**24:14:15:12.  Result of hearing.** If, as a result of the hearing, the contractor or participating agency decides that the information is inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child or parent, it shall amend the information accordingly and inform the parents in writing.

If, as a result of the hearing, the contractor or participating agency decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child or parent, it shall inform the parents of the right to place in the early intervention records it maintains on the child a statement commenting on the information or setting forth any reasons for disagreeing with the decision of the contractor.

Any explanation placed in the early intervention records of the child under this section must be maintained by the contractor or participating agency as part of the records of the child as long as the record or contested portion is maintained by the contractor. If the records of the child or the contested portion are disclosed by the contractor or participating agency to any party, the explanation must also be disclosed to the party.

**Source:** 20 SDR 223, effective July 7, 1994; 28 SDR 105, effective January 31, 2002; 39 SDR 109, effective December 17, 2012.

**General Authority:** SDCL 13-37-1.1.

**Law Implemented:** SDCL 13-1-23, 13-14-1, 13-37-1.1.