuse or substantial child endangerment. In determining that a family assessment is appropriate, the local welfare agency may consider issues of child safety, parental cooperation, and the need for an immediate response;

(4) may conduct a family assessment on a report that was initially screened and assigned for an investigation. In determining that a complete investigation is not required, the local welfare agency must document the reason for terminating the investigation and notify the local law enforcement agency if the local law enforcement agency is conducting a joint investigation; and

(5) shall provide immediate notice, according to section [260.761, subdivision 2](#), to an Indian child's tribe when the agency has reason to believe the family assessment or investigation may involve an Indian child. For purposes of this clause, "immediate notice" means notice provided within 24 hours.

If the report alleges neglect, physical abuse, or sexual abuse by a parent, guardian, or individual functioning within the family unit as a person responsible for the child's care, or sexual abuse by a person with a significant relationship to the child when that person resides in the child's household or by a sibling, the local welfare agency shall immediately conduct a family assessment or investigation as identified in clauses (1) to (4). In conducting a family assessment or investigation, the local welfare agency shall gather information on the existence of substance abuse and domestic violence and offer services for purposes of preventing future child maltreatment, safeguarding and enhancing the welfare of the abused or neglected minor, and supporting and preserving family life whenever possible. If the report alleges a violation of a criminal statute involving sexual abuse, physical abuse, or neglect or

endangerment, under section [609.378](#), the local law enforcement agency and local welfare agency shall coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews. Each agency shall prepare a separate report of the results of its investigation or assessment. In cases of alleged child maltreatment resulting in death, the local agency may rely on the fact-finding efforts of a law enforcement investigation to make a determination of whether or not maltreatment occurred. When necessary the local welfare agency shall seek authority to remove the child from the custody of a parent, guardian, or adult with whom the child is living. In performing any of these duties, the local welfare agency shall maintain appropriate records.

If the family assessment or investigation indicates there is a potential for abuse of alcohol or other drugs by the parent, guardian, or person responsible for the child's care, the local welfare agency shall conduct a chemical use assessment pursuant to Minnesota Rules, part [9530.6615](#).

(c) When a local agency receives a report or otherwise has information indicating that a child who is a client, as defined in section [245.91](#), has been the subject of physical abuse, sexual abuse, or neglect at an agency, facility, or program as defined in section [245.91](#), it shall, in addition to its other duties under this section, immediately inform the ombudsman established under sections [245.91](#) to [245.97](#). The commissioner of education shall inform the ombudsman established under sections [245.91](#) to [245.97](#) of reports regarding a child defined as a client in section [245.91](#) that maltreatment occurred at a school as defined in section [120A.05, subdivisions 9, 11, and 13](#), and chapter 124E.

(d) Authority of the local welfare agency responsible for assessing or investigating the child abuse or neglect report, the agency responsible for assessing or investigating the report, and of the local law enforcement agency for investigating the alleged abuse or neglect includes, but is not limited to, authority to interview, without parental consent, the alleged victim and any other minors who currently reside with or who have resided with the alleged offender. The interview may take place at school or at any facility or other place where the alleged victim or other minors might be found or the child may be transported to, and the interview conducted at, a place appropriate for the interview of a child designated by the local welfare agency or law enforcement agency. The interview may take place outside the presence of the alleged offender or parent, legal custodian, guardian, or school official. For family assessments, it is the preferred practice to request a parent or guardian's permission to interview the child prior to conducting the child interview, unless doing so would compromise the safety assessment. Except as provided in this paragraph, the parent, legal custodian, or guardian shall be notified by the responsible local welfare or law enforcement agency no later than the conclusion of the investigation or assessment that this interview has occurred. Notwithstanding rule 32 of the Minnesota Rules of Procedure for Juvenile Courts, the juvenile court may, after hearing on an ex parte motion by the local welfare agency, order that, where reasonable cause exists, the agency withhold notification of this interview from the parent, legal custodian, or guardian. If the interview took place or is to take place on school property, the order shall specify that school officials may not disclose to the parent, legal custodian, or guardian the contents of the notification of intent to interview the child on school property, as provided under this paragraph, and any other related information regarding the interview that may be a part of the child's school record. A copy of the order shall be sent by the local welfare or law enforcement agency to the appropriate school official.

(e) When the local welfare, local law enforcement agency, or the agency responsible for assessing or investigating a report of maltreatment determines that an interview should take place on school property, written notification of intent to interview the child on school property must be received by school officials prior to the interview. The notification shall include the name of the child to be interviewed, the purpose of the interview, and a reference to the statutory authority to conduct an interview on school property. For interviews conducted by the local welfare agency, the notification shall be signed by the chair of the local social services agency or the chair's designee. The notification shall be private data on individuals subject to the provisions of this paragraph. School officials may not disclose to the parent, legal custodian, or guardian the contents of the notification or any other related information regarding the interview until notified in writing by the local welfare or law enforcement agency that the investigation or assessment has

been concluded, unless a school employee or agent is alleged to have maltreated the child. Until that time, the local welfare or law enforcement agency or the agency responsible for assessing or investigating a report of maltreatment shall be solely responsible for any disclosures regarding the nature of the assessment or investigation.

Except where the alleged offender is believed to be a school official or employee, the time and place, and manner of the interview on school premises shall be within the discretion of school officials, but the local welfare or law enforcement agency shall have the exclusive authority to determine who may attend the interview. The conditions as to time, place, and manner of the interview set by the school officials shall be reasonable and the interview shall be conducted not more than 24 hours after the receipt of the notification unless another time is considered necessary by agreement between the school officials and the local welfare or law enforcement agency. Where the school fails to comply with the provisions of this paragraph, the juvenile court may order the school to comply. Every effort must be made to reduce the disruption of the educational program of the child, other students, or school staff when an interview is conducted on school premises.

(f) Where the alleged offender or a person responsible for the care of the alleged victim or other minor prevents access to the victim or other minor by the local welfare agency, the juvenile court may order the parents, legal custodian, or guardian to produce the alleged victim or other minor for questioning by the local welfare agency or the local law enforcement agency outside the presence of the alleged offender or any person responsible for the child's care at reasonable places and times as specified by court order.

