



**Administrative Policies and Procedures: 31.15**

<b>Subject:</b>	<b>Transportation of Child/Youth by Regional Employees</b>
<b>Authority:</b>	TCA 37-5-106; 55-9-602
<b>Standards:</b>	COA: ASE 6.03; JJCM 6.05
<b>Application:</b>	To All Department of Children's Services Regional Employees Who Transport Children/Youth

**Policy Statement:**

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.

**Purpose:**

To establish requirements, procedures and guidelines for employees who transport children/youth.

**Procedures:**

<p><b>A. Transportation officers and employee responsibilities for transportation of children/youth</b></p>	<ol style="list-style-type: none"> <li>1. All regional/field services supervisors and family service workers must be able to transport as the need arises.</li> <li>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.</li> <li>3. To the extent possible, <b>state vehicles</b> must be used to transport a child/youth. If a state vehicle is not available, employees may be required to transport in their personal vehicle if transport cannot be delayed.</li> <li>4. Employees who transport in their <u>personal</u> vehicles are required by DCS to have adequate automobile insurance coverage as required by law at their own expense;</li> <li>5. Employees who are responsible for the transporting in state or personal vehicles must maintain a valid driver's license and adhere to all child restraint and seat belt laws as outlined in <i>Tennessee Code Annotated 55-9-602</i>.</li> <li>6. A maximum of two (2) children/youth may be transported in one vehicle accompanied by an additional employee. Transportation of more than two (2) children without an additional employee will be at the</li> </ol>
---	--

- 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. Delinquent child/youth transported to a hardware secure facility (detention, youth development center, secure A & D program, secure psychiatric placement) must be transported in a secure state vehicle (equipped with a security screen, interior door handles removed, etc.).
  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.
  10. A check-out log must be maintained for logging the use of state vehicles.
  11. 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.
  12. 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.
  13. 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](#).)
  14. **FOR ALL CHILDREN/YOUTH (Secure and Non-Secure Transporting):**  
 The sending FSW/designee must ensure that all applicable and necessary requests, admission forms and documents required for appointments, referrals and placements are completed prior to requesting transport. The transportation officer must ensure that they have received all the required documents before transporting the child/youth, to include, but not limited to, the forms and documents listed below as applicable:

	<ul style="list-style-type: none"> <li>a) <b>Court order/commitment order;</b></li> <li>b) <b>CS-0351 Transportation Request;</b></li> <li>c) <b>CS-0206 Authorization for Routine Health Services for Minors;</b></li> <li>d) <b>CS-0627 Informed Consent for Psychotropic Medication;</b></li> <li>e) <b>CS-0543 Well Being Information and History;</b></li> <li>f) <b>CS-0813 Medication Transfer;</b></li> <li>g) <b>CS-0727 Initial Intake, Placement Referral and Checklist; and</b></li> <li>h) <b>CS-0657 Education Passport</b></li> </ul> <p>15. The staff member transporting a child/youth may “sign” the child/youth into his/her placement.</p>
<p><b>B. Local written procedures</b></p>	<p>Each region will develop <u>written local procedures</u> to include the following:</p> <ul style="list-style-type: none"> <li>1. Process for requesting and coordinating transportation;</li> <li>2. Responsibilities and requirements of the vehicle operator;</li> <li>3. Consideration of security requirements of the child/youth being transported;</li> <li>4. Procedures to ensure that the child/youth are restrained in safety seats and/or seat belts at all times while the vehicle is in motion;</li> <li>5. Procedures to ensure that <u>appropriate documents</u> are transported with the child/youth; and</li> <li>6. Emergency procedures.</li> </ul>
<p><b>C. Criteria and requirements for <u>secure</u> and <u>non-secure</u> transportation</b></p>	<ul style="list-style-type: none"> <li>1. Children/youth requiring transportation in a secure state vehicle must meet at least one (1) of the following criteria:             <ul style="list-style-type: none"> <li>a) Adjudication of delinquency even if not <u>committed</u> as a delinquent child (<i>i.e., a child/youth that has been adjudicated delinquent does not mean that he/she is COMMITTED as a delinquent child, etc.</i>);</li> <li>b) Documented history of recent assaultive behavior;</li> <li>c) Documented history of runaway;</li> <li>d) History of documented incidents of self-harm; and</li> <li>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.</li> </ul> </li> <li>2. If it is necessary to transport a child/youth to a secure location in mechanical restraints, a secure state vehicle must be utilized.</li> <li>3. If a secure state vehicle is <u>not</u> available and a state vehicle that is <u>not secure</u> must be utilized, a second employee must also assist in transporting. The child/youth must be seated in the rear passenger side</li> </ul>

