TN Department of Children's Services

POLICY

26.2 DOE Youth Development Center Visitation/Visitor Control	
Application: All Youth Development Center Employees, Visitors, and Youth	
Authority: TCA 37-5-106	**Standards: COA:** PA-JJR 13.07
Commissioner:	**Date:**
Active Memo:	This linked memo supplements requirements in this policy: ***Doe Policy 26.2 Directive***
Original Effective Date: 07/01/90 Current Effective Date: 03/01/16	Supersedes: DCS 26.2 DOE 07/01/08 Last Review Date: 03/01/16
Glossary: None	

Policy Statement:
Every youth placed in a Youth Development Center shall be afforded the opportunity to receive visits from family members and friends. All visitors shall be sufficiently controlled to ensure the safety, security, and integrity of the facility. Visitors shall be required to abide by the rules and regulations governing visitation and in all cases shall be treated with courtesy and respect. Volunteers visiting youths shall be required to comply with policies in Chapter 8, Volunteer Involvement, of the Department of Children's Services Policy Manual.

Purpose:

Procedures:

A. Approved Visitor List

1. Within the youth's first seven days at the classification center, a counselor shall obtain from the youth a list of the persons he/she wishes to be approved for visitation.
   - **a)** Prior to obtaining the list, the counselor shall inform the youth that a facility counselor and the youth's Probation Officer shall jointly assess each person on the list and make a recommendation for or against visitation.
   - **b)** The counselor shall discuss the list with the Residential Case Manager within three working days after receiving it.

c) Each person requested by the youth to be placed on the visiting list shall be approved for visitation unless it is determined that visitation is considered detrimental to the youth.

2. When the visit is considered detrimental to the youth and the treatment team's recommendation is against visitation, specific reasons shall be given in writing to the youth by the treatment team leader with a copy placed in the youth's file. Reasons for negative recommendations may include: negative/law violating influence on youth, contrary to treatment goals, prior instances of contraband transfer, violation of facility rules, etc.

3. The youth's treatment team shall review the list and establish an approved visitor list, which shall be for the area designated for visitor registration. The team leader shall ensure that the original recommendation list and a copy of the approved visitor list are placed in the youth's file. See Form CS-0111 (Yellow Card).

4. If an individual is not placed on the approved visitor list, a written notice of the exclusion, with reasons, shall be given to the youth who submitted the individual's name. A youth may grieve the exclusion from the approved list of a submitted person's name.

5. The youth's treatment team shall amend the approved visitor list as needed.

6. The approved visitor list shall not apply to the youth's attorney(s) or the clergy.

B. Visitation

1. Each Superintendent shall establish a local policy governing visitation, which should be revised annually as needed, which must include the following:

a) Provision prohibiting visitation by persons, other than attorneys and members of the clergy, who are not on the approved visitor list, without the prior written approval of the Superintendent;

b) The right to visitation on at least three designated weekdays and on all holidays and weekend days;

c) Reasonable limitations on the hours when visitation is permissible so as not to interfere with academic and vocational programming, meals, and bedtime;

d) Provisions for special visitation beyond normal days and/or hours, where hardship conditions exist;

e) Reasonable limitations on the number of visitors a youth may receive at a given time, and the duration of the visit;

f) Reasonable limitations on the number of non-relatives who may visit an individual youth at any one time;

g) Provision that person under 18 years of age must be accompanied by a parent/guardian. This provision shall not apply to the youth's immediate family;

h) Provision which provides for privacy when visitation is by an attorney or a member of the clergy;

i) Provision which establishes a method of visitation for youths in programmatic segregation, confinement and the like. Visitation under these circumstances may be limited and restricted as to location but not be denied;

j) Provision which establishes an accepted manner of dress for visitors;

k) Provision which establishes a method of notifying the youth's parents/guardians of the visitation hours and regulations.

l) Provision for opportunities for informal communication, including opportunities for appropriate physical contact.

2. All rules regulations concerning visitation shall be contained in the youth handbook.

3. All rules and regulations concerning visitation shall be conspicuously posted in order to provide visitors adequate notice of such rules and regulations. Each visitor shall be directed to such rules and regulations when he/she has completed visitor registration.