(g) Before making an order under paragraph (f), the court shall issue an order to show cause, either upon its own motion or upon a verified petition, specifying the basis for the requested interviews and fixing the time and place of the hearing. The order to show cause shall be served personally and shall be heard in the same manner as provided in other cases in the juvenile court. The court shall consider the need for appointment of a guardian ad litem to protect the best interests of the child. If appointed, the guardian ad litem shall be present at the hearing on the order to show cause.

(h) The commissioner of human services, the ombudsman for mental health and developmental disabilities, the local welfare agencies responsible for investigating reports, the commissioner of education, and the local law enforcement agencies have the right to enter facilities as defined in subdivision 2 and to inspect and copy the facility's records, including medical records, as part of the investigation. Notwithstanding the provisions of chapter 13, they also have the right to inform the facility under investigation that they are conducting an investigation, to disclose to the facility the names of the individuals under investigation for abusing or neglecting a child, and to provide the facility with a copy of the report and the investigative findings.

(i) The local welfare agency responsible for conducting a family assessment or investigation shall collect available and relevant information to determine child safety, risk of subsequent child maltreatment, and family strengths and needs and share not public information with an Indian's tribal social services agency without violating any law of the state that may otherwise impose duties of confidentiality on the local welfare agency in order to implement the tribal state agreement. The local welfare agency or the agency responsible for investigating the report shall collect available and relevant information to ascertain whether maltreatment occurred and whether protective services are needed. Information collected includes, when relevant, information with regard to the person reporting the alleged maltreatment, including the nature of the reporter's relationship to the child and to the alleged offender, and the basis of the reporter's knowledge for the report; the child allegedly being maltreated; the alleged offender; the child's caretaker; and other collateral sources having relevant information related to the alleged maltreatment. The local welfare agency or the agency responsible for investigating the report may make a determination of no maltreatment early in an investigation, and close the case and retain immunity, if the collected information shows no basis for a full investigation.

Information relevant to the assessment or investigation must be asked for, and may include:

(1) the child's sex and age; prior reports of maltreatment, including any maltreatment reports that were screened out and not accepted for assessment or investigation; information relating to developmental functioning; credibility of the child's statement; and whether the information provided under this clause is consistent with other information collected during the course of the assessment or investigation;

(2) the alleged offender's age, a record check for prior reports of maltreatment, and criminal charges and convictions. The local welfare agency or the agency responsible for assessing or investigating the report must provide the alleged offender with an opportunity to make a statement. The alleged offender may submit supporting documentation relevant to the assessment or investigation;

(3) collateral source information regarding the alleged maltreatment and care of the child. Collateral information includes, when relevant: (i) a medical examination of the child; (ii) prior medical records relating to the alleged maltreatment or the care of the child maintained by any facility, clinic, or health care professional and an interview with the treating professionals; and (iii) interviews with the child's caretakers, including the child's parent, guardian, foster parent, child care provider, teachers, counselors, family members, relatives, and other persons who may have knowledge regarding the alleged maltreatment and the care of the child; and

(4) information on the existence of domestic abuse and violence in the home of the child, and substance abuse.

Nothing in this paragraph precludes the local welfare agency, the local law enforcement agency, or the agency responsible for assessing or investigating the report from collecting other relevant information necessary to conduct the assessment or investigation. Notwithstanding sections [13.384](#) or [144.291](#) to [144.298](#), the local welfare agency has access to medical data and records for purposes of clause (3). Notwithstanding the data's classification in the possession of any other agency, data acquired by the local welfare agency or the agency responsible for assessing or investigating the report during the course of the assessment or investigation are private data on individuals and must be maintained in accordance with subdivision 11. Data of the commissioner of education collected or maintained during and for the purpose of an investigation of alleged maltreatment in a school are governed by this section, notwithstanding the data's classification as educational, licensing, or personnel data under chapter 13.

In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (c), the commissioner of education shall collect investigative reports and data that are relevant to a report of maltreatment and are from local law enforcement and the school facility.

(j) Upon receipt of a report, the local welfare agency shall conduct a face-to-face contact with the child reported to be maltreated and with the child's primary caregiver sufficient to complete a safety assessment and ensure the immediate safety of the child. The face-to-face contact with the child and primary caregiver shall occur immediately if sexual abuse or substantial child endangerment is alleged and within five calendar days for all other reports. If the alleged offender was not already interviewed as the primary caregiver, the local welfare agency shall also conduct a face-to-face interview with the alleged offender in the early stages of the assessment or investigation. At the initial contact, the local child welfare agency or the agency responsible for assessing or investigating the report must inform the alleged offender of the complaints or allegations made against the individual in a manner consistent with laws protecting the rights of the person who made the report. The interview with the alleged offender may be postponed if it would jeopardize an active law enforcement investigation.

(k) When conducting an investigation, the local welfare agency shall use a question and answer interviewing format with questioning as nondirective as possible to elicit spontaneous responses. For investigations only, the following interviewing methods and procedures must be used whenever possible when collecting information:

- (1) audio recordings of all interviews with witnesses and collateral sources; and
- (2) in cases of alleged sexual abuse, audio-video recordings of each interview with the alleged victim and child witnesses.

(1) In conducting an assessment or investigation involving a school facility as defined in subdivision 2, paragraph (c), the commissioner of education shall collect available and relevant information and use the procedures in paragraphs (j) and (k), and subdivision 3d, except that the requirement for face-to-face observation of the child and face-to-face interview of the alleged offender is to occur in the initial stages of the assessment or investigation provided that the commissioner may also base the assessment or investigation on investigative reports and data received from the school facility and local law enforcement, to the extent those investigations satisfy the requirements of paragraphs (j) and (k), and subdivision 3d.

Subd. 10a. Law enforcement agency responsibility for investigation; welfare agency reliance on law enforcement fact-finding; welfare agency offer of services.

(a) If the report alleges neglect, physical abuse, or sexual abuse by a person who is not a parent, guardian, sibling, person responsible for the child's care functioning within the family unit, or a person who lives in the child's household and who has a significant relationship to the child, in a setting other than a facility as defined in subdivision 2, the local welfare agency shall immediately notify the appropriate law enforcement agency, which shall conduct an investigation of the alleged abuse or neglect if a violation of a criminal statute is alleged.

(b) The local agency may rely on the fact-finding efforts of the law enforcement investigation conducted under this subdivision to make a determination whether or not threatened injury or other maltreatment has occurred under subdivision 2 if an alleged offender has minor children or lives with minors.