	<p>seat with the second employee seated in the rear driver side.</p> <p>4. <b><u>Mechanical restraints</u></b> <b>may</b> only be used for transporting delinquent children/youth that pose a serious security risk to secure facilities or in emergency situations. See DCS policy <b><u>27.1 Use of Mechanical Restraints</u></b>.</p> <p>5. A delinquent child/youth in <b><u>mechanical restraints</u></b> and transported in a state van that is <b><u>not secure</u></b> 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.</p> <p>6. A delinquent child/youth in <b><u>mechanical restraints</u></b> 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 <b><u>27.1 Use of Mechanical Restraints</u></b>.</p> <p>7. A child/youth's personal belongings must <b><u>not</u></b> be accessible to them during a secure transport.</p>
<p><b>E. Search procedures for child/youth prior to transport</b></p>	<p>1. <b><u>Search of dependent/neglected and unruly child/youth</u></b></p> <p>a) Dependent and neglected or unruly children/youth that require transporting in a <b><u>secure</u></b> vehicle and meet the <b><u>criteria outlined in Section C above</u></b> must be thoroughly searched prior to transport.</p> <p>b) Searches of D &amp; N or unruly children/youth may be limited to:</p> <ul style="list-style-type: none"> <li>◆ A <b><u>"frisk or pat down"</u></b> search;</li> <li>◆ When circumstances permit, two other employees will be present while a search is being conducted.</li> <li>◆ Same gender employees must conduct searches on same gender child/youth.</li> <li>◆ Search of child/youth's personal property may be conducted <b><u>in the presence of another employee</u></b> by opening and inspecting the contents of any package, box, suitcase or other containers in their possession.</li> </ul> <p>2. <b><u>Search of delinquent child/youth</u></b></p> <p>a) All delinquent children/youth being transported in secure or non-secure vehicles must be thoroughly searched <b><u>prior to transport</u></b>.</p> <p>b) A search of the <b><u>delinquent</u></b> child/youth being transported will be limited to a <b><u>"frisk or pat down"</u></b> search.</p>

	<ul style="list-style-type: none"> <li>c) Same gender employees must conduct searches on same gender child/youth.</li> <li>d) When circumstances permit, two other employees will be present while a search is being conducted. Same gender employees must conduct searches on same gender child/youth.</li> <li>e) Search of delinquent child/youth’s property may 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.</li> <li>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 must indicate the facts on the list and date and sign the list.</li> <li>g) Items that are considered contraband will <u>not</u> be returned to the child/youth. These items are identified as those that may jeopardize the <u>safety</u> of employees and the child/youth and will be handled as outlined in DCS policy <a href="#">27.21, Contraband and Preservation of Physical Evidence</a>.</li> </ul> <p><b>3. For all children/youth:</b></p> <ul style="list-style-type: none"> <li>a) A body cavity search or request for the child/youth to remove clothing <b>other than shoes and socks</b> during a search is <b>PROHIBITED</b>. If a body cavity search is <u>necessary</u> the child/youth <u>must</u> be transported to a medical facility.</li> <li>b) Respect for the child/youth and their property <u>must</u> be maintained at all times.</li> <li>c) 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.</li> </ul>
<p><b>F. Documentation of searches</b></p>	<p>1. The employee conducting the search will ensure that all pertinent facts concerning searches are documented in <i>current child welfare information system</i><sup>1</sup> case recordings. Documentation will include but not be limited to:</p> <ul style="list-style-type: none"> <li>a) Employees involved;</li> <li>b) Reasons for the search;</li> <li>c) Location of where the search was performed (building, facility, parking lot, etc.);</li> </ul>

<sup>1</sup> **NOTE:** TNKids is the current DCS child welfare information system and will be replaced by the new system “TFACTS” in the near future. When TFACTS is fully implemented, all references to TNKids or “*current child welfare information system*” will mean TFACTS.

	<ul style="list-style-type: none"> <li>d) Other persons involved;</li> <li>e) Problems encountered; and</li> <li>f) A list of items confiscated.</li> </ul> <p>2. All documentation on the <i>current child welfare information system</i> case recordings regarding searches will be maintained in the child/youth's case file. If a staff member other than the supervising FSW searches the child/youth, the information will be documented by e-mail to the supervising case worker.</p>
<p><b>G. Operator responsibilities in state and personal vehicles</b></p>	<ul style="list-style-type: none"> <li>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.).</li> <li>2. Vehicle operators must adhere to all state and local traffic laws and operate the vehicle in a safe responsible manner.</li> <li>3. Operators of state vehicles must adhere to DCS Policy <a href="#"><u>30.5, Use, Maintenance and Responsibilities of Operating State Vehicles.</u></a></li> <li>4. All DCS transportation officers must be uniformed as outlined in DCS policy <a href="#"><u>1.18, Uniformed Employee Grooming Requirements and Provisions for Uniforms.</u></a></li> </ul>
<p><b>H. Emergency Situations</b></p>	<ul style="list-style-type: none"> <li>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.</li> <li>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 <a href="#"><u>1.4 Incident Reporting</u></a> and <a href="#"><u>31.2 Responsibilities Regarding Runaways and Escapees.</u></a></li> <li>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.</li> <li>4. If there is an equipment malfunction and transportation of the child/youth cannot continue, the vehicle operator must notify his/her immediate supervisor to obtain assistance.</li> <li>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 <a href="#"><u>30.5, Use, Maintenance and Responsibilities of Operating State Vehicles.</u></a></li> <li>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 <a href="#"><u>3.10, Coverage for Personal Property Loss and Damage</u></a> for damages</li> </ul>

