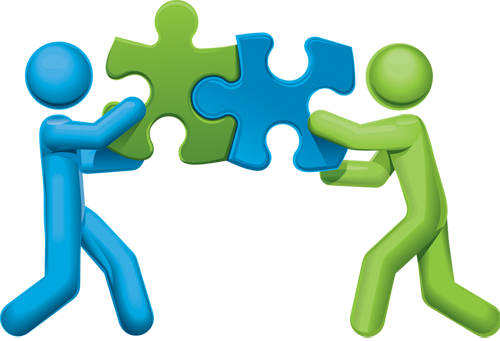
***Mountain View Academy***

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***Program Handbook***

***for***

***Residents and Staff***

***Revised February 2021***

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**PREFACE**

This handbook is intended to serve as a guide or an informational resource for residents of Mountain View Academy. If there is anything you don’t understand, or if you have trouble reading this, please ask your case manager or another staff member to explain it to you.

Residents should refer to this handbook whenever they have questions or need information about a certain topic. You should keep this handbook and refer to it often. Proper procedures are identified in the handbook so that residents can easily learn or review the processes required of them as residents at this facility.

\***Please note: should a specific need or concern arise that could affect the daily operation of the facility, ALL facility rules and regulations, including those listed in this handbook, are subject to change at any time.**

#### MISSION STATEMENT

The mission of Mountain View Academy is to provide quality residential treatment services that increase the number of youth who achieve permanency and are better prepared to achieve successful, independent adult lives.

**PROGRAM PHILOSOPHY**

The residents and staff would like to welcome you to Mountain View Academy. We understand that being here may not be your choice and may not be where you would most like to be today. Wherever you would like to be, we are here provide the best support possible to assist with getting you to YOUR next step toward that goal.

Mountain View Academy is a residential treatment facility. Your time here will be structured and we follow a strict schedule each day. You may have experienced a great deal of control over what you do, where you go, and when. The structure may initially cause you some stress because we move as groups for our daily schedule. You are here to address thinking errors and needs that have likely led you down a road of poor choices like delinquent behavior, anger outbursts, and emotionally attacking those close to you. YOU are going to be ok! What you may have done in the past is not who you are as a person. We will support you and assist you with developing coping skills and plans to control your own behavior and outcomes. Residents and Staff are a team here at Mountain View Academy. We firmly believe that we all succeed and fail together.

Residents and staff are expected to follow the norms explained in this handbook. We are all human and make mistakes, and it is ok for all of us to hold each other accountable to program expectations as long as we do this in a respectful manner. There may be times that this will be difficult for you to do, and again that is ok. Other residents and staff will be there to support you during and after crisis situations. You are part of the Mountain View Academy family now and we will not turn our backs on you.

The expected behaviors here may seem silly at times, but they are all based on real life experiences that you will face in the future. While here, you will find that some of these experiences can be challenging, but do not give up. The program is created so you are safe and free to make mistakes and then learn from them to move forward. Throughout all of our lives, we all experience unexpected setbacks and “speed bumps”. The way we choose to handle these surprises creates a path for us. Poor choices lead us on a path to consequences that we do not like. Positive choices keep us on a path to fulfill our goals and dreams. The only difference between staff and residents is that staff has had more time to “practice” making positive choices in their life, so those choices are easier to make over time.

We believe in the power of a positive peer culture here at Mountain View Academy. It is very likely that you have a great deal of experience being in a negative peer culture. A negative peer culture utilizes intimidation, fear, and threats in order to get you to follow the expected behaviors. A positive peer culture utilizes unconditional support, listening, and peers helping each other make decisions that are in the best interest of YOU. Throughout your stay with us and the remainder of your life, events and situations will push you to return to old behaviors like outbursts of violence. We hope to help you understand that when you choose to respond in these negative ways, YOU are giving all of your power over your life to others by allowing others to influence your behavior to the point you are getting negative consequences. We are responsible for our own choices and you will be held accountable consistently in this program. It is also very important to us that rewards and recognition happen consistently when we are making positive choices. Either way, we will be honest and upfront with you about what you are facing.

Regardless of why you are here, we are happy to have you join our team. Let us now begin your journey to a place where you will achieve a successful and independent adult life.

**PROGRAM INCENTIVES FOR RESIDENTS**

Mountain View Academy offers individual and group incentives regularly on a monthly basis. Residents that have no physical restraints will receive recognition and rewards for each month they are not involved in restraints. Each month, a dorm is selected to receive notoriety as Dorm of the Month. This is awarded to the dorm that has collectively demonstrated a positive youth culture on their dorm, school, and while interacting with other departments at the facility.

Administration provides special meals for those residents on Phases 4 and 5 each week. Administration periodically provides unscheduled recognition and rewards for individuals and groups that are demonstrating extraordinary teamwork, cleanliness, and/or culture. Individuals are also able to respectfully request an opportunity to tide up facility common areas or other tasks to receive Administrative Points if they wish to earn more than their 285 points per day. The facility also provides a game room for those residents on Phases 4 and 5.

`**PERMITTED AND PROHIBITED ITEMS**

**Permitted items:**

* Appropriate pictures of family or friends that are hung on room walls in the approved place
* Mountain View Academy will provide the following items: 5 Phase shirts, 2 white t-shirts, 2 sweatshirts, 5 jogging pants, 2 athletic shorts, socks, boxers and slides.

#### Prohibited items:

* Cell phones and/or cameras (photography of residents is prohibited by the Department of Children’s Services)
* Electronics (permitted electronics will be provided to residents at approved times and in approved places)
* Medication, whether prescription or non-prescription, except medication declared and checked in to the clinic immediately upon arrival
* Illegal or illegally possessed drugs of any kind
* Inhalants
* Money kept by residents on their person. Any money must be kept in the facility safe, clearly labeled with the resident’s name and contents and issued and documented by an authorized staff member.
* Any type of weapon including “fashioned” weapons
* Pornography or explicit materials
* Personal clothing items. All personal clothing will be washed sanitized and stored along with any other inappropriate writing or pictures as determined by staff on duty.
* Jewelry will be documented and stored in inventory
* Any gang related items including pictures, drawings, articles of clothing, etc

If a resident has prohibited items when he arrives, the items will be kept securely and labeled with his name and identifying information. These items will be returned to him to take home on a home pass or when he is discharged from the program. A resident may also authorize his parent or guardian to bring the prohibited items home with them after a visit. Any prohibited items brought back after a home pass or any absence from the program will also be kept or processed securely and depending on the nature of the item, disciplinary and/or legal procedures may occur.

Attempting to bring illegal items such as drugs or weapons onto the premises may result in legal action.

**NON-DISCRIMINATION POLICY**

Mountain View Academy does not discriminate in the delivery of services to residents on the basis of race, color, religion, national origin, sex, age, disability, marital status, political opinion or any other characteristic protected by law.

**NOTICE OF SECURITY CAMERAS**

There are security cameras inside and outside the buildings. They are for your protection and for the protection of others. No cameras are placed in areas that would violate your right to privacy. Video recordings of events may be used to determine whether safety or rule violations have occurred or for other legitimate, legal purposes. They will not be used for any purpose that would violate your right to confidentiality.

**IN CASE OF EMERGENCY**

In the event of an emergency of any type (tornado, chemical spill, fire, etc) that requires the building to be evacuated, the fire alarm will sound and evacuation procedures will be utilized. At the sound of the alarm immediately stop and listen for staff instructions. All youth and staff must evacuate using the evacuation plan posted in your area. Youth should move to the designated evacuation door according to the evacuation plan and wait for staff instruction to exit the building.

In the event of an inclement weather-related emergency follow the direction of the staff.

Posted throughout the building are directions to the location of exits, fire extinguishers, and first aid supplies. The staff will conduct fire drills to ensure that all residents know which direction to proceed in case of an actual fire. When there is a tornado warning, all residents are to go to and stay in the hallway by the classrooms. We will have tornado drills so that you will know what to do in case of a tornado warning. Mountain View Academy has certified CPR and first aid employees on each shift.

Mountain View Academy has policies and procedures for other types of emergencies as well, and employees are trained in how to handle emergencies. In case of an emergency, follow the instructions of the staff member in charge. Emergency preparedness may also be a topic for group counseling sessions.

**BEHAVIOR PROGRAM**

The staff of Mountain View Academy aim to serve and encourage Every Resident, Every Moment, Every Day. A primary assumption of this facility is that residents will not pose major behavioral problems, especially in the areas of daily living, educational pursuits, and counseling. If a resident’s behavior does pose a problem, the program has disciplinary procedures that are followed. These guidelines are included in this document and in the rule lists. It is also expected that residents will use common sense and courtesy in making decisions about their behavior.

The rules of Mountain View Academy are for the safety and security of both residents and staff. If certain rules are broken, a Disciplinary Report will be issued. Disciplinary Reports are commonly called “write-ups” and are divided into two categories: Minor Violations and Major Violations. Write-ups will slow down your progress in moving through the Phase System.

Each resident will receive 285 points per day in the Phase System. You may lose points based on your attitude, behavior, cooperation, personal goals, and environment. Not maintaining enough points can cause loss of home pass or other consequences. Residents may also receive points based on exceptional behaviors. All areas of behavior and progress are recorded in numerous logbooks and progress reports. Your behavior, whether positive or negative, will be reported to your Family Services Worker and your committing judge. ***This program is very thorough and honest in reporting behaviors, both positive and negative***.

**Your progress will determine your discharge date.**

When you are admitted to this program, we send your parent/guardian information about our behavior support and management program. Here is a summary of the information your parent/guardian will receive:

**BEHAVIOR SUPPORT AND MANAGEMENT**

Mountain View Academy provides all parents/guardians and residents a description of our procedures for helping residents practice behaviors that will help them make better behavioral decisions when they leave this program. We use methods that maintain and promote safety, a nurturing and therapeutic environment, protection of the rights of all residents, and respects the ethnic, religious, and identified treatment parameters for each resident. We are in compliance with the TN Department of Mental Health and Substance Abuse Services, Department of Children’s Services licensing rules, and applicable state/federal statues, as well as best practice standards.

**GOALS AND INTENT OF THE BEHAVIOR MANAGEMENT POLICY:**

1. We use cognitive behavioral techniques that focus on preventing negative behaviors (See 7 Levels of Intervention below). We always first use positive means of discipline, since they are more likely to help the resident learn to manage his own behaviors.
2. Negative consequences for behaviors are used only when safety is a factor.
3. Mountain View Academy works to reduce or eliminate the use of physical restraint. (Physical restraint is defined by the Department of Children’s Services as “the involuntary immobilization of an individual without the use of mechanical devices”). Mountain View Academy forbids the use by its employees of mechanical restraints, chemical restraints, locked seclusion, and forced isolation except in the case of transporting juvenile justice youth.
4. If Mountain View Academy and/or DCS staff determines that a resident cannot be managed with authorized behavior management techniques and the behavior of the resident presents serious risk of injury to the resident, other residents enrolled in the program, and/or the staff, DCS staff will be contacted, and their assistance will be requested.

**Seven Levels of Intervention (For Staff)**

1. Friendly, helpful non-verbal
2. Concerned non-verbal
3. Friendly, helpful verbal
4. Concerned verbal
5. Peer Support
6. Staff Support (10-16)
7. Initiation of Physical Restraint Technique

**APPROVED METHODS OF DISCIPLINE AND BEHAVIOR MANAGEMENT:**

1. Positive techniques for behavior management, include, but are not limited to positive reinforcement, modeling, positive practice, verbal interventions, de-escalation techniques, and therapeutic activities.
2. Residents will participate in the Phase System of the program, which provides not only consequences for negative behaviors, but also rewards for positive behaviors and behavior patterns.
3. Residents will receive disciplinary reports for major infractions.