(c) If a child is the victim of an alleged crime under paragraph (a), the law enforcement agency shall immediately notify the local welfare agency, which shall offer appropriate social services for the purpose of safeguarding and enhancing the welfare of the abused or neglected minor.

Subd. 10b. Duties of commissioner; neglect or abuse in facility.

(a) This section applies to the commissioners of human services, health, and education. The commissioner of the agency responsible for assessing or investigating the report shall immediately assess or investigate if the report alleges that:

(1) a child who is in the care of a facility as defined in subdivision 2 is neglected, physically abused, sexually abused, or is the victim of maltreatment in a facility by an individual in that facility, or has been so neglected or abused, or been the victim of maltreatment in a facility by an individual in that facility within the three years preceding the report; or

(2) a child was neglected, physically abused, sexually abused, or is the victim of maltreatment in a facility by an individual in a facility defined in subdivision 2, while in the care of that facility within the three years preceding the report.

The commissioner of the agency responsible for assessing or investigating the report shall arrange for the transmittal to the commissioner of reports received by local agencies and may delegate to a local welfare agency the duty to investigate reports. In conducting an investigation under this section, the commissioner has the powers and duties specified for local welfare agencies under this section. The commissioner of the agency responsible for assessing or investigating the report or local welfare agency may interview any children who are or have been in the care of a facility under investigation and their parents, guardians, or legal custodians.

(b) Prior to any interview, the commissioner of the agency responsible for assessing or investigating the report or local welfare agency shall notify the parent, guardian, or legal custodian of a child who will be interviewed in the manner provided for in subdivision 10d, paragraph (a). If reasonable efforts to reach the parent, guardian, or legal custodian of a child in an out-of-home placement have failed, the child may be interviewed if there is reason to believe the interview is necessary to protect the child or other children in the facility. The commissioner of the agency responsible for assessing or investigating the report or local agency must provide the information required in this subdivision to the parent, guardian, or legal custodian of a child interviewed without parental notification as soon as possible after the interview. When the investigation is completed, any parent, guardian, or legal custodian notified under this subdivision shall receive the written memorandum provided for in subdivision 10d, paragraph (c).

(c) In conducting investigations under this subdivision the commissioner or local welfare agency shall obtain access to information consistent with subdivision 10, paragraphs (h), (i), and (j). In conducting assessments or investigations under this subdivision, the commissioner of education shall obtain access to reports and investigative data that are relevant to a report of maltreatment and are in the possession of a school facility as defined in subdivision 2, paragraph (c), notwithstanding the classification of the data as educational or personnel data under chapter 13. This includes, but is not limited to, school investigative reports, information concerning the conduct of school personnel alleged to have committed maltreatment of students, information about witnesses, and any protective or corrective action taken by the school facility regarding the school personnel alleged to have committed maltreatment.

(d) The commissioner may request assistance from the local social services agency.

Subd. 10c. Duties of local social service agency upon receipt of report of medical neglect.

If the report alleges medical neglect as defined in section [260C.007, subdivision 6](#), clause (5), the local welfare agency shall, in addition to its other duties under this section, immediately consult with designated hospital staff and with the parents of the infant to verify that appropriate nutrition, hydration, and medication are being provided; and shall immediately secure an independent medical review of the infant's medical charts and records and, if necessary, seek a court order for an independent medical examination of the infant. If the review or examination leads to a conclusion of medical neglect, the agency shall intervene on behalf of the infant by initiating legal proceedings under section [260C.141](#) and by filing an expedited motion to prevent the withholding of medically indicated treatment.

Subd. 10d. Notification of neglect or abuse in facility.

(a) When a report is received that alleges neglect, physical abuse, sexual abuse, or maltreatment of a child while in the care of a licensed or unlicensed day care facility, residential facility, agency, hospital, sanitarium, or other facility or institution required to be licensed or certified according to sections [144.50](#) to [144.58](#); [241.021](#); or [245A.01](#) to [245A.16](#); or chapter 144H, 245D, or 245H, or a school as defined in section [120A.05, subdivisions 9, 11, and 13](#); and chapter 124E; or a nonlicensed personal care provider organization as defined in section [256B.0625, subdivision 19a](#), the commissioner of the agency responsible for assessing or investigating the report or local welfare agency investigating the report shall provide the following information to the parent, guardian, or legal custodian of a child alleged to have been neglected, physically abused, sexually abused, or the victim of maltreatment of a child in the facility: the name of the facility; the fact that a report alleging neglect, physical abuse, sexual abuse, or maltreatment of a child in the facility has been received; the nature of the alleged neglect, physical abuse, sexual abuse, or maltreatment of a child in the facility; that the agency is conducting an assessment or investigation; any protective or corrective measures being taken pending the outcome of the investigation; and that a written memorandum will be provided when the investigation is completed.

(b) The commissioner of the agency responsible for assessing or investigating the report or local welfare agency may also provide the information in paragraph (a) to the parent, guardian, or legal custodian of any other child in the facility if the investigative agency knows or has reason to believe the alleged neglect, physical abuse, sexual abuse, or maltreatment of a child in the facility has occurred. In determining whether to exercise this authority, the commissioner of the agency responsible for assessing or investigating the report or local welfare agency shall consider the seriousness of the alleged neglect, physical abuse, sexual abuse, or maltreatment of a child in the facility; the number of children allegedly neglected, physically abused, sexually abused, or victims of maltreatment of a child in the facility; the number of alleged perpetrators; and the length of the investigation. The facility shall be notified whenever this discretion is exercised.

