Purpose

To describe the requirements for safely transporting children and youth in DCF custody in the least restrictive method.

Acknowledgement: This policy specifically addresses the transportation of children and youth in DCF custody. It is understood that providing transportation for division clients (parents, children and youth not in DCF custody, etc.) will occur as needed. Transportation safety requirements outlined in Vermont law (23 V.S.A. § 125) apply to all driving associated with an employee's job duties. When transporting children/youth not in DCF custody, staff must have verbal permission from the custodian of the child.

Related Policies

Family Services Policy 72: Educational Achievement and Stability for Children and Youth in DCF Custody
Family Services Policy 75: Normalcy and the Reasonable and Prudent Parent Standard (RPPS)
Family Services Policy 171: Woodside Juvenile Rehabilitation Center Admissions
Family Services Policy 269: Second Hand Smoke

Policy

Children and youth in DCF custody will be transported using the least restrictive method that can reasonably promote safety. In evaluating the most appropriate level of security, division staff will consider:

- The child or youth's immediate risk to run away;
- The child or youth's history of previous runaways and any risky behaviors that occurred while they were missing; and
- The risks the child or youth may pose to their own safety or the safety of another person.

All children and youth in DCF custody have transportation needs. Transportation should be arranged or scheduled with as much notice as possible. If a young person has specialized transportation needs (i.e., due to complex medical needs, significant travel for appointments/treatment, or daily transportation to support educational stability),

division staff may consider whether these needs and arrangements should be included in the case plan.

In all instances of transporting children and youth in DCF custody, the young person's safety and needs will be considered when determining the best transportation option. In most situations, children and youth experiencing significant transitions should be transported by, or under the supervision of, a person they know and trust. Reasonable and appropriate efforts will be made to respect the privacy of the child/youth and prevent physical and psychological trauma. Children and youth will not be transported through secure transportation unless necessary to protect the young person's health and safety or the safety of another person.

Driving Safety

In order to perform necessary functions of the division's work, employees are required to have a valid driver's license and a vehicle that is functionally and mechanically safe. Division staff are responsible for maintaining a valid driver's license, adequate automobile insurance coverage, and up-to-date vehicle registration and inspection.

Division staff shall not smoke (neither traditional cigarettes nor electronic cigarettes) in the presence of children or youth served by the division – including within vehicles during transportation. Additionally, division staff will not give permission to or permit any child or youth served by the division to smoke in their presence. See Family Services Policy 269 for additional information. Similarly, the Licensing Regulations for Foster Homes and Licensing Regulations for Residential Treatment Programs prohibit exposure to second hand smoke within vehicles while transporting young people.

Everyone in the vehicle (all adults and children) will wear seat belts properly and as required by law[1]. Per 23 V.S.A. § 125:

- All children under the age of one, and all children weighing less than 20 pounds, regardless of age, shall be restrained in a rear-facing position, properly secured in a federally-approved child passenger restraining system, which shall not be installed in front of an active air bag.
- A child weighing more than 20 pounds, and who is one year of age or older and under the age of eight years, shall be restrained in a child passenger restraining system.
- A child eight through 17 years of age shall be restrained in a safety belt system or a child passenger restraining system.

[1] Acknowledgement that some busses and public transportation options do not have installed seatbelts.

All individuals transporting children and youth in DCF custody (division staff, caregivers, contracted providers, and others) are expected to maintain appropriate supervision to promote the safety of the child/youth and others. District office team members along with the individual(s) providing transportation may determine when a child or youth should be transported with more than one adult in the vehicle to increase supervision.

If at any time a child or youth exits a vehicle without permission, the individual providing transportation must exercise reasonable judgment on whether to follow the young person or contact law enforcement. Division staff, caregivers, or individuals providing contracted non-secure transportation are not expected to jeopardize their own safety by attempting to apprehend the young person.

At the discretion of the individuals providing transportation, the young person's personal items (bags, purses, backpacks, etc.) may be locked in the vehicle's trunk if the youth's behavior indicates this will increase safety or reduce risk to run away.

Non-Contracted Options for Transportation

Generally, children and youth in DCF custody should have access to the most normal means of transportation as is possible and available – i.e., with family members, the people they live with, other individuals known to them, or division staff. Caregivers, by exercising the reasonable and prudent parent standard (RPPS), may allow children and youth to be driven by people known to them. Additionally, some youth in DCF custody have their driver's license and can drive themselves and their family members or household residents. See Family Services Policy 75 for additional information on the RPPS and supporting normalcy and youth driving.