**PROHIBITED DISCIPLINARY PRACTICES:**

Mountain View Academy prohibits the use of any activities that infringe on the civil rights of residents. No residents will be subject to disciplinary action for any of the following behaviors:

1. Refusing to attend any form of religious service
2. Refusing to consume any particular type of food or drink
3. Refusing to take medication or accept medical care (In case of an emergency in which the health care procedure is deemed to be necessary or essential to preserve the life or health of the resident, emergency procedures will take place exclusive of any type of disciplinary action).
4. Any behavior which is identified by a licensed physician to be a medical problem over which the resident has no control

An intervention is to be discontinued immediately if it produces adverse side effects or is deemed unacceptable according to prevailing professional standards. The following forms of discipline are prohibited and are never to be used by Mountain View Academy staff:

* Any punishment of a physical nature, such as shaking, striking, spanking, or physical abuse
* Any punishment that would constitute emotional or verbal abuse, such as humiliation, ridicule, name-calling, cursing or degrading remarks regarding the child or his family
* The use of demeaning, shaming, or degrading language or activities
* Punishment administered by one child or group of children to another child
* Punishment that consists of making a child complete physical exercises (particularly of a military nature), such as running laps, doing repetitive sets of sit- ups, etc.
* The denial of meals, snacks, hydration, sleep, exercise and other daily needs
* Unwarranted use of invasive procedures or activities as a disciplinary action
* The use of restrictive behavior management interventions (physical restraint or any other type of restrictive behavior management interventions) by residents, peers, or any person other than trained, qualified staff
* Excessive or inappropriate use of restrictive behavior management interventions as, for example, a form of discipline or compliance for the convenience of staff.
* Use of restrictive behavior management interventions in response to property damage that does not involve imminent danger to self or others
* The denial of visits, telephone calls, or mail contacts with family
* Denial of treatment and appropriate programming
* Denial of educational services
* Denial of an opportunity to attend religious services and/or religious counseling
* Assignment of excessive work or work that is age and developmentally inappropriate
* Use of psychotropic medication for the purpose of chemical restraint and behavioral control
* Any type of chemical restraint
* Any form of discipline that is out of proportion to the particular inappropriate behavior
* Any discipline that is initiated more than 24 hours after provider agency staff learn of the inappropriate behavior
* Painful or aversive stimuli
* Cruel and unusual punishment of any kind
* Any intervention designed to inflict psychological or physical pain
* Seclusion as a punishment, consequence or sanction is not allowed.

**PROGRAM PHASE SYSTEM**

|  |  |  |
| --- | --- | --- |
| Phase 1 |  | 1 consecutive weeks at 86% or higher |
| Phase 2 |  | 2 consecutive weeks at 90% or higher |
| Phase 3 |  | 2 consecutive weeks at 90% or higher |
| Phase 4 |  | 3 consecutive weeks at 95% or higher |
| Phase 5 |  | Maintain 95% or higher |

* + Weeks (as it relates to the Phase system above) begin on **Tuesday** and go through the following **Monday**.
  + Aresident needs to be in the program for **7 consecutive days** before being eligible to advance to Phase 2 (if the behavior point percentage is 86% or higher as outlined in above chart) on the following Tuesday.
* Residents may only lose up to 15 points PER hour unless a major violation of resident handbook occurs.
* Points may only be taken AFTER resident is given a verbal warning unless it is serious violation of rules.
* Residents should NOT receive a write-up without first receiving a verbal warning, then a loss of 15 points.
* If resident receives a write-up, the staff must remove the 15 points which were taken (this can be done with a single line marked through the points with the staff’s initials).
  + Once the phase roster comes out, it is considered final. If a resident believes there is an error in his phase approval/denial, he may only have this resolved by filling out a case manager request form and meeting with his Case Manager or the Therapist. Staff is NOT to call, email, or otherwise question Phase Staff regarding the final roster.

**Restriction or Precaution Watch Level**

* If you drop below 86%, or you commit an automatic Restriction Level offense, you will be placed on Restriction Level and possibly Precaution Watch.
* If you are placed on Restriction Level, then: you will remain as such for 72 hours. You will not attend school the first 24 hours, but will after that time frame, unless safety risk is determined. If within the 3 days, you receive a major write-up or an automatic Restriction Level offense, then you will restart your 72 Hour Restriction Level trial. When a resident comes off Restriction Level, they will be placed back on Phase 2, week 1.
* Precaution Watch Level is used when you engage in behaviors that are potentially dangerous to you and or others and additional monitoring is necessary. Precaution Watch Level is reviewed by Treatment Team each week to determine if you can return to your assigned Phase.
* While on Restriction or Precaution Watch Level, you will have the following expectations:
  + - Remain in your staff designated area when on the dorm and in school
    - Do not participate in group recreation activities including time in the gym or on outdoor courts/not allowed to play video games
    - Obtain staff permission to interact with other residents prior to interacting with them
    - Complete daily hour of recreation in staff designated area doing calisthenics
    - Phone calls will be 5 minutes in length

**Phase Up/Down**

* If a resident’s percentage drops below the requirement for his current phase for 2 consecutive weeks, he will drop back ONE phase (for example from Phase 4 to Phase 3).
* Phases will not be granted on the weeks in which you receive two or more major write ups.
* All Phase Requests must have at least one positive staff recommendation and one positive peer recommendation. There are no exceptions to this!
* All Phase Requests must be turned in to the Case Managers by **Monday**. D-Board is conducted on **Tuesday**.

**Merit Room**

Once a resident reaches Phase 4 he will be allowed to access the Merit Room. The Merit Room will be open according to the posted schedule only. Residents must be on Phase 4 or 5 to use the Merit Room. If a resident is placed on Restriction Level or Precaution Watch he will not be allowed to go to the Merit Room.

Expectations:

* Any food of drink received in the Merit Room must be consumed in the Merit Room
* Residents will be searched upon entering and exiting the Merit Room
* Resident will be required to sign out all controllers, batteries, etc.
* Violations of any Merit Room expectations may result in removal from the Merit Room, write-ups, and/or a Phase drop

**PHYSICAL RESTRAINT**

Mountain View Academy is committed to preventing, reducing, and striving to eliminate the use of physical restraint. We do everything that we can to avoid using physical restraint, and only use it as a last resort to protect the safety of the acting-out resident or others. We monitor the use of restraint by reviewing the entire process as part of organizational performance improvement activities*.*

Our staff members are trained to first try to prevent the need for a physical restraint. If prevention does not work, the staff members are trained how to perform a restraint in a safe manner. **Physical restraint is a last resort to be used only in an emergency situation in which a resident presents a danger to himself or others, and after all lesser behavior techniques have failed to eliminate that danger.** The resident will be released from restraint at the earliest possible time that he no longer poses a threat to harming himself or others.

We hope that you will never need to be physically restrained while you are in our program. You can make the decision now to never behave in a way that will lead to physical restraint. However, if such an incident does occur, we will call your parent/guardian within 24 hours as soon as the situation is under control. We will also notify your Family Services Worker, the Department of Children’s Services, and the Department of Mental Health and Substance Abuse Services.

**YOUR PARTICIPATION IN TREATMENT**

Before you came to Mountain View Academy, you participated in the formulation of your Permanency Plan. You will also attend meetings and counseling sessions while you are here in which you will have a chance to participate in planning your goals and making plans as to how you can achieve those goals. The key to this is participation!

Much of your planning is based on you providing the correct information to the adults who are helping you. That is the ONLY way your Treatment Plan (we call it an Individual Program Plan) will be correct and will be of any real help to you.

Your Individual Program Plan is very important to your success not only in the program, but after you complete the program. When you meet the goals that you set in your Individual Program Plan, you have shown that you have the capability of successfully living back at home or in a less restrictive placement. If you manage to make it through the program by “faking it,” you will only hurt yourself (and most of the time, you *won’t* make it through this program successfully by “faking it”). If you genuinely try to meet your goals, you will have a much better chance of success when you return to community living.

**RESIDENT RESPONSIBILITIES IN TREATMENT**

* + 1. We help ourselves and others through the program.
    2. We practice and encourage honest communication.
    3. We maintain a safe treatment environment by reporting facility damage and contraband.
    4. We are part of the solution and not the problem.

**CHORES/HYGIENE**

Residents are reminded that this facility is your “home” during your commitment, and failure to maintain an acceptable level of cleanliness is not tolerated. Individual rooms are required to be “Inspection Ready” each morning. It is your responsibility to maintain your living area acceptably and to complete your cleaning assignments promptly, thoroughly, and without arguing. We do not recommend discharge for residents who refuse to participate in any appropriate aspect of the program, including chores and hygiene. Each resident must keep his room and body clean. This means taking a shower daily, making beds, cleaning floors, emptying trash, and folding all clothes daily. Each resident is expected to dress appropriately and in accordance with the dress code (see Rules and Expectations). Your clothing should be neat, hair well groomed, and face shaven or beard neatly trimmed.

**HYGIENE ITEMS**

Each resident receives their own hygiene box which contains necessary toiletry items for daily care.

The following items are provided to residents:

* + 3-in-1 Shampoo/Conditioner/Body Wash
  + Deodorant
  + Toothbrush
  + Toothpaste
  + Comb/Hair Pick
  + Shower Shoes

These items may only be given out/replenished **ONCE A MONTH**, with the only exception being for the 3-in-1 Shampoo/Conditioner/Body Wash (this can be replenished every 3 weeks).

It is the responsibility of each resident to monitor their usage and **not be wasteful**. Should you run out of a specific hygiene item (ie: shampoo, toothpaste, etc.), there are Hygiene Request Forms available to be filled out and submitted in order to replenish your hygiene supply upon receipt.

In order to receive a new/replacement item, the resident must turn in their used, empty bottle/container to the Hygiene Supervisor. Residents must complete a Hygiene Request Form and place it in the provided box, located at the front desk. The Hygiene Supervisor will remove the empty container and replace it with a new container as soon as possible.

**FOOD SERVICES**

Residents receive three meals a day plus a morning and evening snack. All meals at Mountain View Academy are prepared by professionals using strict sanitary guidelines and provide proper balance and nutritional value.

**SPECIAL DIET**

Special Diet if you have a request for a special diet due to medical or religious needs you must inform the Supervisor during the intake process. The Administrative Staff will evaluate your request and handle each request accordingly. Requests for religious diets must be submitted to the superintendent.

**RECREATION**

A healthy lifestyle includes appropriate recreational activities. Youth will be allowed at least one hour of planned recreation/leisure activities each day. There will be a combination of large-muscle activity such as basketball, aerobic exercise, and other scheduled activities such as board games, cards, pool or table tennis, DVD movies, and leisure time for television, reading a book, or just relaxing. Times will vary depending on the time of the year and the weather. These activities will be planned and organized by recreational staff. Please provide input regarding your interests. A schedule of activities will be posted.

**RELIGIOUS SERVICES**

All residents have the right to practice the religion of their choice. Residents are allowed visits from representatives of their faith with written approval from their DCS worker. At times, residents may be allowed to go with employees and/or volunteers into the community for religious services if approved through your DCS worker by written approval.

**RESIDENT MAIL**

There is no limit to the number of letters a resident may receive. Writing materials are given out as needed. Postage stamps are furnished for up to three letters per week. Additional postage will be at the resident’s expense, unless the Security Manager approves more stamps. During intake the care manager will work with your parent/guardians(s)/FSW to create an approved mailing list. You will be allowed to write to and receive mail from the people on your approved mailing list only. The Security Manager or designee may be required to read mail if there is justifiable evidence relating to the safety or security of the facility, residents, staff, or others. ***Residents cannot write to nor receive mail from another juvenile facility.*** Residents who abuse the privilege of corresponding (writing threatening, abusive, obscene letters, planning crimes, etc.) shall be subject to disciplinary and/or legal action.