(c) When the commissioner of the agency responsible for assessing or investigating the report or local welfare agency has completed its investigation, every parent, guardian, or legal custodian previously notified of the investigation by the commissioner or local welfare agency shall be provided with the following information in a written memorandum: the name of the facility investigated; the nature of the alleged neglect, physical abuse, sexual abuse, or maltreatment of a child in the facility; the investigator's name; a summary of the investigation findings; a statement whether maltreatment was found; and the protective or corrective measures that are being or will be taken. The memorandum shall be written in a manner that protects the identity of the reporter and the child and shall not contain the name, or to the extent possible, reveal the identity of the alleged perpetrator or of those interviewed during the investigation. If maltreatment is determined to exist, the commissioner or local welfare agency shall also provide the written memorandum to the parent, guardian, or legal custodian of each child in the facility who had contact with the individual responsible for the maltreatment. When the facility is the responsible party for maltreatment, the commissioner or local welfare agency shall also provide the written memorandum to the parent, guardian, or legal custodian of each child who received services in the population of the facility where the maltreatment occurred. This notification must be provided to the parent, guardian, or legal custodian of each child receiving services from the time the maltreatment occurred until either the individual responsible for maltreatment is no longer in contact with a child or children in the facility or the conclusion of the investigation. In the case of maltreatment within a school facility, as defined in section [120A.05, subdivisions 9, 11, and 13](#), and chapter 124E, the commissioner of education need not provide notification to parents, guardians, or legal custodians of each child in the facility, but shall, within ten days after the investigation is completed, provide written notification to the parent, guardian, or legal custodian of any student alleged to have been maltreated. The commissioner of education may notify the parent, guardian, or legal custodian of any student involved as a witness to alleged maltreatment.

Subd. 10e.Determinations.

(a) The local welfare agency shall conclude the family assessment or the investigation within 45 days of the receipt of a report. The conclusion of the assessment or investigation may be extended to permit the completion of a criminal investigation or the receipt of expert information requested within 45 days of the receipt of the report.

(b) After conducting a family assessment, the local welfare agency shall determine whether services are needed to address the safety of the child and other family members and the risk of subsequent maltreatment.

(c) After conducting an investigation, the local welfare agency shall make two determinations: first, whether maltreatment has occurred; and second, whether child protective services are needed. No determination of maltreatment shall be made when the alleged perpetrator is a child under the age of ten.

(d) If the commissioner of education conducts an assessment or investigation, the commissioner shall determine whether maltreatment occurred and what corrective or protective action was taken by the

school facility. If a determination is made that maltreatment has occurred, the commissioner shall report to the employer, the school board, and any appropriate licensing entity the determination that maltreatment occurred and what corrective or protective action was taken by the school facility. In all other cases, the commissioner shall inform the school board or employer that a report was received, the subject of the report, the date of the initial report, the category of maltreatment alleged as defined in paragraph (f), the fact that maltreatment was not determined, and a summary of the specific reasons for the determination.

(e) When maltreatment is determined in an investigation involving a facility, the investigating agency shall also determine whether the facility or individual was responsible, or whether both the facility and the individual were responsible for the maltreatment using the mitigating factors in paragraph (i). Determinations under this subdivision must be made based on a preponderance of the evidence and are private data on individuals or nonpublic data as maintained by the commissioner of education.

(f) For the purposes of this subdivision, "maltreatment" means any of the following acts or omissions:

- (1) physical abuse as defined in subdivision 2, paragraph (k);
- (2) neglect as defined in subdivision 2, paragraph (g);
- (3) sexual abuse as defined in subdivision 2, paragraph (n);
- (4) mental injury as defined in subdivision 2, paragraph (f); or
- (5) maltreatment of a child in a facility as defined in subdivision 2, paragraph (c).

(g) For the purposes of this subdivision, a determination that child protective services are needed means that the local welfare agency has documented conditions during the assessment or investigation sufficient to cause a child protection worker, as defined in section [626.559, subdivision 1](#), to conclude that a child is at significant risk of maltreatment if protective intervention is not provided and that the individuals responsible for the child's care have not taken or are not likely to take actions to protect the child from maltreatment or risk of maltreatment.

(h) This subdivision does not mean that maltreatment has occurred solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, in lieu of medical care. However, if lack of medical care may result in serious danger to the child's health, the local welfare agency may ensure that necessary medical services are provided to the child.

(i) When determining whether the facility or individual is the responsible party, or whether both the facility and the individual are responsible for determined maltreatment in a facility, the investigating agency shall consider at least the following mitigating factors:

(1) whether the actions of the facility or the individual caregivers were according to, and followed the terms of, an erroneous physician order, prescription, individual care plan, or directive; however, this is not a mitigating factor when the facility or caregiver was responsible for the issuance of the erroneous order, prescription, individual care plan, or directive or knew or should have known of the errors and took no reasonable measures to correct the defect before administering care;

(2) comparative responsibility between the facility, other caregivers, and requirements placed upon an employee, including the facility's compliance with related regulatory standards and the adequacy of facility policies and procedures, facility training, an individual's participation in the training, the caregiver's supervision, and facility staffing levels and the scope of the individual employee's authority and discretion; and

(3) whether the facility or individual followed professional standards in exercising professional judgment.

The evaluation of the facility's responsibility under clause (2) must not be based on the completeness of the risk assessment or risk reduction plan required under section [245A.66](#), but must be based on the facility's compliance with the regulatory standards for policies and procedures, training, and supervision as cited in Minnesota Statutes and Minnesota Rules.

(j) Notwithstanding paragraph (i), when maltreatment is determined to have been committed by an individual who is also the facility license or certification holder, both the individual and the facility must be determined responsible for the maltreatment, and both the background study disqualification standards under section [245C.15, subdivision 4](#), and the licensing or certification actions under section [245A.06](#), [245A.07](#), [245H.06](#), or [245H.07](#) apply.

Subd. 10f. Notice of determinations.

Within ten working days of the conclusion of a family assessment, the local welfare agency shall notify the parent or guardian of the child of the need for services to address child safety concerns or significant risk of subsequent child maltreatment. The local welfare agency and the family may also jointly agree that family support and family preservation services are needed. Within ten working days of the conclusion of an investigation, the local welfare agency or agency responsible for investigating the report shall notify the parent or guardian of the child, the person determined to be maltreating the child, and, if applicable, the director of the facility, of the determination and a summary of the specific reasons for the determination. When the investigation involves a child foster care setting that is monitored by a private licensing agency under section [245A.16](#), the local welfare agency responsible for investigating the report shall notify the private licensing agency of the determination and shall provide a summary of the specific reasons for the determination. The notice to the private licensing agency must include identifying private data, but not the identity of the reporter of maltreatment. The notice must also include a certification that the information collection procedures under subdivision 10, paragraphs (h), (i), and (j), were followed and a notice of the right of a data subject to obtain access to other private data on the subject collected, created, or maintained under this section. In addition, the notice shall include the length of time that the records will be kept under subdivision 11c. The investigating agency shall notify the parent or guardian of the child who is the subject of the report, and any person or facility determined to have maltreated a child, of their appeal or review rights under this section. The notice must also state that a finding of maltreatment may result in denial of a license or certification application or background study disqualification under chapter 245C related to employment or services that are licensed or certified by the Department of Human Services under chapter 245A or 245H, the Department of Health under chapter 144 or 144A, the Department of Corrections under section [241.021](#), and from providing services related to an unlicensed personal care provider organization under chapter 256B.

