



Administrative Policies and Procedures: 31.15

Subject:	Guidelines for Transportation of Child/Youth by Regional Employees
Authority:	TCA 37-5-105, 37-5-106, 55-9-602
Standards:	ACA: 4-JCF-2A-16; COA: PA-JJCM 6.05, PA-FC 17.06
Application:	To All Department of Children's Services Regional Employees Who Transport Children/Youth
Policy Statement:	
Department of Children's Services (DCS) Personnel who transport dependent/neglected, unruly and delinquent children/youth shall be trained to transport safely and securely and shall comply with applicable State, Federal and other child restraint, seat belt and secure hardware laws, rules and regulations. Any DCS employee transporting children/youth must maintain a valid driver's license and adequate automobile insurance coverage as required by law.	
Purpose:	
To establish requirements, procedures and guidelines for employees who transport children/youth.	
Procedures:	
A. Transportation officers and employee responsibilities for transportation of children/youth	<ol style="list-style-type: none"> 1. All regional/field services supervisors and family service workers must be able to transport as the need arises. 2. Any employee <u>trained</u> in search techniques and the use of mechanical restraints may be required to transport <u>delinquent</u> child/youth. 3. Every effort is made to provide and use <u>state vehicles</u> to transport children/youth. If a state vehicle is not available, employees <u>may</u> be required to transport in their personal vehicle if transport cannot be delayed until a state vehicle is available. 4. Employees who are required to transport children/youth must maintain a valid driver's license and provide adequate automobile insurance coverage and vehicle registration when transporting in their <u>personal vehicles</u> as required by law, at their own expense. Use of personal vehicles in the performance of an employee's job duties are authorized and approved by the employee's Supervisor. 5. Employees who are responsible for the transporting in state or personal vehicles must adhere to all child restraint and seat belt laws as outlined in TCA 55-9-602.

5. All children/youth must be transported in a child passenger restraint system, a belt positioning booster seat system, or seat belt as age appropriate by law.
6. A maximum of two (2) children/youth may be transported in one vehicle with a single driver. For transport of three (3) or more children/youth, the driver must be accompanied by an additional employee. Transportation of three (3) or more children/youth without an additional employee will be permitted at the discretion/approval of the Regional Administrator/designee.
7. Transportation Officers will not be on the job for more than thirty-six (36) hours in a seventy-two (72) hour period of time. There will be at least one eight (8) hour day or a weekend off following any seventy-two (72) hour period of time in which a Transportation Officer is on duty for thirty-six (36) hours. A Transportation Officer will not be on the job for more than sixteen (16) hours within a twenty-four (24) hour period of time.
8. The applicable Regional Administrator/designee and Central Office Executive Director must approve the transporting of children/youth out-of-state in excess of 50 miles (one-way). Requests and approvals must be documented in **TFACTS**.
9. Secure vehicles may be used to transport other adjudication types (unruly or dependent and neglected) if their behavior presents the need for security and protection (**See Section C below, Criteria and requirements for secure transportation**). Children who are not committed as delinquent may not be shackled or handcuffed with mechanical restraints without a written court order specifying it for that specific child. A check-out log must be maintained for logging the use of state vehicles.
10. Transportation of females (12 years or older) must be accompanied by a female staff member. When a same sex staff member is not available to transport, an additional staff member will be required to assist with the transportation.
11. Transportation of a female child (any age) during a CPS emergency removal may be accomplished by a male staff member without the necessity of making arrangements for a second staff member to assist, at the discretion of the Team Leader/designee.
12. When transport involves a new placement or change of placement, it is the sending FSW/designee's responsibility to communicate with the receiving facility regarding medication a child/youth is taking. Any medications a child/youth is taking must be transported with them. A thirty (30) day supply of medication should be sent when possible, however the quantity of medication sent should not exceed the quantity remaining for the duration of treatment. If a thirty (30) day supply or a refill of the medication is not available, the sending facility must coordinate with the new placement regarding continued medication maintenance and appointments. (See DCS policy [20.15 Medication Administration, Storage and Disposal](#).)