Letters to attorneys, your court, other legal agencies or DCS staff will be unlimited. Outgoing mail to attorneys, courts, administrators of the Department of Children’s Services and grievance committee members will not be opened or inspected.

Mail is picked up every day except Saturday, Sundays and holidays. All incoming and outgoing mail will be processed through your care manager. All your mails will be opened and inspected for unacceptable items. Contraband will be returned to sender, destroyed, or placed in your personal property for storage.

A resident shall not contract to pay for and receive any CD’s, DVD’S, videogames, books, or magazines while at Mountain View Academy if such items are to be sent directly to the facility by the company with which the youth has contracted. Items received at the facility in violation of this subsection shall be returned to the sender. Policy should be consulted regarding impermissible reading and viewing material.

All outgoing letters must have your name and dormitory name over the return address; see below, with no extra writing or pictures.

Your Name

Your Dormitory's Name

Mountain View Academy

809 Peal Ln

Dandridge, TN 37725

Name of Person Receiving the Letter

Street Address

City, State Zip Code

**TELEPHONE CALLS**

You have the right to private telephone calls to individuals on your DCS approved contact list **ONLY**. Any violation of the phone call process is a safety issue and will result in all of your phone calls being limited and made at the convenience of your Case Manager.

* Residents will receive phone calls as listed:
  + (2) 15 minute phone calls each week
  + Phase 5- extra 15 minute phone call on Mondays
  + Restriction or Precaution Watch Level – One 5 minute phone call per week
* Phone calls will be offered Monday thru Friday during the evening.

Residents can place no other phone calls. If a resident feels another call is urgent or necessary, he must speak with his case manager. This may only be done at the regularly scheduled counseling time or through the use of a Case manager Request Form if it is not your scheduled counseling time. The case manager will meet with the resident at their earliest opportunity. **Incoming, three way/conference and collect calls are prohibited**.

**VISITATION**

At intake, along with this document, you will receive a copy of the Visitation Regulations. Your case manager will work with you to establish an approved visitation list. This process will begin during your first counseling session.

An approved visitation list usually consists of parents (mother/father), legal guardian (court approved), brothers/ sisters, and grandparents. Some exceptions may be made for aunts and uncles. These members will be identified during intake and will be listed on an approval visitor’s form.

All visitors over the age of 12 must show acceptable picture identification. If a young visitor does not have a picture ID, an FSW will take a picture of that person and include it in the youth’s file.

No personal items for youth will be brought in during visitation. All items must be mailed to the facility.

**VISITATION REGULATIONS**

Each resident and their parent/legal guardian will follow the following procedures for visitation on the premises of Mountain View Academy:

1. Visitation will be on Saturdays and Sundays by appointment. Visitation appointments will be scheduled for the following times each of these days:
   1. **Saturday and Sunday 10:00-12:00 (Alpha) 1:00-3:00(Charlie and Bravo)**
2. Visitors may only schedule visitation appointments on one of the approved days.
   1. All visitation appointments must be scheduled Monday-Thursday 9:00-4:00
3. Each resident will be allowed a maximum of four (4) visitors at a time.
4. Staff must verify that each person visiting is on the resident’s approved visitation list. Photo identification will be required. Visitors will sign in and out in the visitation logbook.
5. Visitors are not allowed to bring cell phones, cameras, food, purses, bags, e-cigarette, tobacco products, lighters, matches or weapons of any kind into this facility. Only identification is allowed in the visitation area.
6. Car keys will be secured with the Visitation Coordinator until visitation is over.
7. Visitor’s cars must be locked during the visit.
8. No personal items for you will be brought in during visitation. All items must be mailed to the program.
9. The residents will be allowed unlimited visits by attorneys, legal representatives, and DCS personnel.
10. Visitation will occur in the designated area and supervised by staff that will be able to see and hear the visitation and remain in quick reach. Visitors will not be allowed in the living areas.
11. No resident will be permitted to accompany a visitor out the front door for any reason. Visitors will not be permitted to go back and forth from the visitation area or facility. If visitors leave the visitation area or facility, visitation will be terminated for that day.
12. There is NO SMOKING allowed in the building. If a visitor must smoke, they will be required to go outside, out of the view of any residents, in an approved smoking area, and residents will not accompany them outside.
13. All visitors must submit to a pat-down search and “wanded” prior to the visit occurring.
14. Residents will be searched following the visits and WILL NOT BE ALLOWED ANY CONTACT WITH VISITORS AFTER THE SEARCH.
15. Any visitor bringing or attempting to bring contraband into the building or provide contraband to any resident will be prosecuted. Staff will call law enforcement immediately if this situation occurs.
16. Visitors will be permitted NO CONTACT with other residents of the program or other visitors. Violations will result in termination of the visit.
17. Any disturbances by the visitors or the resident being visited will result in immediate termination of that visit. The Executive Director will be called for assistance if the visitors do not leave immediately. Law enforcement will be called if necessary.
18. Visitors must dress with reasonable modesty for visits. No tanks tops, no open toe shoes, mid-drifts tops, short skirts or shorts and/or sheer clothing are permitted. No belly buttons should be exposed. Violations will result in either notification of the resident’s DCS Family Services Worker or not being allowed to visit until appropriate dress occurs.

Residents and the parent/guardian will be given a copy of these guidelines when the resident is admitted to the program. This is part of treatment and must be carried out as specified. Failure to follow these guidelines or the rules and policies of Mountain View Academy may result in reports to the Family Services Worker and may have an effect on future visitation and/or passes.

**ACADEMIC PROGRAM**

The Goal of Mountain View Academy is to provide every resident the opportunity to obtain an education. Within the first week a series of tests will be administered which will give staff the ability to determine your appropriate grade level. All tests given should be taken seriously and you should aim at doing your best. All credits obtained here are transferable back to the school in your home community. If you earn your diploma while you are here, it will be as valid (real) as a diploma from any public school in Tennessee.

Students are required to attend all classes, conform to school rules and demonstrate adequate skill level as determined by the teachers.

All classes here can be used as credit recovery if the grade from the previous school is 50 and above.

Any absences from school (court, medical appointments, passes, meeting with case managers and FSW, and MRT counseling) must be made up by the resident, if not zeros will be given. The only absence that cannot be made up and zeros are given is refusal to go to school, first day of room restrictions, and being dismissed from class. Students who refuse class or are kicked out of class are to remain in the day area in their designated space. They are not to participate in activities during this time. They are to remain there until they choose to attend the next scheduled class or until all classes are over (they will be placed at assigned table during lunch time).

Mountain View Academy is on the block schedule, so grade cards are given every nine weeks. Mid-term grades are given on the fourth or fifth week of the nine weeks. If a resident is failing classes passes will not be given.

Mountain View Academy celebrates the success of resident who exhibit great academic achievement by hosting A/B Honor roll and a graduation ceremony.

When discharging from Mountain View Academy you will be given an official transcript of all your credits from all your schools up to that point and a final grade card from Mountain View Academy.

School supplies and resource materials are provided to all school students. Program staff members work closely with school administrators and teachers to ensure adequate behavior and academic progress.

Residents who attend HISET classes *may* have the opportunity to work at jobs on or off- campus, ***if work is available and the resident’s behavior warrants.*** Jobs are hard to find, so they are a privilege that must be earned.

Upon completion of a High School Diploma or HISET, if discharge from custody does not occur immediately, residents may have the opportunity to prepare for college or vocational school admission or entry into a program such as Job Corps. Residents who request may also receive assistance in communicating with a military recruiter. For any resident who is near graduation or obtaining the HISET, school administrators and case managers will (at the resident’s request) assist residents who are interested in college or vocational school to prepare for the ACT test, apply for a Pell Grant, and obtain information pertaining to various colleges or vocational schools.

**COMPUTER USAGE**

Use of the computers is a privilege, and we have rules and guidelines for using them. Computers with Internet access are available for resident use, for researching projects for school, finding community resources, and gaining information on topics you may have questions about. Not all websites are appropriate, and we have restricted access to those. Fail to follow the guidelines, will make you lose your computer privileges. Computer rules are posted in the classroom. There are consequences for damaging computers. Failure to follow the staff instruction will result in a consequence.

**DRUG AND ALCOHOL SUBSTANCE ABUSE**

Mountain View Academy provides alcohol and drug abuse prevention and education group counseling. Substance abuse is a pattern of drug or alcohol use which interferes with daily functioning, and you’ll be assessed to see if you need treatment. We treat youth based on their level of need. For some residents, it is a requirement of the Permanency Plan. For others, it is to help prevent future substance abuse.

Some residents will also receive individual alcohol and drug abuse counseling. The sessions are led or supervised by certified Clinician. A resident may be required to submit to urinalysis testing at any time. Testing may be conducted randomly or be based on a suspicion of substance use. Our therapists offer weekly sessions and provide individual counseling. We also offer group therapy sessions and family therapy. A positive result from a urinalysis test results in a serious incident report and a write-up. The Program Director or Family Services Worker may impose one of the following penalties: removal from program, increasing the length of stay, loss of home pass, loss of job or other. If substance use recurs, the resident may be referred for inpatient treatment or assessment.

**SICK CALL**

Any treatment other than prescribed medications and treatments require a sick call sheet be filled out. **NO EXCEPTIONS.**

Sick calls should be given to the Child Care Services Administrative Assistant by a Supervisor or YSO. A resident should not come to the clinic before the Child Care Services Administrative Assistant has reviewed the sick call and approved transport to the clinic.

Severity of the sick call will determine when the resident is seen for the problem. This means it may be later in the day before it can be addressed. Sick calls can be addressed during the afternoon med pass if the situation is not urgent or requires more time than is available in the morning.

Morning sick call sheets should be placed in the box on the front desk before morning med pass begins. The Child Care Services Administrative Assistant will review the sheets and let the supervisor know if the resident should be added to the morning med pass. If the resident already comes for morning med pass, the same procedure is implemented, but does not mean the sick call will be addressed at that time.

If a resident is on sick call and misses school, they are to only pursue individual extracurricular activities in their room for the remainder of the day as they recover from illness.

There will be no sick calls addressed after 4:00pm unless there is an emergency situation. Sick calls will be addressed the following day if submitted after 4:00pm.

**MENTAL HEALTH**

Mental Health counseling is available for youth. Group counseling is held on site and everyone is expected to participate. Mobile Crisis services are available for youth who are showing signs of harming themselves or others. These services are available 24 hours a day, seven days a week.

**MEDICAL/DENTAL/VISION**

You will have access to health care services while here. During intake, you should make the staff aware of any medical concerns or needs, allergies and/or medications you are currently taking. This will be address at your initial CFTM, so that we can note them in your Individual Program Plan. You will receive a physical exam, a vision and hearing screening, a tuberculosis test, tests for sexually transmitted diseases, blood tests and a dental exam. A physical will happen once a year and twice a year for dental exams.

**STUDENT WORK PROGRAM**

We offer opportunities for youth to work on campus. There are full-time and part-time positions available in the On-Campus Work Program. Due to past behaviors of former youth, jobs are very difficult to obtain in the community. If you do get a job in the community, PLEASE be considerate of future youth in your behaviors, your attendance, and giving enough notice if you wish to leave the job.

In order to participate in the work program, you will be required to submit a work application to your treatment team. Once approved, you will sign off on the work goals and objectives in your IPP and youth work contract. You will review and sign the Job Plan developed by the Work Site Supervisor for your new position. Your job performance will be evaluated on a weekly basis. The following is the criteria to participate in the on-campus work program, refer to policy 18.3 for more specific information on the program:

**Part-time Positions:**

* You must be at least 14 years old.
* You may only work 28 hours per week.
* If you have not graduated from high school or completed the HiSet Exam, then you will only be allowed to work after regular school hours, on weekends and holidays.

