PARENT / LEGAL GUARDIAN NOTICE

NOTICE OF LIMITED NONCONSENT

Request for Written Child Protection Information | WEST VIRGINIA

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

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

To: West Virginia Department of Human Services, Bureau for Social Services, CPS

Re: [Child initials / investigation reference]

To the assigned child protection worker and supervisor:

I understand CPS may investigate suspected child abuse and neglect. I request the first-contact parent guide and written identification of any action asserted to be required.

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

- Under W. Va. Code § 49-2-802a, at FIRST CONTACT when an investigation is initiated against a parent or person with legal custody, the department shall provide A Parent's Guide to Working with Child Protective Services.
- The guide must describe investigative steps, home-safety expectations, the court process, report confidentiality, visitation, and appeals. This is a notice entitlement, not permission to block a lawful investigation.
- For qualifying maltreatment substantiations, published 78 CSR 27-6.1 requires completing the hearing-request form and RETURNING IT TO THE SUPERVISOR OR SENDING IT TO THE BOARD OF REVIEW WITHIN 60 DAYS AFTER RECEIPT of the substantiation notice. The supervisor then reviews the substantiation and forwards an eligible request to the Board of Review. Verify the current filed rule and actual notice immediately.

PLEASE PROVIDE IN WRITING

- The required parent guide under § 49-2-802a and the parent-rights information described in current CPS policy.
- Worker/supervisor names, case number, lawful allegation summary, and written voluntary/mandatory status of requests or safety plans.
- The written substantiation and delivery notice, completed Board of Review hearing-request form, supervisor/Board mailing or submission instructions, and the exact 60-day deadline (if this procedure applies).

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: W. Va. Code §§ 49-2-802, 49-2-802a, 49-4-601b, 49-5-101; 78 CSR 27-6 (published grievance rule).

LIMITATION / LEGAL REVIEW HOLD: The 60-day procedure concerns qualifying substantiation grievances; check the rule version and other case-specific appeals. Working draft; not attorney-certified.

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.