	<p>sustained to their personal vehicle.</p> <p>7. Employees injured while in the performance of his/her duties will follow procedures for reporting and filing worker's compensation claims as outlined in <b><i>DCS Human Resources Employee Handbook</i></b>.</p>
<p><b>I. Prohibitions regarding transportation of child/youth</b></p>	<p>Actions that are <b>PROHIBITED</b> by any employee when transporting a child/youth include, but is not limited to:</p> <ol style="list-style-type: none"> <li>1. Leaving a child/youth unattended in a vehicle;</li> <li>2. Mechanically restraining a child/youth to a vehicle;</li> <li>3. <u>Mechanical restraints</u> must not be used to transport children/youth adjudicated dependent/neglect or unruly (see DCS policy <a href="#">27.1 Use of Mechanical Restraints</a>) without a written court order specifying it to be used for the specific child/youth;</li> <li>4. Transporting a child or infant without a child passenger restraint system or a belt positioning booster seat system, as age appropriate by law;</li> <li>5. Allowing a child/youth to travel without the use of seat belts, as age appropriate by law;</li> <li>6. Transporting a child/youth in the front seat of a secure vehicle; and</li> <li>7. Providing secure transportation for a child under the age of 12 without the approval of the Regional Administrator.</li> </ol>
<p><b>J. Training</b></p>	<p>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 staff. The training will be documented on the employees' training record and will include at a minimum:</p> <ul style="list-style-type: none"> <li>◆ Installation and maintenance of child restraint seats;</li> <li>◆ Proper placement of children/youth in child restraint seats and seat belts;</li> <li>◆ The use of handcuffs and shackles or other type approved restraints;</li> <li>◆ Use of transportation assistants;</li> <li>◆ Proper placement of a child/youth with presenting behavioral problems when transporting in a non-secure vehicle;</li> <li>◆ Safety precautions and potential risks that may be encountered while transporting;</li> <li>◆ Emergency contact protocols; and</li> <li>◆ Search procedures.</li> </ul>

<b>Forms:</b>	<p><a href="#"><u>CS-0206 Authorization for Routine Health Services for Minors</u></a></p> <p><a href="#"><u>CS-0351 Transportation Request</u></a></p> <p><a href="#"><u>CS-0330, Use of Restraint Report</u></a></p> <p><a href="#"><u>CS-0543 Well Being Information and History</u></a></p> <p><a href="#"><u>CS-0627 Informed Consent for Psychotropic Medication</u></a></p> <p><a href="#"><u>CS-0657, Education Passport and School Enrollment Letter</u></a></p> <p><a href="#"><u>CS-0727, Initial Intake, Placement Referral and Checklist</u></a></p> <p><a href="#"><u>CS-0813 Medication Transfer</u></a></p>
---------------	---

<b>Collateral documents:</b>	<p><a href="#"><u>DCS Human Resources Employee Handbook</u></a></p> <p><a href="#"><u>DCS Policy 27.1 Use of Mechanical Restraints</u></a></p> <p><i>Local Regional Procedures</i></p>
------------------------------	--

<b>Glossary:</b>	
<b>Term</b>	<b>Definition</b>
<b>Contraband:</b>	Any item possessed by an individual or found within a facility that is illegal by law or that is expressly prohibited by those legally charged with the responsibility for the administration and operation of the facility or program and is rationally related to legitimate security, safety, or treatment concerns.
<b>Frisk or “pat down” search:</b>	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.
<b>Mechanical restraint:</b>	The use of a mechanical device that is designed to restrict the movement of an individual. Examples of mechanical restraints are defined as handcuffs or wristlets, chains, anklets, or ankle cuffs, or any other DCS approved or authorized device.
<b>Secure Facilities:</b>	<u>For the purposes of DCS:</u> A Youth Development Center, detention center, Secure A&D programs, psychiatric hospitals, etc.