
Policy Number: 303.095
Title: Juvenile Grievance Procedure
Effective Date: 2/18/20

PURPOSE: To provide juveniles, their parents/legal guardians, and other concerned person(s) in the juveniles' lives with a process to make formal complaints or suggestions, or to express a concern about any aspects of the residents' care.

APPLICABILITY: Minnesota Correctional Facility – Red Wing (MCF-RW)

DEFINITIONS:

Grievance coordinator – the associate warden of operations (AWO)

PROCEDURES:

- A. Anyone who reports a grievance is not subject to adverse action as a result of filing the grievance.
- B. There is a secured grievance box at the school post to which only the grievance coordinator has access.
- C. The grievance coordinator:
 - 1. Responds to grievances within five working days;
 - 2. Takes the grievance to the highest level of administration of the facility or placing agency upon request;
 - 3. Logs grievances into the correctional operations management system (COMS), and enters them in the appropriate grievance databases;
 - 4. Maintains a file of grievances pertaining to residents along with the findings and any actions taken for two licensing periods and accordance to the facility grievance retention schedule; and
 - 5. Reports grievance data pertaining to residents as indicated in operating guideline 102.040RW, "Performance Measures."
- D. Parent/legal guardian grievance
 - 1. Records office staff mail an informational packet to parents/legal guardians after a resident is admitted. The packet provides a process for making a formal complaint, a suggestion, or expressing a concern about any aspect of the resident's care.
 - 2. Staff members provide direction to parents/legal guardians and other concerned adults in the resident's life who express an interest in filing a grievance but are uncertain of the process.
 - 3. Caseworkers communicate with parents/legal guardians regularly and may address questions regarding the resident's program progress, behavior, and daily care.
- E. Resident responsibilities
 - 1. Residents are encouraged to have face to face conversations with staff members to resolve conflicts.

2. If a face to face conversation is not an option, residents are encouraged to send a kite (yellow form) to the staff person who can best resolve their conflict.
 - a) If a resident does not receive a kite response in a timely manner, or is not satisfied with the staff response, they are encouraged to write to the staff member's supervisor.
 - b) If a resident does not receive a response in a timely manner, or is not satisfied with the supervisor's response, they may file a grievance (white form, the Juvenile Grievance form is attached) with the facility grievance coordinator.
 - c) Residents may put a kite or grievance form in the secured grievance box at the school post if they do not feel safe sending it through the cottage mail.
3. Residents are encouraged to include all copies of documentation related to the conflict when they file a grievance.
4. Residents who have received threats to their physical safety and well-being, or who feel they would be in danger if their complaint were to be known at the facility, may directly file a grievance with the associate warden of operations.

F. Staff responsibilities

1. Staff must not attempt to influence a resident's statement about the facility in the grievance document or during an investigation resulting from a grievance.
2. Staff must provide the person who wants to make a grievance the necessary forms and assistance to file the grievance.

G. Appeals

1. If a resident is not satisfied with the response received from the facility grievance coordinator, they may file an appeal (Juvenile Grievance Appeal form is attached) with the assistant commissioner of the facility services division.
2. The assistant commissioner of the facility services division is the department's appeal authority and is responsible for the final decisions on grievance appeals that do not involve health or behavioral health services issues.
3. The assistant commissioner designates a central office person to assist with handling and tracking all grievance appeals.

INTERNAL CONTROLS:

- A. Facility grievances are logged into COMS and retained in their respective grievance databases.
- B. Copies of the grievances and all supporting materials are retained by the facility grievance coordinator, in paper form or electronically, according to the facility grievance retention schedule.

ACA STANDARDS: 4-JCF-3A-06

REFERENCES: Minn Rule [2960.0080](#)
[Operating Guideline 102.040RW, "Performance Measures"](#)
 Instruction 303.101RW, "Kites/Communication"

REPLACES: Instruction 303.100RW "Grievance Procedure," 8/20/13.
 All facility policies, memos, or other communications, whether verbal, written, or transmitted by electronic means, concerning this topic.

ATTACHMENTS: [Juvenile Grievance form](#) (303.095A)
[Juvenile Grievance Appeal form](#) (303.095B)

APPROVALS:

Deputy Commissioner, Community Services

Deputy Commissioner, Organizational Services

Assistant Commissioner, Facility Services

Assistant Commissioner, Office of Strategic Planning, Implementation, and Employee Development