

iii. The available information indicates that the actions of the parent, caretaker, temporary caretaker, or institutional caretaker were necessary and reasonable and the incident was an accident.

(b) The Division representative shall make every reasonable effort to identify the perpetrator for each allegation of child abuse or neglect.

(c) Except for good cause approved by the office manager, the determination of investigation findings shall be made within 45 days of the Division's receipt of the referral.

10:129A-3.4 Notification of findings

(a) A Division representative shall provide notification of the specific finding of the investigation to those persons specified in (c) through (g) below.

1. When a case is in litigation or under investigation and the police, prosecutor or Deputy Attorney General has determined that notification of the investigation findings to persons in (c) through (g) below, would interfere with the litigation, the Division shall delay the notification as long as the delay does not appear to put the child at risk.

(b) Unless for good cause approved by the office manager, the Division shall notify persons specified no later than 60 days from the date upon which the Division received the referral or the prosecutor's investigation or litigation is terminated.

(c) Each person identified as the perpetrator in a case of substantiated child abuse or neglect shall be advised that:

1. He or she has been identified as a perpetrator of child abuse or neglect;
2. His or her name and identifying information are entered into the Division's Central Registry, N.J.S.A. 9:6-8.11; and
3. He or she may have an opportunity to dispute the findings of a local Division office or institutional abuse investigation unit of the Division in accordance with N.J.A.C. 10:120A.

(d) Except as limited by (a) or (b) above, each person named as the alleged perpetrator in a case where child abuse or neglect was not substantiated shall be advised of the finding.

(e) Except as limited by (a) and (b) above, each person named as the alleged perpetrator in a case where child abuse or neglect was unfounded shall be advised of the finding.

(f) The Division representative shall advise, upon completion of the investigation, the parent or caretaker with physical custody at the time of the incident; the parent with whom the child normally resides; the parent to whom the child will be returned, if the child is in an institution at the time of the incident; and the institutional caretaker or chief administrator of an institution, if the child is in institutional placement:

1. That the investigation has been completed and the finding of the investigation; and
2. Whether further services will be offered or provided to him or her and to his or her family, except in cases involving institutional abuse or neglect.

(g) The Division representative shall advise a child subject of an investigation in a manner determined by the Division representative to be consistent with the child's ability to understand and cope with the information, upon completion of the investigation:

1. That the investigation has been completed and the finding of the investigation; and
2. What efforts will be made to protect him or her from further harm and how such protection will occur.

(h) The Division shall provide notice to the referral source that the investigation has been completed.

(i) The Division may advise others, including the non-custodial parent, of investigation findings only as permitted under N.J.S.A. 9:6-8.10a.

Administrative correction.
See: 27 N.J.R. 3956(b).