Non-contracted transportation options include situations where a child or youth rides with a licensed driver in a private vehicle, state fleet car, rental car, or transportation service vehicle. Preferably, the licensed driver should be known to the child or youth. As age and developmentally appropriate, children/youth may utilize public transportation, taxicab services, or ride sharing options.

Contracted Options for Transportation

When using a contractor for transportation services, there are three different levels:

1. Standard Transportation
2. Safety Enhanced Transportation
3. Secure Transportation

All contracted drivers are subject to background checks (child abuse registry, criminal records, and DMV database)[2].

Contracted Standard Transportation

When standard transportation is provided as a contracted service, the child or youth is transported by a licensed driver in a private vehicle, business vehicle, rental car, or transportation service vehicle.

Contracted Safety Enhanced Transportation

When safety enhanced transportation is utilized, a contracted service provider transports the young person (youth who are considered a moderate risk to flee, are not known to the division, or may need a second skilled person in the vehicle for safety and monitoring) in a safe and secure manner without using physical restraints. Their staff are trained in restraint procedure if it becomes necessary during transport.

Contracted Secure Transportation

The Agency of Human Services (AHS) maintains a statewide contract with Vermont County Sheriffs for the purpose of providing secure transportation. When contracted secure transportation is utilized, youth are transported in a law enforcement vehicle utilizing the AHS protocol for secure transportation. It is best practice for the law enforcement officer to be accompanied by a second adult, preferably one known to the child or youth. However, this may not always be possible.

According to the AHS protocol, secure transportation is approached in the following priority order:

1. Provide a secure transport by avoiding any form of restraint;
2. Provide a secure transport through utilization of soft-restraint;
3. Provide a secure transport through utilization of metal restraint.

Secure Transportation Protocol

In addition to the secure transportation provided through the AHS contract with sheriffs, Woodside Juvenile Rehabilitation Center staff may provide secure transportation if staff and vehicle resources are available.

[2] Division staff are subject to these background checks prior to hire. Respite providers, foster/kinship parents, and residential treatment program staff are subject to these background checks during the licensing process (initially and during renewals).

Secure transportation is permitted only in the instances specified below:

- Transport for placement at Woodside; or
- Transport for a youth already residing at Woodside (i.e., transportation to and from court); or
- The child or youth poses high risk to themselves or to another person, as documented on the *Transportation Assessment Form (FS-653)* and the risk cannot be safely controlled using non-secure transport.

Although secure transportation is **permitted** for youth being placed at Woodside or already residing at Woodside, secure transportation is **not required** for all transports. It may be likely that youth initially being placed at Woodside will be transported securely due to the risk to themselves and others (see Family Services Policy 171 for information on Woodside admissions criteria). There are also instances where youth are placed at Woodside and do not need to be transported securely, such as when they are interviewing at a residential treatment program or transitioning back into the community.

To request approval for secure transportation for any transport other than initial placement at Woodside, the assigned family services worker, Woodside staff, or Centralized Intake and Emergency Services (CIES) staff must complete the *Transportation Assessment Form (FS-653)* and *Request for Secure Transportation of a Juvenile Form (FS-652)*.

If the youth is placed at Woodside and a secure transport needs to be requested, Woodside staff are responsible for completing the forms. Between midnight and 8:00 AM, CIES may provide verbal authorization to law enforcement for secure transport and ensure the forms are sent the following morning. All secure transports must be approved as follows:

Circumstance:	Approval Required From:
Transport of youth already residing at Woodside	Woodside shift supervisor
All other daytime/business hour transports	supervisor or district director
All other after-hours transports	covering CIES supervisor

Woodside staff, who supervise youth 24 hours per day, are in the best position to assess their current risk to themselves or others. When Woodside staff are transporting a youth non-securely and the youth demonstrates behavior that is substantially risky to themselves or others during the transport, staff may apply restraints.

When requesting secure transportation through the contract with sheriffs, division staff

will contact the sheriff contractor in the county where the youth is located with the following exceptions:

- If the youth is located at Woodside, the division will contact the sheriff contractor in the same district/county where the youth has an open case with the division; and
- If the youth is picked up out-of-state, the division will contact the sheriff contractor geographically closest to where the youth is being held. Approval from Vermont's ICPC deputy compact administrator is required before a sheriff contractor leaves to return a youth in DCF custody from another state.

In instances where youth are placed at Woodside and need to be transported to attend any court hearing (family court or criminal court), the court should be notified of the need for secure transportation. Invoices for transport from Woodside to court should be submitted to the Department of State's Attorneys and Sheriffs.