Subd. 10g. Interstate data exchange.

All reports and records created, collected, or maintained under this section by a local social service agency or law enforcement agency may be disclosed to a local social service or other child welfare agency of another state when the agency certifies that:

- (1) the reports and records are necessary in order to conduct an investigation of actions that would qualify as sexual abuse, physical abuse, or neglect under this section; and
- (2) the reports and records will be used only for purposes of a child protection assessment or investigation and will not be further disclosed to any other person or agency.

The local social service agency or law enforcement agency in this state shall keep a record of all records or reports disclosed pursuant to this subdivision and of any agency to which the records or reports are disclosed. If in any case records or reports are disclosed before a determination is made under subdivision 10e, or a disposition of any criminal proceedings is reached, the local social service agency or

law enforcement agency in this state shall forward the determination or disposition to any agency that has received any report or record under this subdivision.

Subd. 10h. Child abuse data; release to family court services.

The responsible authority or its designee of a local welfare agency may release private or confidential data on an active case involving assessment or investigation of actions that are defined as sexual abuse, physical abuse, or neglect under this section to a court services agency if:

(1) the court services agency has an active case involving a common client or clients who are the subject of the data; and

(2) the data are necessary for the court services agency to effectively process the court services' case, including investigating or performing other duties relating to the case required by law.

The data disclosed under this subdivision may be used only for purposes of the active court services case described in clause (1) and may not be further disclosed to any other person or agency, except as authorized by law.

Subd. 10i. Administrative reconsideration; review panel.

(a) Administrative reconsideration is not applicable in family assessments since no determination concerning maltreatment is made. For investigations, except as provided under paragraph (e), an individual or facility that the commissioner of human services, a local social service agency, or the commissioner of education determines has maltreated a child, an interested person acting on behalf of the child, regardless of the determination, who contests the investigating agency's final determination regarding maltreatment, may request the investigating agency to reconsider its final determination regarding maltreatment. The request for reconsideration must be submitted in writing to the investigating agency within 15 calendar days after receipt of notice of the final determination regarding maltreatment or, if the request is made by an interested person who is not entitled to notice, within 15 days after receipt of the notice by the parent or guardian of the child. If mailed, the request for reconsideration must be postmarked and sent to the investigating agency within 15 calendar days of the individual's or facility's receipt of the final determination. If the request for reconsideration is made by personal service, it must be received by the investigating agency within 15 calendar days after the individual's or facility's receipt of the final determination. Effective January 1, 2002, an individual who was determined to have maltreated a child under this section and who was disqualified on the basis of serious or recurring maltreatment under sections [245C.14](#) and [245C.15](#), may request reconsideration of the maltreatment determination and the disqualification. The request for reconsideration of the maltreatment determination and the disqualification must be submitted within 30 calendar days of the individual's receipt of the notice of disqualification under sections [245C.16](#) and [245C.17](#). If mailed, the request for reconsideration of the maltreatment determination and the disqualification must be postmarked and sent to the investigating agency within 30 calendar days of the individual's receipt of the maltreatment determination and notice of disqualification. If the request for reconsideration is made by personal service, it must be received by the investigating agency within 30 calendar days after the individual's receipt of the notice of disqualification.

(b) Except as provided under paragraphs (e) and (f), if the investigating agency denies the request or fails to act upon the request within 15 working days after receiving the request for reconsideration, the person or facility entitled to a fair hearing under section [256.045](#) may submit to the commissioner of human services or the commissioner of education a written request for a hearing under that section. Section [256.045](#) also governs hearings requested to contest a final determination of the commissioner of education. The investigating agency shall notify persons who request reconsideration of their rights under this paragraph. The hearings specified under this section are the only administrative appeal of a decision

issued under paragraph (a). Determinations under this section are not subject to accuracy and completeness challenges under section [13.04](#).

(c) If, as a result of a reconsideration or review, the investigating agency changes the final determination of maltreatment, that agency shall notify the parties specified in subdivisions 10b, 10d, and 10f.

(d) Except as provided under paragraph (f), if an individual or facility contests the investigating agency's final determination regarding maltreatment by requesting a fair hearing under section [256.045](#), the commissioner of human services shall assure that the hearing is conducted and a decision is reached within 90 days of receipt of the request for a hearing. The time for action on the decision may be extended for as many days as the hearing is postponed or the record is held open for the benefit of either party.

(e) If an individual was disqualified under sections [245C.14](#) and [245C.15](#), on the basis of a determination of maltreatment, which was serious or recurring, and the individual has requested reconsideration of the maltreatment determination under paragraph (a) and requested reconsideration of the disqualification under sections [245C.21](#) to [245C.27](#), reconsideration of the maltreatment determination and reconsideration of the disqualification shall be consolidated into a single reconsideration. If reconsideration of the maltreatment determination is denied and the individual remains disqualified following a reconsideration decision, the individual may request a fair hearing under section [256.045](#). If an individual requests a fair hearing on the maltreatment determination and the disqualification, the scope of the fair hearing shall include both the maltreatment determination and the disqualification.

(f) If a maltreatment determination or a disqualification based on serious or recurring maltreatment is the basis for a denial of a license under section [245A.05](#) or a licensing sanction under section [245A.07](#), the license holder has the right to a contested case hearing under chapter 14 and Minnesota Rules, parts [1400.8505](#) to [1400.8612](#). As provided for under section [245A.08, subdivision 2a](#), the scope of the contested case hearing shall include the maltreatment determination, disqualification, and licensing sanction or denial of a license. In such cases, a fair hearing regarding the maltreatment determination and disqualification shall not be conducted under section [256.045](#). Except for family child care and child foster care, reconsideration of a maltreatment determination as provided under this subdivision, and reconsideration of a disqualification as provided under section [245C.22](#), shall also not be conducted when:

(1) a denial of a license under section [245A.05](#) or a licensing sanction under section [245A.07](#), is based on a determination that the license holder is responsible for maltreatment or the disqualification of a license holder based on serious or recurring maltreatment;

(2) the denial of a license or licensing sanction is issued at the same time as the maltreatment determination or disqualification; and

(3) the license holder appeals the maltreatment determination or disqualification, and denial of a license or licensing sanction.