4. The Superintendent shall designate indoor and outdoor areas to be used for visitation. In designating such areas consideration shall be given to personnel resources, institutional space, security, safety, privacy, and the weather.

5. Under unusual circumstances, as determined by the Superintendent or designee, an intended visit of a friend or relative may require prior notice by telephone or letter.

6. When deemed appropriate by the Superintendent or designee, facility visitations shall be denied or canceled during a facility emergency.

C. Visitor Control

1. Each Superintendent shall include in the local policy the types of personal property, including food, which visitors may bring to youths and the manner in which such property shall be distributed to youth.

2. Except as otherwise provided herein, all visitors must register before being allowed to visit. This includes each member of a family or group. Departmental employees' family members and persons essential to the operation of the institution may not be required to register upon entering the facility.

3. All visitors entering the facility shall be subject to search. They shall be made aware of this prior to or at the time of the visit. The search may be of their person, belongings, or vehicle.

4. The intended visit may be denied by the person in charge at the time of the visit for any of the following reasons:

a) Visitor refuses to show appropriate and bonafide identification;

b) Visitor refuses to submit to a search;

c) Visitor is suspected of being under the influence of alcohol or other drugs;

d) Visitor refuses to comply with facility dress regulations.

5. Visits may be terminated for the reasons set out below by the person in charge. However, before a visit is terminated for misconduct, less restrictive measures shall be used, such as warning the student and/or visitor(s):
- **a)** Any violation of the visitation rules and regulations;
- **b)** Failure of the visitor to control his/her children;
- **c)** Refusal by the visitor to submit to a search;
- **d)** Unacceptable physical contact between youth and visitor.

6. A visitor's privileges may be suspended by the Superintendent if:
- **a)** During the visit it becomes apparent that the visitor and/or youth has come under the influence of alcohol and or other drugs;
- **b)** Visitor repeatedly violates visitation rules and regulations;
- **c)** Visitor continually fails to control children;
- **d)** Visitor continually refuses to refrain from unacceptable physical contact with the youth.

7. The Superintendent shall suspend the visiting privileges of any person who breeches a rule or regulation vital to the security of the facility and/or engages in conduct which might jeopardize the safety and/or security of the facility.

8. Whenever a visit is denied or terminated, a detailed report in memorandum form shall be prepared by the official taking the action. Such memorandum shall be submitted for review to the Youth Service Manager - Treatment within 72 hours of the denial or termination. A copy of memorandum shall be forwarded to the youth and the visitor(s) and a copy shall be placed in the youth's file. The statement of reasons may be limited, if to elaborate would jeopardize the security of the facility and/or the safety of any person.

9. Whenever a person's visiting privileges have been suspended, the superintendent shall so notify such person by registered mail, detailing the reasons for the suspension and informing him/her that he/she may apply to the Superintendent six weeks after the date of suspension to have the suspension lifted. A copy of the letter shall be sent to the youth involved and a copy shall be placed in the youth's file. The Superintendent shall ensure that the appropriate staff members are notified of such suspensor, including those responsible for visitor registration. The name of the person whose visiting privileges have been suspended shall be removed from the approved visitors list. The youth may grieve the removal of a person's name from the approved visitors list.

10. When a person applies to have a suspension of his/her visiting privileges lifted, the Superintendent shall have the discretion to either lift or continue the suspension. The Superintendent shall, within five working days after receipt of the application, notify such person by letter of his/her decision and, if the suspension is continued, state the reasons for such circumstance.

11. Youths who are patients in community hospitals shall be allowed visits at the discretion of the Superintendent and in accordance with and subject to hospital rules and departmental policy.

12. The volunteer coordinator shall submit to the Superintendent or designee the names of volunteers who may visit the respective youth.

13. Under no circumstances shall visitors be provided transportation by the Department of Children's Services, or any employee thereof, without the prior written approval of the Superintendent. The facility staff shall be encouraged, however, to provide information to visitors about transportation to the facility, including public transportation that may be available to visitors.

Forms:

CS- 0111, Approved Contact List

Collateral Documents:

None

(Note: This Policy Cannot Be Revised Without Prior Permission of Chancery Court, Davidson County, Nashville, Tennessee.)