**Full-time Positions:**

* You must be at least 17 years old.
* You may only work 40 hours per week.
* You must have received your High School Diploma or GED/HISET.

**Obtaining one of these jobs will depend upon your attitude, your progress in the program (no Restriction or Precaution Watch level), your school situation, your personal hygiene, and qualifications.** These jobs are offered to residents based on the above criteria PLUS seniority and need.

**ALLOWANCE**

Each resident of Mountain View Academy will receive an allowance of $1.00 per day. This allowance will be issued for your use ONLY outside the program. You may take any accumulated allowance money with you when you go on pass, up to $30.00 per pass. If you need to take more than $30.00 on a pass, you must get approval from your DCS Family Services Worker and bring receipts back to show that you use the money as you were authorized to do. You will receive any and all remaining balance from your allowance when you leave the program.

**RESIDENT RIGHTS**

Mountain View Academy serves as a proponent of the rights of our residents from admission through initiation of aftercare. We also believe that rights carry with them responsibilities.

Client rights include the following:

1. **Title VI of the Civil Rights Act of 1964.** Mountain View Academy complies with Title VI of the Civil Rights Act of 1964. As stated in the State of Tennessee Department of Children’s Services Administrative Policies and Procedures 24.10, “no person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity operated, funded, or overseen by the Tennessee Department of Children’s Services.”

Mountain View Academy prohibits the following practices:

* 1. Denying any individual any service, opportunity, or other benefit for which this individual is otherwise eligible;
  2. Providing any individual with any service, or other benefit, that is different or is provided in a different manner from that which is provided to others based upon their race, color, or national origin;
  3. Subjecting any individual to segregate or separate treatment in any manner related to that individual’s receipt of services based upon their race, color, or national origin;
  4. Restricting any individual in the enjoyment of services, facilities, or any other advantage privilege, or other benefit provided in the program based upon their race, color, or national origin;
  5. Adopting methods of administration that would limit participation by any group of recipients or

subject them to discrimination based upon their race, color, or national origin.

1. **Admission of resident with language barrier.** A prospective resident will not be denied admission to a program and/or services due to an encountered language barrier.
2. **Communication of rights and expectations.** Each resident has the right to have this document and any aspect of program requirements explained in a way that is understandable to that resident and at a time that is appropriate to the resident’s needs.
3. **Fair and equitable treatment.** Residents have the right to receive services in a non-discriminatory manner and to participate in the program with consistent enforcement of program rules and expectations.
4. **Culturally responsive services**. Residents have the right to receive services that are respectful of, and responsive to, cultural and linguistic differences.
5. **Service according to physical ability**. Residents have the right to receive services that are appropriate to their visual, auditory, linguistic, and motor abilities.
6. **Participation in service decisions.** Residents have the right to participate in all service decisions. This includes the following:
   1. Residents have the right to request an in-house review of their care, treatment, and Individual Program Plan.
   2. Residents have the right to receive service in a manner that is non-coercive and that protects their right to self-determination.
   3. Even though all residents are mandated by the court to participate in this program, they have the right to refuse to participate in any aspect of treatment unless law or court order mandates it. This includes the right to refuse to take medication. If you refuse to take your medication the staff will write that down on the medication form. You will also be required to complete a Release from Medical Responsibility Form. However, refusal of any aspect necessary for the safety of a resident or the successful participation in or completion of Individual Program Plan goals will result in consequences up to and possibly including termination from the program or emergency transfer from the program. Upon refusal of a service, a resident has the right to be informed of the consequence if he continues to refuse.
7. Residents have the right to benefit from all aspects of the **Grier Federal Lawsuit Consent Decree**, which requires that children and their families are notified of appeal rights when TennCare-funded services are reduced, delayed, suspended or terminated. Assurance that residents receive this service is the responsibility of TennCare. Mountain View Academy Case Managers will assist a resident in need by connecting the resident with a responsible party and/or an advocate.
8. **Confidentiality.** Mountain View Academy practices confidentiality of resident information in its record-keeping, release of records, electronic communication, and verbal communication. The program works to protect the resident’s right to confidentiality by seeking consent for release of information when required, and/or informing the resident and/or parent when information is released. (Refer to STRTC Policy 9.2: CONFIDENTIALITY AND HIPAA).
9. **Uncensored mail.** Outgoing and incoming resident mail is not censored except for mail suspected of containing unauthorized, injurious, or illegal material or substances. Outgoing mail may be checked to ensure that the contents are for the intended approved contact it is addressed to.
10. **Private telephone conversations.** Privacy during telephone calls with family members or others will not be restricted unless indicated in the permanency plan, documented in the resident’s record, approved in advance and reviewed monthly by the DCS FSW, and based on documented short-term safety concerns.
11. **Personal Property**. Residents have the right to have personal property and a place for safe storage.
12. **Fair employment.** Residents have the right to be free from exploitation in employment-related training or gainful employment**.**
13. **Expression of opinion.** Residents have the right to express their opinions on issues concerning their care or treatment.
14. **Cultural Expression.** Each resident has the right to receive care in a manner that recognizes variations in cultural values and traditions and will be free from coercion with regard to religious decisions.
15. **Religious Expression.** Each resident has the freedom to express and practice religious and spiritual beliefs.
16. **Right to refrain from participation in advertising and public events**. Mountain View Academy prohibits the requirement or encouragement of public statements that express gratitude to the program. Mountain View Academy prohibits using identifiable photographs or videotapes for public relations purposes without the consent of the resident and, in the case of a resident who is a minor, both the resident and the parent or guardian of the minor resident. Residents will not be required to perform in public gatherings.
17. **Human research**. Mountain View Academy residents will not be used by Mountain View Academy as subjects in human research.
18. **Dress code.** Residents will be allowed the freedom to dress in ways that preserve their dignity, their freedom of expression, and their cultural identity. This freedom must be expressed within a dress code that is reasonable and restrictive only for the purposes of safety, security, identification and/or hygiene. Residents are required to dress neatly in clean clothes. Residents will not be required to wear particular hairstyle in a particular manner for purposes of public embarrassment or punishment. Hair must be kept neat and clean at all times.
19. **Corporal punishment.** Corporal punishment shall not be imposed at any time upon any resident.
20. **Freedom from abuse.** All residents have the right to freedom from abuse. Any incident of abuse should be reported immediately. Information about how to report abuse is address in this handbook. And posted throughout the facility.
21. **Right to file a grievance.** All residents have the right and opportunity to formally complain about a circumstance or action that affects them and that they feel is unjust. All grievances will be handled within the specified period of time and without threats of or reprisal against the resident filing the grievance. Any written grievance shall be filed according to HA GRIEVANCE PROCEDURE FOR RESIDENTS, included in the Resident Handbook.
22. **Work assignments.** Residents are not required to participate in uncompensated work assignments unless the work is related to maintenance of their living area, personal hygienic needs, disciplinary procedures, or the work is a part of an approved vocational training program. Any other type of labor performed by youth will be voluntary or compensated. In addition:
    1. Resident labor shall not be used to perform tasks assigned to staff.
    2. Resident labor shall not be used for personal gain by any employee.
    3. Residents will maintain their living area, personal belongings and hygienic needs as part of the treatment program to develop independent living skills.
    4. Residents will be allowed to volunteer for work assignments that are a part of a structured work program. However, this must not interfere with academic and vocational programming that is recommended in the youth’s IPP.
    5. Residents will not be required to perform physical labor when the performance of such labor would constitute any form of compulsory service purely for the benefit or pleasure of others, such as the cleaning of staff’s personal property. This shall not prohibit the imposition of sanctions of repairing or restoring damaged property caused by the resident or as a sanction which may be imposed by the Disciplinary Committee. Further, this shall not prohibit the use of restitution as a means of discipline, which restitution will occur only if court ordered.
23. **Free time in living area.** Residents will be permitted access to their own room and common living area during individual free time. Any restriction to this right must be documented and reason(s) for denial of the privilege given to the resident.
24. **Contact with attorney.** Residents have the right to have contact with to their attorney(s) or authorized legal representatives for the purpose of interviewing, consulting, and providing legal services. If requested, staff will assist resident in making confidential contacts to include but not limited to telephone communications, unlimited uncensored correspondence, and visits. It is suggested that residents make such a request during an individual counseling session.
25. **Searches**. Residents have the right to have their property and person treated with respect, dignity, and self-determination during searches. Searches will be conducted according to Mountain View Academy Policy & Procedures.

#### Residents shall not have any of the following responsibilities:

* 1. Responsibility for the care of another Resident;
  2. Responsibility for the supervision of other Residents; and/or
  3. Responsibilities requiring access to confidential information.

In addition to the above rights, the following from the Department of Mental Health and Substance Abuse Service also applies:

**0940-05-06-.06 CLIENT RIGHTS IN ALL FACILITIES.**

1. The following rights must be afforded to all clients by all licensees and are not subject to modification.
   1. Clients have the right to be fully informed before or upon admission about their rights and responsibilities and about any limitation on these rights imposed by the rules of the facility. The facility must ensure that the client is given oral and/or written rights information that includes at least the following:
      1. A statement of the specific rights guaranteed the client by these rules and applicable state laws;
      2. A description of the facility’s grievance procedure;
      3. A listing of available advocacy services; and
      4. A copy of all general facility rules and regulations for clients.

The information must be presented in a manner that promotes understanding by clients of their rights, and an opportunity must be given to clients to ask questions about the information. If a client who is unable to understand this information at the time of admission later becomes able to do so, the information must be presented to the client at that time. If a client is likely to continue indefinitely to be unable to understand this information, the facility must promptly attempt to provide the required information to a parent, guardian, or other appropriate person or agency responsible for protecting the rights of the client;

* 1. Clients have the right to voice grievances to staff of the facility, to the licensee, and to outside representatives of their choice with freedom from restraint, interference, coercion, discrimination, or reprisal;
  2. Clients have the right to be treated with consideration, respect, and full recognition of their dignity and individuality;
  3. Clients have the right to be protected by the licensee from neglect; from physical, verbal, and emotional abuse (including corporal punishment); and from all forms of exploitation;
  4. Clients have the right to be assisted by the facility in the exercise of their civil rights;
  5. Clients have the right to be free of any requirement by the facility that they perform services which are ordinarily performed by facility staff; and
  6. If residential services are provided, clients must be allowed to send personal mail unopened and to receive mail and packages which may be opened in the presence of staff when there is reason to believe that the contents thereof may be harmful to the client or others.

1. The following rights must be afforded to all clients by all licensed facilities unless modified in accordance with rules 0940-05-06-.07 or 0940-05-06-.08:
   1. Clients have the right to participate in the development of their individual program plans and to receive sufficient information about proposed and alternative interventions and program goals to enable them to participate effectively;
   2. Clients have the right to participate fully, or to refuse to participate, in community activities including cultural, educational, religious, community services, vocational, and recreational activities;
   3. If residential services are provided, clients must be allowed to have free use of common areas in the facility with due regard for privacy, personal possessions, and the right of others;
   4. If residential services are provided, clients have the right to be accorded privacy and freedom for the use of bathrooms at all hours;
   5. If residential services are provided, clients have the right to be accorded privacy and freedom for the use of bathrooms at all hours;
   6. If residential services are provided and if married clients reside in the facility, privacy for visits by spouses must be ensured, and if both spouses are clients residing in the facility, they must be permitted to share a room; and
   7. If residential services are provided, clients have the right to associate and communicate privately with persons of their choice including receiving visitors at reasonable hours.

