PARENT / LEGAL GUARDIAN NOTICE

NOTICE OF LIMITED NONCONSENT

Request for Written Child Protection Information | SOUTH DAKOTA

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

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

To: South Dakota Department of Social Services (DSS), Child Protective Services

Re: [Child initials / investigation reference]

To the assigned child protection worker and supervisor:

I understand DSS may assess or investigate reports concerning child safety. I request written identification of optional actions and any registry-related rights.

LIMITED CONSENT DECISIONS

I do not give blanket advance consent to voluntary adult interviews, consensual nonemergency home entry or search, optional adult testing or evaluations, blanket release of my private records, or voluntary services or safety plans. Please explain each request and its legal basis separately so I can decide after reviewing it and, if needed, consulting counsel. This statement does not override a court order, independently authorized child interview, lawful investigation or emergency intervention.

STATE-SPECIFIC RIGHTS, EXCEPTIONS, AND DEADLINES

- SDCL 26-8A-11 generally allows a WRITTEN hearing request WITHIN 30 DAYS AFTER DSS NOTIFIES a person of proposed placement on the child-abuse Central Registry following a substantiated investigation. Send the request to the person DESIGNATED IN THE NOTICE.
- That hearing is limited to whether the registry record is INACCURATE. A prior COURT finding of child abuse or neglect eliminates this particular administrative hearing right; it is not an appeal of every DSS decision.
- Under § 26-8A-11, DSS bears the burden of proving registry accuracy; the hearing examiner generally must issue a written decision within 90 days after receiving the hearing request. Judicial review may then be available under SDCL chapter 1-26. Those later deadlines do not extend the initial 30 days.

PLEASE PROVIDE IN WRITING

- Assigned worker/supervisor contacts, reference number, response type, lawful summary of concerns and parent guidance.
- Any proposed adult interview, consensual entry, release, testing or safety plan with the asserted legal basis for compulsory steps.
- If applicable, the Central Registry placement notice, date and method of notification, designated hearing recipient/address, request form, statutory filing instructions and any judicial-review information.

Please include this notice in the case file and confirm receipt. I request routine nonurgent correspondence in writing. For urgent child-safety concerns, please contact me promptly through an appropriate available method.

Signature: _____ Date: _____

Printed name: _____

LEGAL REFERENCES: SDCL §§ 26-8A-9, 26-8A-10.1, 26-8A-11, ch. 1-26.

LIMITATION / REVIEW HOLD: Section 26-8A-11 governs eligible proposed REGISTRY placement, not all substantiation or safety decisions. Consult notice and counsel promptly. Working research draft; no legal certification.

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.