Notwithstanding clauses (1) to (3), if the license holder appeals the maltreatment determination or disqualification, but does not appeal the denial of a license or a licensing sanction, reconsideration of the maltreatment determination shall be conducted under sections [626.556, subdivision 10i](#), and [626.557, subdivision 9d](#), and reconsideration of the disqualification shall be conducted under section [245C.22](#). In such cases, a fair hearing shall also be conducted as provided under sections [245C.27](#), [626.556, subdivision 10i](#), and [626.557, subdivision 9d](#).

If the disqualified subject is an individual other than the license holder and upon whom a background study must be conducted under chapter 245C, the hearings of all parties may be consolidated into a single contested case hearing upon consent of all parties and the administrative law judge.

(g) For purposes of this subdivision, "interested person acting on behalf of the child" means a parent or legal guardian; stepparent; grandparent; guardian ad litem; adult stepbrother, stepsister, or sibling; or adult aunt or uncle; unless the person has been determined to be the perpetrator of the maltreatment.

(h) If a maltreatment determination is the basis for a correction order under section [245H.06](#) or decertification under section [245H.07](#), the certification holder has the right to request reconsideration under sections [245H.06](#) and [245H.07](#). If the certification holder appeals the maltreatment determination or disqualification, but does not appeal the correction order or decertification, reconsideration of the maltreatment determination shall be conducted under section [626.556, subdivision 10i](#), and reconsideration of the disqualification shall be conducted under section [245C.22](#).

Subd. 10j. Release of data to mandated reporters.

(a) A local social services or child protection agency, or the agency responsible for assessing or investigating the report of maltreatment, shall provide relevant private data on individuals obtained under this section to a mandated reporter who made the report and who has an ongoing responsibility for the health, education, or welfare of a child affected by the data, unless the agency determines that providing the data would not be in the best interests of the child. The agency may provide the data to other mandated reporters with ongoing responsibility for the health, education, or welfare of the child. Mandated reporters with ongoing responsibility for the health, education, or welfare of a child affected by the data include the child's teachers or other appropriate school personnel, foster parents, health care providers, respite care workers, therapists, social workers, child care providers, residential care staff, crisis nursery staff, probation officers, and court services personnel. Under this section, a mandated reporter need not have made the report to be considered a person with ongoing responsibility for the health, education, or welfare of a child affected by the data. Data provided under this section must be limited to data pertinent to the individual's responsibility for caring for the child.

(b) A reporter who receives private data on individuals under this subdivision must treat the data according to that classification, regardless of whether the reporter is an employee of a government entity. The remedies and penalties under sections [13.08](#) and [13.09](#) apply if a reporter releases data in violation of this section or other law.

Subd. 10k. Release of certain assessment or investigative records to other counties.

Records maintained under subdivision 11c, paragraph (a), may be shared with another local welfare agency that requests the information because it is conducting an assessment or investigation under this section of the subject of the records.

Subd. 10l. Documentation.

When a case is closed that has been open for services, the local welfare agency shall document the outcome of the family assessment or investigation, including a description of services provided and the removal or reduction of risk to the child, if it existed.

Subd. 10m. Provision of child protective services; consultation with county attorney.

(a) The local welfare agency shall create a written plan, in collaboration with the family whenever possible, within 30 days of the determination that child protective services are needed or upon joint agreement of the local welfare agency and the family that family support and preservation services are needed. Child protective services for a family are voluntary unless ordered by the court.

(b) The local welfare agency shall consult with the county attorney to determine the appropriateness of filing a petition alleging the child is in need of protection or services under section [260C.007, subdivision 6](#), if:

- (1) the family does not accept or comply with a plan for child protective services;
- (2) voluntary child protective services may not provide sufficient protection for the child; or
- (3) the family is not cooperating with an investigation or assessment.

Subd. 10n. Required referral to early intervention services.

A child under age three who is involved in a substantiated case of maltreatment shall be referred for screening under the Individuals with Disabilities Education Act, part C. Parents must be informed that the evaluation and acceptance of services are voluntary. The commissioner of human services shall monitor referral rates by county and annually report the information to the legislature beginning March 15, 2014. Refusal to have a child screened is not a basis for a child in need of protection or services petition under chapter 260C.

Subd. 11. Records.

(a) Except as provided in paragraph (b) and subdivisions 10b, 10d, 10g, and 11b, all records concerning individuals maintained by a local welfare agency or agency responsible for assessing or investigating the report under this section, including any written reports filed under subdivision 7, shall be private data on individuals, except insofar as copies of reports are required by subdivision 7 to be sent to the local police department or the county sheriff. All records concerning determinations of maltreatment by a facility are nonpublic data as maintained by the Department of Education, except insofar as copies of reports are required by subdivision 7 to be sent to the local police department or the county sheriff. Reports maintained by any police department or the county sheriff shall be private data on individuals except the reports shall be made available to the investigating, petitioning, or prosecuting authority, including county medical examiners or county coroners. Section [13.82, subdivisions 8, 9, and 14](#), apply to law enforcement data other than the reports. The local social services agency or agency responsible for assessing or investigating the report shall make available to the investigating, petitioning, or prosecuting authority, including county medical examiners or county coroners or their professional delegates, any records which contain information relating to a specific incident of neglect or abuse which is under investigation, petition, or prosecution and information relating to any prior incidents of neglect or abuse involving any of the same persons. The records shall be collected and maintained in accordance with the provisions of chapter 13. In conducting investigations and assessments pursuant to this section, the notice required by section [13.04, subdivision 2](#), need not be provided to a minor under the age of ten who is the alleged victim of abuse or neglect. An individual subject of a record shall have access to the record in accordance with those sections, except that the name of the reporter shall be confidential while the report is under assessment or investigation except as otherwise permitted by this subdivision. Any person conducting an investigation or assessment under this section who intentionally discloses the identity of a reporter prior to the completion of the investigation or assessment is guilty of a misdemeanor. After the assessment or investigation is completed, the name of the reporter shall be confidential. The subject of the report may compel disclosure of the name of the reporter only with the consent of the reporter or upon a written finding by the court that the report was false and that there is evidence that the report was made in bad faith. This subdivision does not alter disclosure responsibilities or obligations under the Rules of Criminal Procedure.