MODIFICATION OR LIMITATION OF RIGHTS OF ALL CLIENTS BY FACILITY RULES, POLICIES, OR PROCEDURES.

1. The rights of all clients of a facility may only be modified or limited under the following conditions:
   1. It is demonstrated and documented that a legitimate program purpose cannot reasonably be achieved without such modification or limitation;
   2. No modification or limitation may be made solely for the convenience of facility staff or be more stringent than is necessary to achieve the demonstrated purpose;
   3. Clients or representatives of clients, as appropriate, must be fully informed of proposed facility rules, policies or procedures modifying or limiting client rights, and of the reasons therefore and must be given an opportunity to object; to propose alternatives; and to consult with family, friends, and/or advocacy agencies prior to their implementation; and
   4. Facility rules, policies, or procedures which modify or limit client rights must be in writing and posted in a conspicuous place.

0940-05-06-.08 MODIFICATION OR LIMITATION OF AN INDIVIDUAL CLIENT’S RIGHTS.

1. The rights of an individual client in a facility may only be modified or limited under the following conditions:
   1. It is demonstrated and documented that such modification or limitation is necessary because of the individual client’s physical or mental condition;
   2. To achieve a legitimate goal in the client’s individual program plan;
   3. No modification or limitation may be made solely for the convenience of staff or be more stringent than is necessary;
   4. The client or a representative of the client, as appropriate, must be fully informed of the proposed limitation or modification and must be given an opportunity to object, to propose alternatives, and to consult with family, friends, and/or advocacy agencies prior to implementation of the modifications or limitations; and
   5. Any modifications or limitations and the reasons therefore must be documented in the client’s Individual Program Plan.

**GRIEVANCE PROCEDURES**

Procedures have been established to ensure a fair and relatively quick review of resident complaints. Complaints should be communicated through a resident grievance form. ***No retaliation, reprisals, harassment, or discipline will result from filing a grievance.*** A grievance form does not have to be filed on the same day as the situation occurs.

When a resident feels that a situation has occurred, the first step should be an attempt to talk over the problem with the staff directly or the shift supervisor. If the situation cannot be resolved the resident may complete a grievance form. The following procedure needs to be followed to make sure your grievance is handled appropriately:

1. Residents/family members/advocates shall use the grievance box to submit grievances.
   1. The Grievance Box will be available to residents at all times and without control or comment by staff members. Grievance boxes are located near the dining area and in common areas.
   2. Grievance forms will be available at all times. All residents normally have pencils and access to pencils without having to ask for one. If a resident does not have a pencil, he can obtain one by asking any staff member without having to state why he wants a pencil.
   3. The Facility Administrator, Program Director or designee will be the only staff members with access to the Grievance Box. Grievances will be removed by these persons and reviewed each weekday (Monday through Friday, with the exception of days neither is present the entire day).
2. Response to grievances:
   1. The Facility Administrator, Program Director or designee will review the grievance and return an answer to the resident within three days.
   2. If the grievance is an emergency (i.e., the resident’s safety or mental health status is in danger), the grievance will be answered immediately. In any emergency, the resident/family/advocate needs to tell the Facility Administrator, Program Director/designee or another staff member immediately.
   3. If a staff member is aware of or suspects an emergency situation, s/he will bring the situation to the attention of the Facility Administrator, Program Director/ designee or a Case manager immediately, or if one of those persons is not accessible, will handle the situation according to emergency policy.
   4. If a grievance involves any person involved in the incident review process, that person will exclude himself/herself from the grievance process and another staff member will be substituted.
   5. Any grievance to report allegations of sexual abuse, assault, misconduct, and/or harassment is considered an emergency grievance or urgent situation. Although the resident or family member has the right to report such situations using the grievance procedure, it is recommended that the resident or family member instead follow procedures as outline in Mountain View Academy Policy 6.13 ZERO-TOLERANCE STANDARDS AND GUIDELINES FOR SEXUAL HARASSMENT, ASSAULT OR RAPE INCIDENTS AND PRISON RAPE ELIMINATION ACT, which states:
      1. Residents may report allegations of sexual abuse, assault, misconduct, and/or harassment internally or externally. They may also report internally or externally retaliation by other residents or staff members for reporting sexual abuse and harassment and staff neglect or violations of responsibilities that may have contributed to these incidents. If they choose to report internally, they may do so by telling any staff member or by filing a grievance (such a grievance would be treated as an emergency or urgent situation and would be handled immediately).
      2. Residents may report allegations of sexual abuse/assault/ misconduct/harassment externally to a public or private entity or office that is not part of the agency. This includes but may not be limited to :
         * Local law enforcement agencies and may remain anonymous upon request
         * Department of Children’s Services Family Services Workers
         * DCS Child Abuse Hotline at 1-877-237-0004
         * Their Attorney or Guardian ad Litem
         * Department of Mental Health and Substance Abuse Services
3. Resolution of grievances:
   1. If a resident does not agree with the answer provided by the Facility Administrator, Program Director or designee, the resident will have the right to discuss the grievance further with his Family Services Worker.
   2. If the grievance is not resolved through communication with the Family Services Worker, the resident, and the Program Director, then the resident will have the right to appeal the situation to the Department of Children’s Services or the Department of Mental Health and Substance Abuse Services. The Program Director will assist him in this process, with the assurance that the resident need not fear reprisal.
4. The decision and explanation at each stage of the grievance process will be documented. A copy of the documentation will be provided to the resident and a copy placed in the resident’s case record within five (5) working days of the decision.

#### RESIDENT GRIEVANCE FORM

Grievance Number: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Resident Name: Date of Birth: Case manager: Today’s Date: Where did the grievance happen: Date/Time of grievance: Time: Did anyone see or hear what happened? If yes, who? Why are you writing this grievance?

Did you discuss this with staff? If yes, who? What did the staff member tell you?

Findings from the Program Director and Security Supervisor:

Program Director Signature: Date:

Date grievance returned to resident:

Resident: Do you wish to appeal this finding? Yes or No

Resident Signature: Date:

If yes, you may discuss the finding with the Facility Administrator. If the grievance has still not been resolved, you may discuss the finding with your Family Services Worker today or as soon as he or she returns your telephone call. If you are not satisfied with the answer from your Family Services Worker, the Program Director or Security Supervisor will help you appeal the situation to the Department of Children’s Services, without your decision being held against you in any way.

**RULES AND EXPECTATIONS FOR**

**MOUNTAIN VIEW ACADEMY RESIDENTS**

Each resident of Mountain View Academy is expected to abide by the rules of the facility. These rules serve the following purposes:

* to ensure the safety and security of the facility, its residents, and staff,
* to manage and monitor the movement of residents,
* to provide for promptness of scheduled activities,
* to correct poor discipline habits,
* to promote consistency among residents and staff,
* to teach appropriate hygiene habits,
* and most of all, to enable each resident to attain the goals the program has to offer.

Following the rules will lead to **rewards** in the Phase System and **successful completion** of the program. Failure to follow facility rules may result in disciplinary action or termination from the program.

* 1. The following is a list of things that are **STRICTLY PROHIBITED**:

**The following offenses will result in a 100 point write-up and an immediate drop to Restriction Level and/or Precaution Watch Status. When you complete your Restriction Level you will restart at Phase 2 Week 1.**

* Assault on Staff or Resident
* AWOL or AWOL attempt
* Dangerous Contraband – weapons, drugs, tobacco, alcohol, etc.
* Fighting
* Gang Related Behavior of any type
* Arson
* Sexual Behavior of any type
* Destruction of Property (including graffiti)
* Self-Mutilation
* Extortion or Conspiracy
* Stealing from Resident or Staff
* Participation in Mass Disturbance
* Room Violation
* Possession/Contraband
* Restraint

**The following offenses will result in a 100 point write-up. These offenses are not automatic Restriction Level offenses, but residents may be placed on Restriction Level if repetitive.**

* Sharing/trading/swapping food
* Gambling or betting
* Horseplaying
* Out of Assigned Area
* Interference with Staff/Manipulating Staff
* Inciting Negative Behavior Among Peers
* Bullying
* Threatening Resident(s) or Staff
* Inappropriate participation
* Profanity/Cursing
  1. **We treat each other with respect.** This is **necessary** for orderly management of the program and so that the resident has the opportunity to demonstrate the type of behavior he will demonstrate when he returns to community living. Residents must follow instructions from staff without giving feedback. If a resident feels that a staff member is wrong, there is a proper procedure to follow.
  2. We move from one area to another in an orderly fashion. Residents will be in a single file line with their hands checked to the back or side. Residents and staff will observe “Quiet Time” during line ritual movements.
  3. We conduct medication pass in an orderly fashion. We remain on quiet time to allow each resident to communicate respectfully with the nursing staff and wait our turn.
  4. There will be no physical, verbal, or other threats of violence toward self, other residents, staff, outside people, or family.
  5. There will be no self-mutilation of any kind (such as obtaining objects with the intent of attempting to give yourself or someone else a tattoo).
  6. **Profanity (cursing or foul language) is prohibited at all times.** This also includes racial or sexual slurs of any kind towards staff or other residents.
  7. **Horseplay is prohibited at all times.** (Horseplay often leads to physical aggression and is therefore not allowed).
  8. There will be no stealing, lending, borrowing, or purchasing from staff or other residents. **This includes no trading, gambling, or stealing food.**
  9. Pornography, sex magazines, nude pictures, sex novels, explicit materials, etc. are prohibited.
  10. All residents are expected to attend scheduled activities ON TIME. It is your responsibility as a resident to learn to depend on yourself to be on time. Although staff may knock on your door to inform you of major activities such as school classes or mealtimes, the responsibility is ultimately yours to be aware of the time and to be in the appropriate location at the appointed time.
  11. All residents are expected to bathe daily, as well as keep their hair clean and neat. The proper dress is pants/shorts, shirt, socks, and footwear. **Shirts must be worn when you are out of your room. NO HEAD WEAR** (hats/caps/bandanas, etc) are to be worn in the cafeteria area or the school area. The **waistband** of your pants **must** be up to or above your hips. **NO SAGGING. Residents are graded daily on hygiene.**
  12. The showers are individual stalls that can be closed once resident is in the stall. One resident at a time is allowed in the shower area at the Annex. Four residents are allowed at a time in shower area at Main. Showers must be completed according to the posted schedule.
  13. Laundry times will be posted. Staff puts the detergent into the washer and youth put their clothes after.
  14. Residents must address staff when wanting to exit their room for any reason. **Staff will ask you what you need and direct you accordingly in a timely manner.**
  15. Residents who become involved in a physical restraint, or become involved in a fight with another resident, etc, will be subject to certain restrictions including (but not limited to): Room restriction for 24 hours, (unless circumstances deem it necessary to extend the loss of privileges) as well as automatically dropping to restriction level status.
      1. **Any resident involved in a physical altercation with a peer will be REQUIRED to participate in a Conflict Resolution before being removed from Restriction Level. If a resident refuses to participate, he will be placed on Precaution Watch.**
  16. Residents must not tamper with Fire and Safety equipment. This includes sprinklers, fire alarms, and smoke detectors. You must NOT touch or allow any object to come in contact with the sprinkler system heads.
  17. All residents are expected to maintain a strict level of confidentiality pertaining to treatment issues. Nothing is to be discussed about you by another resident or staff outside of Mountain View Academy, except to your DCS Family Services Worker or by court order or subpoena.
  18. Residents are expected to treat the facility with respect. This means picking up after yourself, no feet on the walls, no graffiti, etc. **Intentional damage to the facility is likely to result in charges being filed and youth will be financially responsible for repairs and/or replacement.**
  19. Each resident will be assigned chores. Every resident is expected to complete their chores. The staff will check to see whether or not you have completed your chores. If you have not completed your chore appropriately, you will receive extra duty or loss of points in the Phase System. Continued failure to complete assigned chores will result in write-ups and negative reports of chore participation to your DCS Family Services Worker.
  20. **Drinks and snacks are not allowed to be stored in resident rooms.** All incentives must be consumed in the café or Day Room immediately upon receipt.
  21. All televisions must be played at an acceptable volume. Acceptable volume will be determined by staff on duty. **Only staff are to touch the remote controls** **in living areas.**
  22. All televisions must be turned off at **9:15pm** on evenings prior to a school day and at **10:00pm** on evenings prior to a non-school day.
  23. Residents must be out of the Common Area and in their rooms by **9:45pm** on evenings prior to a school day and **10:15pm** on evenings prior to non-school days. Based on dorm behavior, the Facility Administration may alter bed times as needed.
  24. Residents will not be allowed in the Case Manager or Therapist Office without staff permission and supervision.
  25. Uniforms must be worn at all times during your stay at Mountain View Academy. Resident leaving to go on home pass will leave with uniform and come back wearing the uniform upon arrival. You will receive a write up for returning to the facility out of uniform. If you return will outside clothing it would be taking up and placed in storage until you go on your next pass, at which time you will be expected to ask for it and take it home. If you bring it back to the facility, it may be permanently confiscated.
  26. Residents leaving for and arriving back from pass, work, etc., will not be allowed to bring anything into or out of the facility except property such as thermoses and lunch boxes loaned by the facility for work, or personal clothing for passes.
  27. Residents will receive counseling each week. It is your responsibility as part of your treatment goals to actively participate in these treatment sessions. If you need to see your case manager for an additional session, you need to fill out a “Case manager Request Form” and turn it in to a staff member. Questions about pass approval, discharge dates, room changes, etc. are not normally considered emergencies, unless you or someone else’s safety is in question.
  28. All residents are required to do their own laundry. The resident is responsible for getting his clothes washed, dried, and put away in a timely manner. **Staff is responsible for putting detergent into the washer.**
  29. Residents working in the community will stay at their assigned work location unless approved by the Program Director to leave that area. When attending a medical or other appointment, residents will stay inside the waiting area of the office both before and after the appointment. Residents will show respect and courtesy and will obey all laws at all times while in the community.
  30. RESIDENTS WILL WEAR SEAT BELTS AT ALL TIMES IN VEHICLES. No food or drink is allowed in vehicles.
  31. Residents must not inappropriately approach or harass staff members who are going to or coming from different areas of the building or outside the building. Staff will be glad to assist you with questions or other needs when you go through the proper channels, such as inquiring at the front desk or filling out a request form.

