## Administrative Policies and Procedures: 16.43

<table>
<thead>
<tr>
<th>Subject:</th>
<th>Supervised and Unsupervised Visitation Between Child/Youth, Family and Siblings</th>
</tr>
</thead>
<tbody>
<tr>
<td>Authority:</td>
<td>TCA 37-5-106, TCA 37-4-201; P.L 109-239 (Safe and Timely Interstate Placement of Children in Foster Care); TCA 37-4-201-207.</td>
</tr>
<tr>
<td>Application:</td>
<td>DCS Family Service Workers and Supervisory Staff and Contract Agency Staff.</td>
</tr>
</tbody>
</table>

### Policy Statement:

The Department of Children’s Services (DCS) ensures that visitation between children/youth in the legal custody of DCS and their families is conducted in the best interest of children and youth based on court orders, policy directives, and the individual circumstances of each case. Unless a court order indicates differently, visitation is no less than two (2) visits per month or weekly when appropriate and possible. This policy also applies to DCS custodial youth, their families and siblings who are subject to inter-jurisdictional placements under the Interstate Compact on the Placement of Children.

### Purpose:

To provide directives and guidelines for staff to ensure youth have an opportunity to visit their families and/or siblings. Decisions regarding supervised or unsupervised visitation is based on the safety and well-being of the child and/or as directed by the court. Visitation is critical to reducing the trauma of separation to children and achieving permanency as quickly as possible. Visitation also affords parents and family the opportunity to demonstrate parenting skills necessary to ensure the safe return of the child to the home.

### Procedures:

#### A. Developing a Visitation Schedule

1. The Family Service Worker (FSW) assigned to the youth meets with the youth’s parents and/or family members as soon as possible to develop their team and initiate the planning process. (See DCS Policy 31.7 Child and Family Team Meeting Process).

2. During this meeting with the family, the FSW arranges a Visitation Plan between the youth and the family.

3. Visitation between the youth, family, and any siblings is allowed as soon as possible. There is no “waiting period” before youth and families are allowed visitation.

4. Visitation times are mutually agreed upon and, to the extent possible, coordinated among and between the parents’ work schedules and children/youth’s school schedules.

5. Visitation occurs in a scheduled and predictable manner. This practice helps parent(s) and other family members coordinate transportation and planning of other activities around the established visitation schedule. It also assists youth...
as they adapt to the many changes and losses they experience in foster care.

6. The FSW makes efforts to ensure that siblings are included in family visits. This includes siblings who remain at home as well as those placed separately in foster care.

7. If a child is placed with a Contract Provider, the FSW is an active partner in facilitating conversations between the Contract Provider and the family to determine the best dates, times, locations, and plans for supervision during parent/child visits.

**B. Visitation Frequency and Best Interest Considerations**

1. When parental rights are intact, birth/adoptive parents and children/youth are provided the opportunity to visit at least twice per month. When possible, feasible, and in the best interest of the youth, the FSW and/or Contract Provider seeks to provide weekly visitation between the youth and birth parent.

2. Visits take place as frequently as necessary and appropriate to facilitate sibling relationships, but no less frequently than once each month for no less than one hour in duration (unless the visit is shortened to protect the safety or well-being of the child/youth). Visits are of such duration as to support the ongoing relationship and connection of the siblings and may include overnight or weekend visits. See the Visitation Protocol, Attachment to Policy 16.38.

3. There are certain circumstances considered “good reasons” in which a youth does not have any visitation with their birth/adoptive parents. Documentation is in the record to demonstrate “good reasons,” which include:
   a) Court order restricting or limiting visits: The child and family team reviews the appropriateness of the order and considers returning to court to seek permission to reinstate visitation if the team believes resuming visits is appropriate.
   
   b) Missing/Avoidant Parent: A parent who retains parental rights to their youth are missing or avoiding DCS and there is evidence in case recordings that the FSW is trying to locate the parent through diligent search or engage the parent at least once during the month.
   
   c) Therapist Recommendation: Visits with parents and their youth may be exempt if there is a documented recommendation from a licensed therapist, medical professional or psychiatrist. This recommendation should identify specific parental behaviors or patterns that are harmful to the child/youth or place them at risk, show the destructive effects or negative impacts that visits would have and what is being done therapeutically to address the parent/child relationship.

4. There are circumstances considered “good reasons” in which a youth has less than required, (weekly or twice monthly) visitation, with their birth/adoptive parents. In these circumstances visitation should be supplemented with alternative visitation types including: video conferencing, phone calls and letters. Documentation must be in the record to demonstrate “good reasons”, which include:
   a) Youth who are placed at an exceptional distance from the parent's
**Subject: Supervised and Unsupervised Visitation Between Child/Youth, Family, and Siblings**

### C. Unsupervised Visitation

1. The FSW works with the family to select the most comfortable, natural setting possible for unsupervised visitation. Unsupervised visitation will most often be in the family’s home. If there are reasons why the family’s home is not be appropriate, unsupervised visitation may take place in the child/youth’s foster home or another neutral setting, such as a park. The DCS office is not an appropriate setting for unsupervised visitation.

2. The FSW assists the youth’s family members with planning activities for unsupervised visitation that help maintain, improve and strengthen family relationships.

3. Telephone or video conference/FaceTime/Skype contacts are to be encouraged as appropriate in order to maintain further contact between family members. These contacts are not a replacement for required twice monthly in person visits, but are a supplement to face-to-face visitation.

4. For any child adjudicated delinquent and placed in a Contract Provider setting, the FSW works closely with the provider to determine eligibility for passes. If the youth has been adjudicated as delinquent, the FSW follows the procedures outlined in DCS Policy 12.5, *Passes for Delinquent Youth in a Youth Development Center*.