	<p>13. Other medical requirements during transport:</p> <ul style="list-style-type: none"> c) If the child/youth being transported has medication scheduled to be taken during the transport, the FSW and Transport Officer must consult with the regional well being nurse for instructions prior to the trip. d) Any child/youth having a surgical procedure, including surgical extraction of teeth, must wait forty-eight (48) hours before being transferred to a new placement. The FSW must consult with the regional well being nurse for instruction prior to the trip. <p>14. <u>FOR ALL CHILDREN/YOUTH (Secure and Non-Secure Transporting):</u></p> <p>When transport involves a new placement or a change of placement for the child/youth, the sending FSW/designee <u>must</u> ensure that all applicable and necessary requests, admission forms and documents required for appointments, referrals and placements are completed prior to requesting transport and given to the transportation staff. The documents/forms listed below are <u>required</u> to accompany the child/youth being transported:</p> <ul style="list-style-type: none"> a) <i>Court order/commitment order</i> or, in the case of child recently removed due to D/N issues, documentation from the file (for example the petition) or from the RA or DCS attorney handling the case stating that a removal has occurred and DCS has the legal authority to transport; b) <i>CS-0351 Transportation Request</i>; e) <i>CS-0206 Authorization for Routine Health Services for Minors</i>; f) <i>CS-0627 Informed Consent for Psychotropic Medication</i> (when the child/youth is prescribed psychotropic medication); g) <i>CS-0813 Medication Transfer</i> (when medication is being transported with the child/youth); h) <i>CS-0543 Well Being Information and History</i>; and i) <i>CS-0827 Non-Custodial Consent for Transport</i>. <p>15. Other forms that <u>may</u> accompany the child/youth being transported if available include, but is not limited to:</p> <ul style="list-style-type: none"> a) <i>CS-0727 Initial Intake, Placement Referral and Checklist</i>; and b) <i>CS-0657 Education Passport-School Enrollment Letter</i>. <p>16. The staff member transporting a child/youth may “<i>sign</i>” the child/youth into his/her placement.</p>
<p>B. Criteria and requirements for <u>secure transportation</u></p>	<p>1. Children/youth requiring transportation in a secure state vehicle must meet at least one (1) of the following criteria:</p> <ul style="list-style-type: none"> a) Adjudication of delinquency even if not <u>committed</u> as a delinquent

child (*i.e.*, a child/youth that has been adjudicated delinquent does not mean that he/she is COMMITTED as a delinquent child, etc.);

- b) Documented history of recent assaultive behavior;
 - c) Documented history of runaway;
 - d) Documented history of incidents of self-harm; or
 - e) The child/youth's current behavior is deemed to present a threat to the safe operation of a non-secure vehicle or a threat to the safety of the employee.
2. **Mechanical restraints may** only be used for transporting delinquent children/youth that pose a serious security risk or in emergency situations to secure facilities (*i.e.*, detention, youth development center, secure A & D program, secure psychiatric placement, etc.) or from a secure facility to an outside appointment. See DCS policy [27.1 Use of Mechanical Restraints](#).
 3. Delinquent child/youth transported to a hardware secure facility (*i.e.*, detention, youth development center, secure A & D program, secure psychiatric placement, etc.) or in mechanical restraints must be transported in a secure state vehicle (equipped with a security screen, interior door handles removed, etc.).
 4. If a secure state vehicle is not available and a state vehicle that is not secure must be utilized, a second employee must also assist in transporting. The child/youth must be seated in the rear passenger side seat with the second employee seated in the rear driver side.
 5. A delinquent child/youth in mechanical restraints and transported in a state van that is not secure must be seated in the last row or seat so that there is a seat between the driver and the child/youth. The child/youth will sit on the driver's side and the second staff member will sit on the same seat as the child/youth on the passenger side so that the child/youth does not have immediate access to the door.
 6. A delinquent child/youth in mechanical restraints must be monitored during transport. The staff member must maintain continual visual observation as well as verbally check with the child/youth at least every fifteen (15) minutes to determine if the restraints are presenting any discomfort. If there is a reported or noted hampering of circulation or undue discomfort, the restraints must be adjusted immediately. The child/youth must be monitored and evaluated for injuries as outlined in DCS policy [27.1 Use of Mechanical Restraints](#).
 7. A child/youth's personal belongings must not be accessible to them during a secure transport.
 8. All transport staff will document transport on **CS-0350 Transportation Report**.