Residents are to **never** harass or interfere with visitors to the facility, including family members of other residents.

**NORMS/EXPECTED BEHAVIORS**

**LINE RITUALS**

* We move around campus as a group in an organized manner
* We line up according to directions provided by the Line Runner or staff
* We line up in a single file line one arm’s length from each other
* We check our hands to our backs or side when moving around campus
* We maintain quiet time as we move in line ritual
* Restriction Level and Precaution Watch Residents line up in the back of the line

**GROUP**

* We enter groups on quiet time and sit in an appropriate seat designated by the therapist or case manager
* We remain in our seat and in an appropriate seating position for group
* We do not have bathroom breaks during group time – plan to go before or after group
* We remain on task during group and do not disrupt the group
* We demonstrate respect for the therapist, case manager, and peers at all times in group
* All group materials are to be turned in to the therapist or case manager at the end of group

**CLASSROOM**

* We enter the classroom on quiet time
* We immediately go to our seat when we enter the classroom
* We respect quiet time anytime the classroom door is open
* We raise our hands to ask permission to get out of our seat or ask a question
* If we need to take a “chill out”, we do two minutes at our desk, then two minutes at the wall inside the classroom, and then ask staff to go to the hallway to take a “chill out”
* We allow only staff to open doors
* We allow others to learn and do not disrupt the classes

**SCHOOL HALLWAY**

* We change classes and transition to group or dorm change on quiet time and with our hands checked for safety
* If we are talking to staff or doing peer support in the hallway, we talk on low tones so we do not disturb other’s ability to learn
* We do not enter into classrooms that we are not assigned and proceed to our assigned area as quickly and as organized as possible

**UNIFORM/CLOTHING**

* When going to school, we wear our gray pants, assigned program t-shirt or polo, boxers, socks, and slides
* We do not allow our pants to “sag”
* We do not wear multiple layers of clothing, for example shorts under our pants
* We keep our shirts on at all times (white t-shirts may be worn during rec activities)
* We do not share clothing
* We do not wear anything to cover our head while inside the building (doo rags are only worn while on the dorms during the evening hours)
* We do not destroy or write on our clothing
* We always wear our clothing as it is intended (we place our arms through the sleeves of shirts, sweatshirts, and coats)
* We do not place our hands down the front or rear of our pants

**STUDENT ADVISORY BOARD**

At Mountain View Academy we have a Student Advisory Board. Youth that show leadership skills, great communication skills and are working their program goals are encouraged to be a part of the Student Advisory Board. One representative from each dorm will be selected by a majority vote of dorm residents. Weekly meetings will be held to discuss concerns, progress, and suggestions. A staff will be appointed to assist the Student Advisory Board. Meeting minutes will be kept. At the monthly staff meeting one Student Advisory Board representative will have the opportunity to attend during our recognition section to discuss any findings or suggestions of the board. At this weekly meeting, dorm representatives will turn in all work orders pertaining to maintenance needs on their assigned dorm.

**VOLUNTEERING**

Mountain View Academy partners with people from the community who care about you. These volunteers assist the programs where needed and provide a friendly relationship with the youth. For example, tutors volunteer in the school; mentoring; individual and group volunteers hold Sunday school and Bible Study classes, recreational programs, special activities; and volunteers visit youth who may otherwise not have family to visit. You may ask your case manager, school staff, Youth Service Worker or other staff members to take part in any of these programs.

**ZERO-TOLERANCE FOR SEXUAL HARASSMENT,**

**ASSAULT OR RAPE**

The following information is very important, so **please read it carefully and thoroughly.** There is a quiz to be completed after reading all of the PREA material with which you will be provided.

Mountain View Academy is committed to a zero-tolerance standard for all forms of sexual abuse, assault, misconduct, harassment or rape. We have a policy called ZERO-TOLERANCE STANDARDS AND GUIDELINES FOR SEXUAL HARASSMENT, ASSAULT OR RAPE INCIDENTS AND PRISON RAPE ELIMINATION ACT (PREA) (7.8). You

and/or your parents may read the whole policy if you wish by asking a staff member. Here is as summary of the policy:

The ways we work to enforce the standards and keep you safe come from a federal law called the Prison Rape Elimination Act (PREA). Even though it was originally written for prisons, it now applies to all juvenile facilities as well. All of our employees who work with our residents are trained about this law. Some of the training includes how to prevent sexual assaults by other residents, staff, volunteers, or anyone, what staff members must do to properly report sexual assaults, abuse, or neglect, what will happen to them if they commit sexual assault, abuse, or neglect, and what to do if any resident is sexually assaulted, abused, or neglected.

When you are first admitted to Mountain View Academy, we give you information and teach you what you need to know about how we keep you safe and what to do if you are abused. Here are some of the things we do:

1. We give you information about how to protect yourself and what to do if you are abused.
2. We tell you the consequences of engaging in any type of sexual activity while you are at this facility.
3. We tell you how to get medical and mental health treatment and counseling.
4. We tell you how to safely report incidents or suspicions of sexual abuse or sexual harassment, retaliation by other residents or staff for reporting sexual abuse and sexual harassment, and staff neglect or violation of responsibilities that may have contributed to such incidents.
5. We take a look at the records of every new resident to see if they have a history of either being abused or of abusing someone else and use this information to help keep everyone safe.
6. We ask each new resident a series of questions to help us know if they are at risk of being abused or of abusing someone else.
7. If we need more information to keep everyone safe, we may refer a resident to a mental health professional, who will work with the resident and with us to provide treatment and make safe program assignments.
8. If a resident tells us he was abused at another facility but hasn’t reported it, we will report the incident to DCS and to the Director of the other facility. This allows DCS to investigate the incident, determine if charges will be filed, and keep those in the other facility safe from abuse.
9. We send your parents/guardians information about how to report abuse.

**HOW TO REPORT ABUSE**

Mountain View Academy is dedicated to the safety, dignity, and well-being of the residents and families of residents it serves. It is the policy of this agency that the following will not be tolerated:

* verbal abuse
* physical abuse or neglect
* emotional abuse or neglect
* sexual abuse
* sexual harassment
* staff neglect
* retaliation for reporting
* any misconduct of a sexual nature
* staff neglect or violation of responsibilities that may have contributed to an incident of abuse or neglect

#### If anyone abuses you, you should report it in any or all of the following ways:

* Report the abuse to a staff member (all staff members are required by law to immediately report abuse to the Department of Children’s Services).
* Report the abuse to law enforcement (the police).
* Tell your parent/guardian.
* Tell your Family Services Worker.
* Call the Child Abuse Hotline (Department of Children’s Services Child Protective Services Central Intake at **1-877-237-0004.**
* Report the abuse to the Department of Mental Health by emailing to: [jennifer.hough@tn.gov](mailto:jennifer.hough@tn.gov).
* If the abuse is toward a vulnerable adult, you can report it to Adult Protective Services at 1-888-277-8366.
* Write a letter to or call Child Protective Service Central Intake at:

#### DCS Central Intake

#### 1101 Kermit Drive

**Nashville, TN 37217**

**1-877-54ABUSE (1-877-542-2873)**

* Write to or call Safe Harbor Child Advocacy Center at:

Safe Harbor- 1109 Oak Cluster Dr

Sevierville, TN 37862

**Phone:** (865)774-1777

**Safeharborcac.**com

* File a Mountain View Academy grievance (if you are in immediate danger, tell a staff member immediately in addition to any of the other ways of reporting. Staff members will take action to protect your safety).
* Report the abuse to law enforcement. If you choose to report the abuse locally, the phone number for the Jefferson County Sheriff’s Department is 865-471-6000.
* Report the abuse to your attorney or guardian ad litem.

Staff members will allow you to use the telephone and/or will provide you with paper, pencil, envelope and stamps so that you can report abuse if it occurs.

**Other things to know about reporting abuse:**

1. You may report sexual abuse at any time, regardless of when it occurred.
2. You should not try to resolve an incident of sexual abuse by yourself. Report it and let the authorities investigate it and provide protection for you.
3. You can get help filling out paperwork from whomever you wish. This can be other residents, staff members, family members, attorneys, and/or outside advocates. Those persons may also file such requests on your behalf.
4. There are confidentiality laws to protect you if you report abuse. Your case manager can explain them to you.
5. If anyone tries to retaliate (get back at you) because you reported abuse of yourself or another resident, please tell the Security Supervisor, your case manager, or another staff member you trust. Retaliation is not allowed!
6. Any person who either verbally or by written/printed communication reports false accusations of sexual abuse commits a Class E felony. A report made in good faith upon reasonable belief of the incident will not constitute a false report.

**WHAT HAPPENS AFTER A RESIDENT REPORTS SEXUAL ABUSE, ASSAULT, HARASSMENT NEGLECT, OR RETALIATION?**

The Department of Children’s Services (DCS) division of Child Protective Services (CPS) investigates all reports concerning children who are in DCS custody. They will notify certain people such as your Family Services Worker, parents, and administrators of Mountain View Academy after CPS completes their investigation, we will tell you the outcome. If you are in another program or living at home at that time, someone else will tell you whether the report was determined to be substantiated, unsubstantiated, or unfounded.