### D. Supervised Visitation

The FSW arranges for visitation and other contacts between parents, family members, and youth in foster care even when these visits require supervision to ensure the child/youth’s safety.

1. The Family Service Worker (FSW) assigned to the youth meets with the child/youth’s parent(s) and/or family to develop a schedule for supervised visitation. The Visitation Plan is entered in TFACTS and all relevant parties receive a copy of the plan.

2. The FSW discusses the issues of supervised visitation with their Team Leader prior to setting a schedule with the child/youth’s parent(s) and/or family. Supervised visitation may be appropriate in the following situations:
   a) The youth is in care as a result of a court finding of severe abuse.
   b) The youth is in care as a result of non-adjudicated severe abuse, but there...
is a child protective services investigation that has resulted in a substantiated case of severe abuse.

c) A court order for other reasons specifically requires supervised visitation between a child/youth and his or her family.

d) Other documented reasons exist that compromise a youth’s safety and justify supervised visits.

3. The FSW adheres to the same basic principles as outlined in Section C. **Unsupervised Visitation** above, in addition to:

   a) The FSW must explain to the family that visits will be supervised, how these will be supervised, who will be supervising them and why they are being supervised.

   b) The FSW, Contract Provider staff or other identified and approved child and family team member will supervise visitation. Individuals supervising visitation must be able to protect a child/youth from harm or abduction during the visitation, be able to exercise control and intervene if required during the visit.

   c) The FSW will use form **CS-0594, Visitation Observation Checklist** to document observed interaction between parent(s), family members and child(ren)/youth. When the visitation is supervised from someone outside of DCS, the FSW debrief with the child and parent/caregiver and the supervisor of the visit. All sibling and parent/child visits are entered in case recordings in TFACTS and any observations made are summarized in the recording.

   d) The FSW continually assess the appropriateness of requesting unsupervised visits. These requests are made to the court and documented in the case file.

E. **Sibling visitation standards**

   1. Siblings who are not placed together are allowed to visit face-to-face in the most home-like setting available.

   2. This standard does not apply to situations where there is a court order restricting either the frequency of visitation or the duration of visitation due to safety or other reasons. Such restrictions are documented in the case file by a signed court order and as prescribed in **Section G** of this document.

   3. There are certain circumstances considered “good reasons” in which a youth does not have any visitation with their sibling(s). Documentation is in the record to demonstrate “good reasons,” which include:

      a) Court order restricting or limiting visits: The child and family team review the appropriateness of the order and consider returning to court to seek permission to reinstate visitation if the team believes resuming visits is appropriate.

      b) Therapist Recommendation: Visits with siblings may be exempt if there is a documented recommendation from a licensed therapist, medical professional or psychiatrist. This recommendation should identify specific
### Subject: Supervised and Unsupervised Visitation Between Child/Youth, Family, and Siblings

<table>
<thead>
<tr>
<th>F. Modification to visitation schedules</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Visitation Schedules can be modified for any number of reasons. However, the parents must be allowed at least two (2) visits per month to visit their children unless there is a court order specifying otherwise. The Child and Family Team may make modifications to the locations, participants, times, etc., and can decide how they will present these modifications to the court. The reasons for any modifications are documented in the case record as prescribed in Section G of this policy.</td>
</tr>
<tr>
<td>2. If an emergency situation involving the immediate health or safety of the child exists, the FSW may immediately terminate or cancel a visit.</td>
</tr>
<tr>
<td>3. Denial of visitation may not be used to manage behavior (for example, as a consequence for a child’s misbehavior.) However, modifications in the Visitation Plan may be therapeutically necessary and the reasons for this will be documented in case recordings.</td>
</tr>
<tr>
<td>4. If a Visitation Plan needs to be modified, the FSW convenes a CFTM to address changes and develop a new schedule.</td>
</tr>
<tr>
<td>5. Any modifications to the Visitation Plan is documented as prescribed in Section G of this policy.</td>
</tr>
</tbody>
</table>

### G. Documentation

| 1. The Visitation Plan established or modified for visits between the child(ren)/youth, the parents, and/or any siblings is documented in TFACTS in the Visitation Plan Section and linked to the Family Permanency Plan. All visitation participants receive a copy of the Visitation Plan. |
| 2. At any time that it is determined by the court that visitation between child(ren)/youth, families and/or siblings is detrimental to well-being or requires supervision, the FSW obtains a court order and records this in the Visitation Plan Section of TFACTS. |
| 3. If there is a recommendation from medical/mental health professionals or the Child and Family Team (CFT) that visitation be limited in some capacity, documentation of the recommendation is entered into case recordings in TFACTS. Any recommendation that results in a court-ordered restriction or modification requires that a revision of the Visitation Plan be completed. |
| 4. Modifications recorded in the Visitation Plan in TFACTS that require a more detailed explanation is documented in case recordings. All visitation participants receive a copy of the Visitation Plan and/or CFTM Summary. |
Subject: Supervised and Unsupervised Visitation Between Child/Youth, Family, and Siblings

Forms:

- CS-0594 Visitation Observation Checklist
- CS-0747 Child and Family Team Meeting Summary

Collateral documents:

- DCS Policy 31.7 Child and Family Team Meeting Process
- DCS Policy 12.5 Passes for Delinquent Youth in a Youth Development Center
- DCS Policy 14.6, Child Protective Investigative Team
- Interstate Compact on The Placement Of Children Manual
- Visitation Protocol, Attachment to Policy 16.38

Glossary:

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family</td>
<td>The parents to which the child was born, blood kin, or other individuals that have played a significant role in the child’s life</td>
</tr>
</tbody>
</table>