(b) Upon request of the legislative auditor, data on individuals maintained under this section must be released to the legislative auditor in order for the auditor to fulfill the auditor's duties under section [3.971](#). The auditor shall maintain the data in accordance with chapter 13.

(c) The commissioner of education must be provided with all requested data that are relevant to a report of maltreatment and are in possession of a school facility as defined in subdivision 2, paragraph (c), when the data is requested pursuant to an assessment or investigation of a maltreatment report of a student

in a school. If the commissioner of education makes a determination of maltreatment involving an individual performing work within a school facility who is licensed by a board or other agency, the commissioner shall provide necessary and relevant information to the licensing entity to enable the entity to fulfill its statutory duties. Notwithstanding section [13.03, subdivision 4](#), data received by a licensing entity under this paragraph are governed by section [13.41](#) or other applicable law governing data of the receiving entity, except that this section applies to the classification of and access to data on the reporter of the maltreatment.

Subd. 11a. Disclosure of information not required in certain cases.

When interviewing a minor under subdivision 10, an individual does not include the parent or guardian of the minor for purposes of section [13.04, subdivision 2](#), when the parent or guardian is the alleged perpetrator of the abuse or neglect.

Subd. 11b. Data received from law enforcement.

Active law enforcement investigative data received by a local welfare agency or agency responsible for assessing or investigating the report under this section are confidential data on individuals. When this data become inactive in the law enforcement agency, the data are private data on individuals.

Subd. 11c. Welfare, court services agency, and school records maintained.

Notwithstanding sections [138.163](#) and [138.17](#), records maintained or records derived from reports of abuse by local welfare agencies, agencies responsible for assessing or investigating the report, court services agencies, or schools under this section shall be destroyed as provided in paragraphs (a) to (d) by the responsible authority.

(a) For reports alleging child maltreatment that were not accepted for assessment or investigation, family assessment cases, and cases where an investigation results in no determination of maltreatment or the need for child protective services, the records must be maintained for a period of five years after the date the report was not accepted for assessment or investigation or of the final entry in the case record. Records of reports that were not accepted must contain sufficient information to identify the subjects of the report, the nature of the alleged maltreatment, and the reasons as to why the report was not accepted. Records under this paragraph may not be used for employment, background checks, or purposes other than to assist in future screening decisions and risk and safety assessments.

(b) All records relating to reports which, upon investigation, indicate either maltreatment or a need for child protective services shall be maintained for ten years after the date of the final entry in the case record.

(c) All records regarding a report of maltreatment, including any notification of intent to interview which was received by a school under subdivision 10, paragraph (d), shall be destroyed by the school when ordered to do so by the agency conducting the assessment or investigation. The agency shall order the destruction of the notification when other records relating to the report under investigation or assessment are destroyed under this subdivision.

(d) Private or confidential data released to a court services agency under subdivision 10h must be destroyed by the court services agency when ordered to do so by the local welfare agency that released the data. The local welfare agency or agency responsible for assessing or investigating the report shall order destruction of the data when other records relating to the assessment or investigation are destroyed under this subdivision.

Subd. 11d. Disclosure in child fatality or near-fatality cases.

(a) The definitions in this paragraph apply to this section.

(1) "Child fatality" means the death of a child from child abuse or neglect.

(2) "Near fatality" means a case in which a physician, advanced practice registered nurse, or physician assistant determines that a child is in serious or critical condition as the result of sickness or injury caused by child abuse or neglect.

(3) "Findings and information" means a written summary described in paragraph (c) of actions taken or services rendered by a local social services agency following receipt of a report.

(b) Notwithstanding any other provision of law and subject to this subdivision, a public agency shall disclose to the public, upon request, the findings and information related to a child fatality or near fatality if:

(1) a person is criminally charged with having caused the child fatality or near fatality;

(2) a county attorney certifies that a person would have been charged with having caused the child fatality or near fatality but for that person's death; or

(3) a child protection investigation resulted in a determination of child abuse or neglect.

(c) Findings and information disclosed under this subdivision consist of a written summary that includes any of the following information the agency is able to provide:

(1) the cause and circumstances regarding the child fatality or near fatality;

(2) the age and gender of the child;

(3) information on any previous reports of child abuse or neglect that are pertinent to the abuse or neglect that led to the child fatality or near fatality;

(4) information on any previous investigations that are pertinent to the abuse or neglect that led to the child fatality or near fatality;

(5) the results of any investigations described in clause (4);

(6) actions of and services provided by the local social services agency on behalf of a child that are pertinent to the child abuse or neglect that led to the child fatality or near fatality; and

(7) the results of any review of the state child mortality review panel, a local child mortality review panel, a local community child protection team, or any public agency.

(d) Nothing in this subdivision authorizes access to the private data in the custody of a local social services agency, or the disclosure to the public of the records or content of any psychiatric, psychological, or therapeutic evaluations, or the disclosure of information that would reveal the identities of persons who provided information related to abuse or neglect of the child.

(e) A person whose request is denied may apply to the appropriate court for an order compelling disclosure of all or part of the findings and information of the public agency. The application must set forth, with reasonable particularity, factors supporting the application. The court has jurisdiction to issue these orders. Actions under this section must be set down for immediate hearing, and subsequent proceedings in those actions must be given priority by the appellate courts.

(f) A public agency or its employees acting in good faith in disclosing or declining to disclose information under this section are immune from criminal or civil liability that might otherwise be incurred or imposed for that action.

Subd. 12. Duties of facility operators.

Any operator, employee, or volunteer worker at any facility who intentionally neglects, physically abuses, or sexually abuses any child in the care of that facility may be charged with a violation of section [609.255](#), [609.377](#), or [609.378](#). Any operator of a facility who knowingly permits conditions to exist which result in neglect, physical abuse, sexual abuse, or maltreatment of a child in a facility while in the care of that facility may be charged with a violation of section [609.378](#). The facility operator shall inform all mandated reporters employed by or otherwise associated with the facility of the duties required of mandated reporters and shall inform all mandatory reporters of the prohibition against retaliation for reports made in good faith under this section.

Subd. 13.

[Repealed, [1988 c 625 s 9](#)]

Subd. 14. Conflict of interest.