Immediately after you report sexual abuse, we will work hard to protect you. This includes the following:

1. We will keep you apart from the person who you reported abused you.
2. We will cooperate with agencies investigating your report.
3. We will make sure you receive medical treatment, emotional support, and counseling if needed.
4. We will provide you with access to outside victim advocates for emotional support services related to sexual abuse. This includes letting you communicate with the advocates in as confidential a manner as possible. You should know that there are limits to confidentiality when you communicate with outside victim advocates. They are the same limits that our case managers here in the program have. That means that if you tell them anything that indicates you or another person is in danger, they have to report it in order to keep you and others safe. An example of this would be if you told them someone was talking about committing suicide, we or they would tell someone who could get them the help they need and keep them safe. The phone numbers and addresses for victim advocates are listed at the end of the PREA information in this Resident Handbook.

PREA (Prison Rape Elimination Act) was passed in 2003 to help prevent, reduce, and eliminate sexual misconduct between juveniles and between staff and juveniles. The following literature will explain your rights and inform you of exactly what you would need to do if you were to become a victim of sexual abuse/harassment.

#### Here are a few important things to know:

* If you tell a staff member (case manager, YSO, therapist, etc.) that you have been sexually abused, harassed, raped, or sexually assaulted, or if you tell a staff member that you are going to hurt yourself or someone else, that staff member **WILL** report it. Mountain View Academy has a Zero-Tolerance Policy against any kind of sexual misconduct and the staff have a “**duty to report**” any such allegations that they are made aware of.
* Staff members are instructed to keep the information you tell them confidential with the exception of having to tell the appropriate people who **NEED** to know in order for them to perform their duties accordingly and keep residents safe. Persons who report sexual misconduct will **NOT** be retaliated against for doing so. Retaliation or negative consequences for reporting sexual misconduct will not be tolerated and will result in disciplinary action for that staff member up to and including termination.
* Mountain View Academy has a “**Memorandum of Understanding**” with a program called “A Kid’s Place” Child Advocacy Center. If a resident is a victim of a sexual assault/abuse incident, they will be permitted to speak to a designated Kid’s Place case manager. Kid’s Place advocates are skilled professionals who provide a wide variety of services including court advocacy, hospital accompaniment, resources, mentoring, and individual and group counseling, just to name a few. **No conversations with this victim advocacy service will be recorded.**
* **False allegations**: All of this being said, by all means, if you fall victim to sexual abuse or a sexual assault or were abused prior to coming here and you have not reported it, PLEASE tell someone you trust. However, also remember that any person who knowingly reports a **FALSE** accusation of sexual abuse, assault harassment, misconduct, or rape commits a **FELONY**. And there are consequences to committing this crime.
* **BOTTOM LINE**: **Our staff members have a “duty to report.” Failure to comply with this duty will result in disciplinary action up to and including the loss of their job AND/OR**

**criminal charges against them.** So never be afraid to tell. If you tell a staff member of a sexual abuse, misconduct, or rape incident, the first thing the staff member will do is **make sure YOU are SAFE. You will be separated from the abuser.** The staff member will then notify Child Protective Services. Be assured that **our staff members are trained** in how to respond to these incidents.

On the following pages, you will find some important information that will help you know about:

* Your right to be free from sexual violence while you are in DCS custody
* Definitions of terms used in the PREA information
* More information about reporting abuse
* What to do if you are assaulted
* Consequences
* Preventing sexual abuse
* Safety tips

**YOU HAVE THE RIGHT TO BE SAFE FROM SEXUAL VIOLENCE**

While you are under the supervision of Tennessee’s Department of Children’s Services Division of Juvenile Justice, no juvenile or staff member has the right to sexually harass you or pressure you into ANY sexual acts. Regardless of your gender, age, size, race, ethnicity, religion, or sexual orientation, you have the right to be safe from any sexual harassment, advances, and acts.

Under Tennessee’s Division of Juvenile Justice policy:

* Sexual intercourse, contact or conduct between juveniles and between staff and juveniles is prohibited.
* Sexual assault of a juvenile by another juvenile will be referred for prosecution according to the laws of Tennessee.
* Sexual abuse includes penetration or external touching of a child’s intimate parts, oral sex with a child, indecent exposure or any other sexual act performed in a child’s presence for sexual gratification, sexual use of a child for prostitution, and the manufacturing of child pornography. “Child” refers to anyone under the age of 18. 18 year old at Standing Tall Residential Treatment Center and Crossroads Primary Treatment Center are also protected by PREA laws.

The United States Federal Government passed the Prison Rape Elimination Act (PREA) in 2003 to help prevent, reduce, and eliminate **sexual misconduct** between juveniles and between staff and juveniles.

WHAT IS SEXUAL MISCONDUCT?

* **Sexual Assault or Sexual Contact** – when one or more juveniles tries to force or convince another juvenile to participate in a sexual act through manipulation or through the use of threats, intimidation, inappropriate touching, or other actions.

**YOU NEED TO RESPECT OTHERS** – IT IS NEVER RIGHT TO PRESSURE SOMEONE TO ENGAGE IN A BEHAVIOR HE/SHE DOES NOT WANT TO DO. YOU DO NOT HAVE THE RIGHT TO FORCE ANY TYPE OF SEXUAL BEHAVIOR ON ANY PERSON. THERE SHOULD BE NO JOKING, BRIBING, OR TEASING OF ANY KIND OF A SEXUAL NATURE. **BULLYING WILL NOT BE TOLERATED**. THERE IS A **ZERO TOLERANCE** POLICY IN PLACE FOR SUCH OCCURRENCES.

* **Sexual Conduct** – any type of sexual activity between juveniles which includes asking for, paying for, promising, threatening, or communicating with another person in any manner, verbally or written, to have sexual intercourse. It also includes exposing, touching, or gesturing to the juvenile’s own intimate parts to attract the attention of another person or using sexually explicit language.

SEXUAL ACTS OR CONTACT BETWEEN JUVENILES (LIKE HOLDING HANDS, KISSING, ETC.) EVEN WHEN BOTH PEOPLE WANT TO, **ARE NOT ALLOWED**. BOTH JUVENILES INVOLVED IN SEXUAL CONDUCT WILL BE HELD ACCOUNTABLE.

* **Sexual Assault of a Staff Member BY A JUVENILE** – a resident may be charged with a state criminal offense if there is sufficient proof that the resident participated in sexual misconduct. Facility discipline may also occur for a resident participating in sexual misconduct. This does not apply if the staff member voluntarily participates in **sexual conduct** (see below). In that case, the staff member would be prosecuted.
* **Sexual Assault or Sexual Conduct BY A STAFF MEMBER** – when a staff member engages in, or attempts to engage in, a sexual act with any juvenile. This includes the staff member intentionally touching the juvenile’s intimate parts with the intent to abuse, humiliate, harass, or degrade the juvenile, or arouse or gratify the sexual desire of any person. Sexual behavior can include, but is not limited to, indecent, profane or abusive language or gestures of a sexual nature, inappropriate visual surveillance of juveniles, making sexually offensive comments or gestures, solicitation of sexual activity through promises of favors or threatening a juvenile for refusing sexual advances.

**IT IS NEVER APPROPRIATE FOR A STAFF MEMBER TO MAKE SEXUAL ADVANCES OR COMMENTS TO OR TO ENGAGE IN SEXUAL CONTACT WITH A JUVENILE. EVEN IF THE JUVENILE WANTS TO BE INVOLVED WITH A STAFF MEMBER, THE STAFF MEMBER IS NOT ALLOWED TO PARTICIPATE. TENNESSEE LAW AND TENNESSEE’S DEPARTMENT OF CHILDREN’S SERVICES DIVISION OF JUVENILE JUSTICE SPECIFICALLY FORBID SUXUAL ACTIVITY BETWEEN JUVENILES AND STAFF, CONTRACTORS, OR VOLUNTEERS. STAFF IS SUBJECT TO DISCIPLINE AND CRIMINAL PROSECUTION REGARDLESS OF WHETHER YOU CONSENT TO SUCH ACTIVITY. THERE ARE NO EXCEPTIONS.**

REMINDER – HOW TO REPORT AN INCIDENT OF SEXUAL MISCONDUCT OR SEXUAL ASSAULT:

It is important that you tell a staff member as soon as possible if you or someone you know has been sexually assaulted, have been threatened, or are being asked to do something sexually. You can tell your Case Manager/Family Services Worker, your case manager, the psychologist, the Facility

Administrator, Shift Supervisor, medical staff, YSO, teacher, or any other staff member. Staff members are instructed to keep the reported information confidential and only discuss it with the appropriate officials that have a need to know in order to perform their duties and keep you and other residents safe. Persons who report sexual misconduct will be protected from retaliation.

You can also report the incident to the agencies we talked about under the section above, “HOW TO REPORT ABUSE.” We will help you report abuse, you can get someone else to help you report it, or you can report it yourself without help from us or someone else.

The main thing is that you report it.

Revised: 02/2019

**WHAT TO DO IF YOU ARE ASSAULTED WHILE YOU ARE HERE**

**If you are sexually assaulted, you should report it immediately to staff who will offer you immediate assistance and protection. Staff will also refer you for a medical examination and assessment.**

**Even though you may want to clean up after an assault, it is important NOT to shower, wash yourself, drink or eat anything, change your clothing, or use the bathroom before you see a medical professional.**

**Please remember that by reporting the crime of a sexual assault or sexual misconduct right away, you are assisting in helping stop this harmful behavior and sending a message to the perpetrator that this behavior will not be tolerated.**

**RETALIATION OR NEGATIVE CONSEQUENCES:**

DCS Policy 18.8 GUIDELINES FOR SEXUAL ABUSE, ASSAULT, OR RAPE INCIDENTS IN YDC’S – PRISON RAPE ELIMINATION ACT, Section A. # 9 reads:

“The possibility of retaliation or negative consequences for reporting sexual abuse/assault/misconduct or rape will not be tolerated and may result in disciplinary actions up to and including termination.” This means that you WILL NOT get into trouble and you will not be punished if you report sexual abuse/assault/misconduct or rape.

DCS Policy 18.8, section A. #10 reads:

“Any person who knowingly and maliciously reports, or causes, encourages, aids, counsels, or procures another to report a false accusation of child sexual abuse commits a Class E felony.” TCA 37-1-413. What this means is that you should not make false/ untrue statements about being sexually abused. If you do, you are subject to disciplinary and legal consequences.

#### Consequences for engaging in any type of sexual activity while at Mountain View Academy.

If you engage in any type of sexual activity while at this facility, you treatment team will meet to address your behavior.

Seeking medical treatment, mental health treatment, and/or counseling:

If you report abuse, you will be provided medical treatment. If you wish to speak with a mental health professional to receive counseling, please tell medical staff and medical staff will contact the mental health professional.

**PREVENTING SEXUAL ABUSE**

NO MATTER WHERE YOU GO OR WHERE YOU LIVE, YOU HAVE THE RIGHT TO BE SAFE FROM SEXUAL VIOLENCE

Sexual abuse can happen anywhere there are people. It can happen in school, in church, at home, and lots of other places too. Staff at Standing Tall Residential Music City will do everything they can to make sure sexual abuse doesn’t happen to you. Here is what we are already doing to keep you safe:

* Staff will be watching you and other residents 24 hours a day, 7 days per week.
* Staff members are carefully screened through background checks to make sure the best people are in charge of your safety and care.
* Staff members know how to spot abusive behavior and how to stop that behavior.
* Residents who may have gotten into trouble because of their sexual behavior stay in special programs.
* Resident’s cannot go into other resident’s rooms.

