PARENT / LEGAL GUARDIAN NOTICE

NOTICE OF LIMITED NONCONSENT

Request for Written Child Protection Information | CALIFORNIA

Date: [Date] Parent / guardian: [Full name]

Mailing address: [Street, city, state, ZIP] Contact (optional): [Email / phone]

To: [County] Child Welfare Services / Child Protective Services - [Assigned worker or local office]

Re: [Child initials or case / assessment number]

To the assigned caseworker and supervisor:

I understand that California Welfare and Institutions Code § 328 directs county social workers to investigate qualifying reports. The mere existence of a custody or visitation dispute is not, by itself, a basis to infer the credibility of allegations or the need for services. I request documentation of voluntary-consent decisions and written information.

NOTICE OF LIMITED NONCONSENT

I do not provide blanket consent to voluntary interviews of me, consensual nonemergency entry or search of my residence, optional adult testing/evaluations, release of my private records, or voluntary plans or placements. Each request should be considered separately with an explanation of consequences and applicable authority. I reserve the opportunity to consult an attorney.

IMPORTANT STATE-SPECIFIC RULES

- Penal Code § 11174.3 applies to an on-campus, school-hours interview of a suspected child victim about suspected abuse or neglect in the home or an out-of-home care facility. The CHILD must be told of the option for a private interview or to select an adult school staff member to attend.
- A selected staff member may decline. If present, the person supports the child, does not take part in the interview, and remains bound by confidentiality. The statute does not itself create a blanket parental veto over all school interviews.
- Welfare and Institutions Code § 328 prohibits an inference from a custody/visitation dispute alone. County investigative practice, emergency exceptions and court orders can affect interview and access rules; the cited school provision does not resolve every consent issue.

PLEASE PROVIDE IN WRITING

- Caseworker and supervisor contacts, county reference number, the concerns that can lawfully be described, and any parent guide or rights information.
- For any proposed interview, home entry, records request, testing, service, safety plan or voluntary placement, identify whether consent is sought and cite any independently claimed legal authority. State which school-interview provision or court order applies, if relevant.
- Written findings and notices when available, legally releasable records procedures, complaint/review options and exact case-specific deadlines.

Please place this notice in the agency record, respond in writing to the address above, and confirm receipt. For urgent child-safety concerns, contact me through the available lawful channels.

Sincerely: _____ Date: _____

Printed name: _____

LEGAL REFERENCES: Cal. Welf. & Inst. Code §§ 300, 328; Cal. Penal Code § 11174.3; U.S. Const. amend. IV. County policy may add procedures but should not be presented as uniform statewide law.

CAUTION: The § 11174.3 school-interview rule has a specified context; this notice does not prohibit other legally authorized child interviews. It does not terminate an investigation. County policies and court proceedings vary. Working draft only.

IMPORTANT - NO APPEAL FILED: This notice does not file an appeal, hearing request, grievance, or court petition; it does not pause any deadline. Follow the case-specific notice and filing instructions.