(a) A potential conflict of interest related to assisting in an assessment under this section resulting in a direct or shared financial interest with a child abuse and neglect treatment provider or resulting from a personal or family relationship with a party in the investigation must be considered by the local welfare agency in an effort to prevent unethical relationships.

(b) A person who conducts an assessment under this section or section [626.5561](#) may not have:

(1) any direct or shared financial interest or referral relationship resulting in a direct shared financial gain with a child abuse and neglect treatment provider; or

(2) a personal or family relationship with a party in the investigation.

If an independent assessor is not available, the person responsible for making the determination under this section may use the services of an assessor with a financial interest, referral, or personal or family relationship.

Subd. 15. Auditing.

The commissioner of human services shall regularly audit for accuracy the data reported by counties on maltreatment of minors.

Subd. 16. Commissioner's duty to provide oversight; quality assurance reviews; annual summary of reviews.

(a) The commissioner shall develop a plan to perform quality assurance reviews of local welfare agency screening practices and decisions. The commissioner shall provide oversight and guidance to counties to ensure consistent application of screening guidelines, thorough and appropriate screening decisions, and correct documentation and maintenance of reports. Quality assurance reviews must begin no later than September 30, 2015.

(b) The commissioner shall produce an annual report of the summary results of the reviews. The report must only contain aggregate data and may not include any data that could be used to personally identify any subject whose data is included in the report. The report is public information and must be provided to the chairs and ranking minority members of the legislative committees having jurisdiction over child protection issues.

History:

[1975 c 221 s 1](#); [1977 c 130 s 9](#); [1977 c 212 s 2,3](#); [1978 c 755 s 1-9](#); [1979 c 143 s 1](#); [1979 c 255 s 7](#); [1980 c 509 s 50,181](#); [1981 c 240 s 2](#); [1981 c 273 s 12](#); [1981 c 311 s 39](#); [1Sp1981 c 4 art 1 s 15](#); [1982 c](#)

393 s 1,2; 1982 c 545 s 24; 1982 c 636 s 1-4; 1983 c 217 s 8; 1983 c 229 s 1,2; 1983 c 345 s 13-19; 1984 c 484 s 3; 1984 c 573 s 10; 1984 c 577 s 1-6; 1984 c 588 s 12; 1984 c 654 art 5 s 58; 1984 c 655 art 2 s 14 subd 1; 1985 c 266 s 5-15; 1985 c 283 s 2-4; 1985 c 286 s 19,20; 1985 c 293 s 3-5; 1986 c 351 s 19,20; 1986 c 380 s 3; 1986 c 444; 1986 c 469 s 2; 1Sp1986 c 3 art 1 s 77; 1987 c 91 s 1-3; 1987 c 110 s 2; 1987 c 135 s 1-3; 1987 c 211 s 1; 1987 c 333 s 22; 1987 c 352 s 9,10; 1988 c 543 s 11,12; 1988 c 625 s 2-8; 1988 c 662 s 4; 1989 c 177 s 2,3; 1989 c 209 art 2 s 1; 1989 c 282 art 2 s 200,201; 1989 c 290 art 5 s 4; 1990 c 426 art 1 s 55; 1990 c 542 s 20-26; 1991 c 181 s 1; 1991 c 319 s 24,25; 1993 c 13 art 1 s 50; 1993 c 296 s 3; 1993 c 306 s 18,19; 1993 c 326 art 6 s 23; 1993 c 351 s 37,38; 1994 c 434 s 8-10; 1994 c 631 s 31; 1994 c 636 art 2 s 57-59; art 4 s 30; 1995 c 187 s 1-7; 1995 c 229 art 4 s 20; 1997 c 203 art 5 s 25-30; 1997 c 245 art 2 s 8; 1Sp1997 c 3 s 44; 3Sp1997 c 3 s 10; 1998 c 406 art 1 s 36,37; art 4 s 2-7; 1998 c 407 art 9 s 35; 1Sp1998 c 3 s 25; 1999 c 139 art 4 s 2; 1999 c 227 s 22; 1999 c 241 art 2 s 54; art 10 s 3; 1999 c 245 art 4 s 102; art 8 s 66-79; 2000 c 401 s 1; 2000 c 444 art 2 s 47; 2001 c 7 s 88; 2001 c 136 s 1; 2001 c 178 art 1 s 40,44; art 2 s 7-17; 1Sp2001 c 6 art 3 s 16; 1Sp2001 c 9 art 11 s 6-12; art 14 s 29; 2002 c 375 art 1 s 21; 2002 c 379 art 1 s 107,113; 2002 c 385 s 9; 2003 c 15 art 1 s 33; 2003 c 130 s 12; 2004 c 288 art 1 s 78,79; 2004 c 294 art 5 s 18; 2005 c 56 s 1; 2005 c 136 art 3 s 25; 2005 c 159 art 1 s 1-13; 1Sp2005 c 4 art 1 s 54; 2006 c 263 art 7 s 6; 2006 c 264 s 14; 2006 c 283 s 1; 2007 c 112 s 52-54; 2007 c 147 art 1 s 24-31; art 10 s 15; 2008 c 361 art 6 s 55,56; 2009 c 79 art 8 s 74; 2009 c 86 art 1 s 86; 2009 c 142 art 2 s 43-45; 2009 c 173 art 1 s 39; 2010 c 276 s 1,2; 2010 c 301 art 3 s 10; 2010 c 329 art 1 s 19,20; art 2 s 5; 2010 c 385 s 13; 2012 c 153 s 2; 2012 c 216 art 1 s 47-50; art 6 s 7-13; 2012 c 247 art 3 s 24; 2013 c 82 s 38; 2013 c 108 art 9 s 13-15; 2013 c 125 art 1 s 99; 2014 c 262 art 4 s 9; art 5 s 5,6; 2014 c 272 art 4 s 12; 2014 c 275 art 1 s 130; 2014 c 291 art 1 s 10; art 11 s 36,37; 2015 c 4 s 1,2; 2015 c 21 art 1 s 103; 2015 c 71 art 1 s 88-99,126; 2015 c 78 art 1 s 36,37; 1Sp2015 c 3 art 4 s 10; 2016 c 158 art 1 s 209; 2016 c 189 art 15 s 24,25; 2017 c 59 s 15; 1Sp2017 c 6 art 9 s 11; art 10 s 138-141; art 16 s 60-68