**Section 411.310 Mail**

a) The facility shall develop a written plan governing correspondence to and from children and youth that shall be made available to all staff and each child and youth. The plan shall be reviewed annually and updated as needed.

b) The written plan shall grant children and youth the right to communicate or correspond with persons or organizations subject only to the limitations necessary to maintain facility order and security or to comply with victim access restrictions.

c) The volume of mail received shall not be restricted.

d) All outgoing mail shall be clearly marked with the child's or youth's name.

e) Unlimited mail may be sent when the child or youth bears the mailing cost.

f) Each child or youth may send at least 5 first class letters weekly in the United States at the facility's expense.

g) All cashier's checks, money orders, cash, and checks or other funds received by a child or youth through the mail shall be deposited in the child's or youth's account in accordance with Section 411.510 of this Part.

h) Incoming letters shall be delivered unopened within 24 hours after receipt and packages shall be delivered within 48 hours after receipt, excluding weekends and holidays. Outgoing letters shall be mailed within 24 hours. The written plan shall address when, and under what limited circumstances, staff may open incoming letters or packages addressed to the child or youth. Any decision to open mail or packages must be based upon a safety concern documented in the child's or youth's record and must be approved by the facility director. In addition, the child or youth affected by the restriction, and the child's or youth's parents, attorney, and Guardian ad Litem, shall be notified of the restriction.

i) First-class letters and packages shall be forwarded after children or youth are transferred.

j) The facility plan regarding access to publications shall include: the mechanisms whereby publications may be received; the publication screening and review procedures; the criteria for the prohibition of publications; and the requirement that the children or youth be provided with a written explanation of why the publication was denied. The facility shall prohibit any publications that the secure child care facility director determines to be obscene according to the definition of obscenity established by the United States Supreme Court or to be a clear and present danger to the physical safety and security of persons and property within the facility.

k) A child's or youth's correspondence to and from his or her attorney shall be confidential.

l) The facility shall not deny a child or youth the right to correspond in writing in his or her preferred mode of communication.