C. Search procedures for child/youth prior to transport

1. **Search of dependent/neglected and unruly child/youth**
 - a) Dependent and neglected or unruly children/youth that require transporting in a secure vehicle and meet the **criteria outlined in Section B above** are thoroughly searched prior to transport.
 - b) Searches of D & N or unruly children/youth will be limited to A “**frisk or pat down**” search.
 - c) When circumstances permit, two other employees will be present while a search is conducted.
 - d) Same gender employees must conduct searches on same gender child/youth.
 - e) Search of child/youth’s personal property is conducted **in the presence of another employee** by opening and inspecting the contents of any package, box, suitcase or other containers in their possession.
2. **Search of delinquent child/youth**
 - a) All delinquent children/youth being transported in secure or non-secure vehicles must be thoroughly searched prior to transport.
 - b) A search of the delinquent child/youth being transported will be limited to a “**frisk or pat down**” search.
 - c) Same gender employees must conduct searches on same gender child/youth.
 - d) When circumstances permit, two other employees will be present while a search is being conducted.
 - e) Search of delinquent child/youth’s property must be conducted and include, but not be limited to, opening and inspecting the contents of any package, box, suitcase or other containers in the child/youth’s possession.
 - f) The employee conducting the search will make a list of any items confiscated and will have the child/youth verify the list by date and signature. If the child/youth refuses to sign the list of items, the employee will indicate this fact on the list, date and sign the list.
 - g) Items that are considered contraband will not be returned to the child/youth. These items are identified as those that may jeopardize the safety of employees and the child/youth and will be handled as outlined in DCS policy **27.21, Contraband and Preservation of Physical Evidence**.
3. **For all children/youth:**
 - a) A body cavity search or request for the child/youth to remove clothing **other than shoes and socks** during a search is **PROHIBITED**. If a body cavity search is necessary the child/youth must be transported to a medical facility.

	<ul style="list-style-type: none"> f) Respect for the child/youth and their property must be maintained at all times. g) If the child/youth refuses to submit to a search and there is a perceived threat or danger, law enforcement may be contacted for assistance.
<p>D. Documentation of searches</p>	<ul style="list-style-type: none"> 1. DCS Transportation Officers or other transporting staff will ensure that all pertinent facts concerning a search are documented on form CS-0350 Transportation Report. Any contraband confiscated and how it was disposed of must be documented. 2. The FSW will ensure that all pertinent facts concerning searches are documented in TFACTS case recordings. Documentation will include but not be limited to: <ul style="list-style-type: none"> j) Employees involved; k) Reasons for the search; l) Location of the search (e.g., building, facility, parking lot, etc.); m) Other persons involved; n) Problems encountered; and o) Items confiscated.
<p>E. Operator responsibilities in state and personal vehicles</p>	<ul style="list-style-type: none"> 1. All vehicles used to transport a child/youth must be functionally and mechanically safe (e.g., brakes function properly, turn signals are operational, etc.). 2. Vehicle operators must adhere to all state and local traffic laws and operate the vehicle in a safe, responsible manner. 3. Operators of state vehicles must adhere to DCS Policy <u>30.5, Use, Maintenance and Responsibilities of Operating State Vehicles.</u> 4. All DCS transportation officers must be uniformed as outlined in DCS policy <u>1.18, Uniformed Employee Grooming Requirements and Provisions for Uniforms.</u>
<p>F. Emergency Situations during transporting</p>	<ul style="list-style-type: none"> 1. If during transportation a child/youth attempts to runaway or escape, the safe operation of the vehicle takes precedence over preventing a runaway or escape. 2. If a child/youth escapes, the vehicle operator must immediately notify local law enforcement authorities and his/her supervisor. The incident must be reported as outlined in DCS policies <u>1.4 Incident Reporting</u> and <u>31.2 Responsibilities Regarding Runaways and Escapees.</u>

	<ol style="list-style-type: none"> 3. If a child/youth becomes seriously ill or injured in an accident, he/she must be transported to the nearest medical facility. The vehicle operator must contact his/her immediate supervisor as soon as possible. If applicable, an FSW will meet the vehicle operator at the medical facility. 4. If an equipment malfunction interrupts transportation of the child/youth, the vehicle operator must notify his/her immediate supervisor to obtain assistance. 5. Employees involved in an accident while transporting a child/youth in a state-owned vehicle will immediately report the accident to their Supervisor and follow procedures as outlined in DCS Policy <u>30.5, Use, Maintenance and Responsibilities of Operating State Vehicles.</u> 6. Employees involved in an accident while transporting a child/youth in their personal vehicle will immediately report the accident to their Supervisor and follow procedures as outlined in DCS Policy <u>3.10, Coverage for Personal Property Loss and Damage</u> for damages sustained to their personal vehicle. 7. Employees injured while in the performance of their duties will follow procedures for reporting and filing worker's compensation claims as outlined in the DCS Human Resources Employee Handbook.
<p>G. Prohibitions regarding transportation of child/youth</p>	<p>Employee actions that are PROHIBITED when transporting a child/youth include, but is not limited to:</p> <ol style="list-style-type: none"> 1. Leaving a child/youth unattended in a vehicle; 2. Mechanically restraining a child/youth to a vehicle; 3. Using mechanical restraints on a D & N child/youth without a written court order specifying them to be used for the specific child/youth. <u>Mechanical restraints</u> must not be used to transport children/youth adjudicated dependent/neglect or unruly (refer to DCS policy <u>27.1 Use of Mechanical Restraints</u>); 4. Transporting a child or infant without a child passenger restraint system, a belt positioning booster seat system, or seat belt, as age appropriate by law; 5. Allowing a child/youth to travel without the use of seat belts, as age appropriate by law; 6. Transporting a child/youth in the front seat of a secure vehicle; and 7. Providing secure transportation for a child under the age of 12 without the approval of the Regional Administrator.