You may be thinking of what you will do to keep yourself safe. To do your part there are three things you need to know. You need to:

1. Know what sexual abuse is;
2. Know how to protect yourself; and
3. Know how to get help.

What is sexual abuse? You may already have a good idea of what sexual abuse is. But if you don’t, here are some facts that may help you. **Sexual abuse is any unwanted sexual contact with another person.** Sexual contact includes, but is not limited to the following:

* Touching
* Kissing
* Talking in sexual ways
* Showing private parts to others
* Watching people undress
* Watching people go to the bathroom
* Putting your mouth on someone’s private parts
* Putting any part of your body inside someone else’s body

You may NOT do any of these behaviors while at Mountain View Academy. These behaviors are against the rules and can lead to problems in your program.

Sometimes sexual contact can be abusive even if a person seems to go along with it. As a rule of thumb, you CANNOT say “YES” to sexual contact if:

* You are under age 16
* You are using drugs or alcohol
* You don’t know what you are being asked to do
* You believe that you can’t say “NO” without bad things happening to you.

If you find yourself in a situation like any of the ones named above, seek help from staff as soon as possible.

**SAFETY TIPS**

Here are some things you can do to protect yourself from unwanted sexual contact:

* Don’t talk about sex with peers.
* Don’t enter another resident’s room.
* Don’t let another resident enter your room.
* Don’t keep secrets about sexual activity.
* Stand up for yourself and say “NO.”
* Stay one (1) arm’s length away from other residents during line moves.

If you are the victim of unwanted sexual contact, report what happened to any staff immediately. The longer you wait, the more difficult it will be to give you the help you need. You may report sexual abuse to **ANY** staff member you wish. All staff members are trained to get you the help you need.

Once you report what happened, you will be given the help you need. You may be taken to the hospital to make sure your body is not hurt. You may be asked lots of questions about what happened. You may be asked to meet with a case manager to talk about what happened. **Sexual abuse is never the victim’s fault.**

If you would like to know more about sexual abuse, please feel free to talk to a staff member.

**INDICATORS THAT A YOUTH MAY HAVE BEEN SEXUALLY ASSAULTED OR MAY BE IN FEAR OF BEING SEXUALLY ASSAULTED INCLUDE:**

* Isolation or refusing to leave isolation
* Depression/anxiety
* Lashing out at others
* Refusing to shower
* Seeking protective custody
* Easily startled or jumpy
* Self-mutilation
* Increase in aggression
* Insomnia
* Social withdrawal
* Difficulty concentrating
* Loss of appetite
* Sudden mood swings
* Suicidal thoughts

**POSSIBLE PHYSICAL SIGNS THAT A RESIDENT MAY HAVE BEEN SEXUALLY ASSAULTED:**

* Injuries
* Nausea
* Vomiting
* Headaches
* Sudden sweating
* Unkempt appearance or no longer caring about their appearance

**IS THERE SOMEONE WHO CAN HELP ME GET THROUGH ALL THIS IF IT HAPPENS TO ME?**

Yes! There are organizations ready and waiting to help you. They are called Victim Advocates. You can call them from the Mountain View Academy telephones or when you are at home. You should know that there are limits to confidentiality when you communicate with outside victim advocates. They are the same limits that our case managers here in the program have. That means that if you tell them anything that indicates you or another person is in danger, they have to report it in order to keep you and others safe. An example of this would be if you told them someone was talking about committing suicide, we or they would tell someone who could get them the help they need and keep them safe.

But know that the Victim Advocate programs are there to help you and they will respect your right to privacy and confidentiality. On the next page are some Victim Advocacy organizations you can contact.

**EMOTIONAL SUPPORT AND VICTIM ADVOCACY ORGANIZATIONS**

**Safe Harbor Child Advocacy Center**

**1109 Oak Cluster Dr**

**Sevierville, TN 37862**

**(865)774-1777**

**Safeharborcac.com**

A Kid’s Place Child Advocacy Center

614 West Point Rd

Lawrenceburg, TN 38464

Phone: (931) 766-2213

National Sexual Assault Hotline

1-800-656-HOPE (1-800-656-4673)

Sexual Assault Center

101 French Landing Drive

Franklin, TN 37228

1-615-259-9055

Sexual Assault Center of East Tennessee

6215 Kingston Pike

Knoxville, TN 37919

(Serving Anderson, Blount, Campbell, Knox, Loudon, Roane, and Sevier counties)

Crisis Line: 1-865-522-7273

24/7 Line: 1-865-558-9040

Sexual Assault Center of East Tennessee

409 East Unaka Avenue

Johnson City, TN 37601

(Serving Carter, Green, Hancock, Hawkins, Johnson, Sullivan, Unicoi, and Washington counties)

24 Hour Crisis Line: 1-865-522-7273

Child Help

2505 Kingston Pike

Knoxville, TN 37919

1-865-637-1753

National Hotline: 1-800-422-4453

Shelby County Rape Crisis Center

1750 Madison Avenue

Memphis, TN 38104

1-901-222-4350

**Abuse is a crime**…

Step Up…Speak Out

**Frequently Asked Questions**

**Q: If I report abuse, will anyone believe me?**

Yes. If you report abuse, you will be believed and your case will be fully-investigated to uncover evidence that proves what happened.

**Q: Will the person who abused me be allowed to have contact with me?**

No. After a report of abuse is made, the person who abused you is removed from contact with you during the facility’s investigation. This does not mean that you will necessarily be released from the facility or moved to another facility, but you will be protected.

**Q: Will the facility punish me or treat me different (retaliate) if I report abuse?**

No. If you make a report of abuse and have told the

truth, you should not be punished, treated differently or receive any discipline. You will be protected from further harm and the case will be investigated. If you are retaliated against, report it to a trustworthy adult or TDCS immediately and it will be investigated.

**Q: Will I have to testify in court?**

The facility and TDCS investigators will ask you questions about what happened. If the abuser faces criminal charges, then you may be asked to testify in court.

**Q: Will reporting affect my juvenile court case,**

**my detention or placement status?**

No. Making a report of abuse will not extend your stay in detention, lengthen your probation term or change your current placement status.

**Q: What if I lie about being abused?**

All reports of abuse are taken very seriously and

investigated thoroughly. Anyone who makes a false

report may be charged with a serious criminal offense. Remember, reporting abuse is not a game and you should always tell the truth.

**Q: What if the abuse happened at home?**

If the abuse happened at home, at school or in your community, then you should report it to an adult you trust, to the Tennessee Child Abuse Hotline at 1‐877‐237‐0004 or to the police.

**A Teen’s Guide to**

**Reporting Abuse**

**Tennessee Department of Children’s Services**

**Tell Someone Now!**

**What Else Can I Do?**

The Tennessee Department of Children’s Services (TDCS) investigates abuse, neglect and exploitation in all Tennessee facilities. There is a toll‐free

phone number you can call to report abuse if you

do not feel comfortable talking to someone in the

facility. Your report will be investigated by TDCS if

you report it to facility staff or if you call TDCS

directly.

The toll‐free phone number for the Child Abuse Hotline to report abuse is:

**1‐877‐237-0004**

When you call, you will be asked to tell exactly

what happened to you in the facility. When you call, you do not have to give your name, but if you do, your name and your identity will be protected and kept confidential or secret.



**No one should be abused.**

**TN Child Abuse Hotline**

1-877-237-0004

**Step Up…**

**Trustworthy Adults**

In the facility, there are many adults who you see every

day that will help you and protect you. If you feel

comfortable, you should talk to a facility staff member,

counselor, teacher or medical professional and tell them

if you have been abused. There are also many adults

who may visit you in the facility that can also listen and

help such as your attorney, your probation officer, your

parent, guardian or other family member.

**Facility Grievance System**

Each juvenile justice facility has a way to handle your

complaints or problems, sometimes called “grievances”

and this is called a Grievance System. For example, if

you have a complaint about the food in the facility, or if

you disagree with the way the rules are enforced, you

should report these problems by using the grievance

system in the facility. You can also report abuse using

the facility grievance system if you feel comfortable

doing so. The facility grievance system is a choice that is

always available for you if you do not feel comfortable

talking to a staff member directly.

**Who Can Help?**

If you are the victim of abuse, there are many

people who want to help you. The important thing

is to tell someone about the abuse, neglect or

exploitation immediately. Do not be silent.

**What is emotional abuse?**

Emotional abuse is an action by another person that may

cause you extreme embarrassment, mental or emotional

harm instead of physical harm. For example, emotional

abuse may involve a person cursing at you, making crude

sexual remarks or mean or hateful comments about you,

your race, your gender, your family or the way you look.

**What is exploitation?**

Exploitation happens when someone in authority takes

advantage of you. Exploitation may involve facility staff

ordering you to do personal favors for them or someone

else. For example, if a staff member takes you from the

facility to his home to mow his lawn or perform some other type of labor, this may be exploitation.

**Speak Out**

**Can Abuse Happen to Me?**

While in the custody of the Tennessee Department of Children’s Services (TDCS), you have the right to be safe and protected against abuse. Abuse includes physical, sexual and emotional abuse, neglect and exploitation. All TDCS and Private Provider facilities make every effort to keep you safe from harm. Despite the best protections in place in each facility, abuse does sometimes happen. It is important that you know what to do if it happens to you.

**Who Can Commit Abuse?**

It is not easy to know what an abuser looks like.

Abusers can be someone you know, a friend, relative

or a stranger. Any person in a facility may commit

abuse. Abusers are not always detention or

corrections officers or facility staff members. They

can be visitors, volunteers, probation officers, medical

personnel, counselors, teachers or other persons in

the facility that you meet. Abuse committed by any

person against you is wrong and should be reported

immediately. No one deserves to be abused and

abuse is always a crime…period.

**What is physical abuse?**

Physical abuse is something done to you that causes physical pain or injury to your body, often called an assault. It may involve hitting, kicking, punching, choking, shoving or other acts done by an adult or another resident against you.

**What is sexual abuse?**

Sexual abuse is a sexual act committed against you or the

intentional touching of your body in a sexual way by another person. Sexual abuse happens when someone asks you to flash or expose the private areas of your body or asks you to engage in sexual intercourse or other sexual behaviors.

**What is neglect?**

Neglect happens when persons responsible for taking care of you fail to do so. For example, neglect may involve the

unreasonable delay or refusal to allow you to see a doctor or nurse when you are sick or injured. It also may involve facility staff not giving you medicine prescribed by your doctor. Neglect may involve staff not providing proper supervision of you and the other kids in the facility. If staff is not present or paying attention when you are assaulted or hurt in any way by one of your peers, that is neglect.

**What if the abuser is another juvenile?**

Other residents in the facility may commit abuse against you. This may involve physical and sexual assaults. Abuse by other juveniles should also be reported. You have

a right to be protected at all times from other juveniles in the facility.

**What if I see or hear about someone else being abused?**

If you see another resident being abused or you hear about someone else being abused, you should report this. All abuse is wrong and everyone deserves to be protected at all times in a facility. You can help others by reporting abuse.

**Abuse is a crime…**

**no matter where you live.**

Mountain View Facetime Rules

All Mountain View Youth will receive one 15 minute facetime weekly. Failure to meet facility rules will result in Red Level on the Phase Sheet. Consequences of Red Level will result in loss of facetime for the week. Our week runs the same as the Phase Sheets which is Tuesday to Monday for facetimes. If you are on Red Level this week your phase will be re-evaluated next Tuesday when the new Phase Sheet is released.

**Mountain View Academy**

# RESIDENT HANDBOOK ACKNOWLEDGEMENT FORM

### I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ have received a copy of the Resident Handbook. The Resident Handbook has been explained in a way that is understandable to me. I have read and understand all rules in the Resident Handbook. If I cannot read, the staff will have explained or read this information to me.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Resident’s Name Date

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Resident’s Signature Date