<p>H. Training on safely transporting children/youth</p>	<ol style="list-style-type: none"> 1. All employees transporting children/youth must be properly trained. The Tennessee Correctional Academy trainers, trained DCS transportation officers, or other appropriately trained employees will conduct training for other staff that is assigned transport duties. 2. Training will include, but not be limited to, the following: <ol style="list-style-type: none"> a) Installation and maintenance of child restraint seats; b) Proper placement of children/youth in a child passenger restraint system, a belt positioning booster seat system, or seat belt; c) The use of handcuffs and shackles or other type approved restraints; d) Use of transportation assistants; e) Proper placement of a child/youth with presenting behavioral problems when transporting in a non-secure vehicle; f) Safety precautions and potential risks that may be encountered while transporting; g) Control and disposal of contraband and preservation of physical evidence; h) Emergency contact protocols; and i) Search procedures. 3. Training is documented in the employees' training record with DCS Professional Development and Training.
<p>I. Local written procedures</p>	<ol style="list-style-type: none"> 1. Each region will develop written local procedures to include the following: <ol style="list-style-type: none"> a) Process for requesting and coordinating transportation; b) Responsibilities and requirements of the vehicle operator; c) Security requirements of the child/youth being transported; d) Procedures to ensure that the child/youth is restrained in safety seats and/or seat belts at all times while the vehicle is in motion; e) Procedures to ensure that appropriate documents are transported with the child/youth; f) Procedures for use of mechanical restraints and documentation of use; g) Procedures for control and disposal of contraband and preservation of physical evidence; h) Emergency procedures; i) Training (e.g., specific to region; who conducts training, etc.); and j) Region-specific protocols or limitations. 2. Requirements for written local procedures will be documented on form CS-0251, Local Administrative Procedures and Instructions.

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Forms:	<p><u>CS-0206 Authorization for Routine Health Services for Minors</u></p> <p><u>CS-0251, Local Administrative Procedures and Instructions</u></p> <p><u>CS-0351 Transportation Request</u></p> <p><u>CS-0350 Transportation Report</u></p> <p><u>CS-0330, Use of Restraint Report</u></p> <p><u>CS-0543 Well Being Information and History</u></p> <p><u>CS-0627 Informed Consent for Psychotropic Medication</u></p> <p><u>CS-0657, Education Passport and School Enrollment Letter</u></p> <p><u>CS-0727, Initial Intake, Placement Referral and Checklist</u></p> <p><u>CS-0813 Medication Transfer</u></p> <p><u>CS-0827 Non-Custodial Consent for Transport</u></p>
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Collateral documents:	<p><u>DCS Human Resources Employee Handbook</u></p> <p><u>DCS Policy 27.1 Use of Mechanical Restraints</u></p> <p><i>Local Regional Procedures</i></p>
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Glossary:	
<i>Term</i>	<i>Definition</i>
Contraband:	Any item possessed by an individual or found within a facility that is illegal or that is expressly prohibited by those legally charged with the responsibility for the administration and operation of the facility or program.
Frisk or “pat down” search:	A search of a person for something (as a concealed weapon) by running the hand rapidly over the clothing and through the pockets (also known as “pat down”). The person being searched is not required to undress.
Mechanical restraint:	The use of a mechanical device that is designed to restrict the movement of an individual. Examples of mechanical restraints include handcuffs or wristlets, chains, anklets, or ankle cuffs, or any other DCS approved or authorized device.
Secure Facilities:	For the purpose of this policy: youth development centers, detention centers, psychiatric hospitals, or mental health residential treatment facilities.