DEPARTMENT OF CORRECTIONS

Policy Number:	**303.095**
Title:	**Youth and Family Grievances**
Effective Date:	**6/4/24**

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

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

DEFINITIONS:
Grievance coordinator – the associate warden of operations (AWO)

PROCEDURES:

A. Grievance Procedures

1. Grievances are a way for:
   a) Youth to learn self-advocacy skills and how to voice their opinions appropriately;
   b) Parents/legal guardians and other concerned persons to communicate concerns; and
   c) Administration to identify ways to improve programs and services.
2. Youth are encouraged to talk directly with staff to resolve conflicts.
3. Youth write their concern on the Youth Grievance form (303.095A) or a piece of paper and put it in:
   a) The locked grievance box at the school officer desk; or
   b) An envelope addressed to the grievance coordinator and send it through the internal mail system.
4. Youth who have received threats to their physical safety and/or well-being, or who feel they would be in danger if their concern were to be known at the facility, may directly file a grievance with the warden.
5. The grievance coordinator is the only person who has a key for the locked grievance box at the school officer desk.
6. Parents/legal guardians and other concerned persons may send written concerns to the grievance coordinator.
7. Anyone who files a grievance must receive a response within five business days.
8. Staff must:
   a) Not try to get persons to change what they write in the grievance or say while being interviewed about a grievance;

b) Tell youth, parents/legal guardians, and other concerned persons how to file a grievance if they do not know.

9. Persons who write a grievance will not have negative actions taken against them.

B. The grievance coordinator (see E., below, also):

1. Stamps the date and time the grievance was received on the grievance form or the piece of paper on which the grievance is written.

2. Reviews the grievance and sends it to the appropriate supervisory staff member for investigation or follow-up; and

3. Tells the supervisory staff member when their response is due back to the grievance coordinator.

C. The supervisory staff member:

1. Talks to the person who filed the grievance and to any involved youth or staff to get information and find a resolution;

2. Documents the dates on which they talked to each person;

3. Asks the person who filed the grievance if their concern has been resolved and documents their response; and

4. Sends their response to the grievance coordinator by the due date.

D. The grievance coordinator (see B., above, also):

1. Takes the grievance to the warden upon request;

2. Logs grievances into the correctional operations management system (COMS) and the grievance database;

3. Keeps a file of grievances, findings, and any actions taken for two licensing periods and as required by the grievance retention schedule; and

4. Reports grievance data as stated in Operating Guideline 102.040RW, "Performance Measures."

E. Parent/legal guardian/concerned person grievance

1. Records office staff mail information to parents/legal guardians after a youth is admitted that includes how to make a formal complaint, make a suggestion, or express a concern about any part of the youth's care.

2. Corrections security caseworkers (CSCs) and corrections program therapists (CPTs) talk with parents/legal guardians regularly. They may answer questions about the youth's program progress, behavior, and daily care.

F. Appeals

1. Youth may file an appeal (attached) with the assistant commissioner of facilities if the grievance coordinator's response did not resolve their complaint or concern. The assistant commissioner designates a central office person to assist with handling and tracking all grievance appeals.

2. The assistant commissioner of facilities is the appeal authority for grievances that do not involve health or behavioral health services or the facility's warden.

3. The department's assistant commissioner of health, recovery, and programming is the appeal authority for grievances that involve health or behavioral health services.

4. The deputy commissioner of client services and supports is the grievance appeal authority for grievance appeals regarding the warden.

G. Immediate danger, abuse, or criminal activity

1. Youth should report immediate danger concerns or abuse to staff or a trusted adult.

2. Staff are mandatory reporters and must follow procedures in Policy 302.121, "Reporting Maltreatment – Juvenile Facilities" to report known or suspected maltreatment.

3. Any other person who knows of or suspects maltreatment, neglect, or abuse of minors should report it to the Department of Human Services.

H. Compliance with rules and resident rights

1. Reports may be made to the Department of Corrections' Inspection and Enforcement Unit if the facility violates a youth's rights and a grievance has already been filed with the facility.

2. Reports may be made to the Ombuds for Corrections at any time, and also if the facility provides for the youth's rights, but the process they use to provide those rights seems unreasonable or unfair, does not work well, or is problematic.

INTERNAL CONTROLS:

A. Facility grievances are logged into COMS and saved as required.

B. Copies of grievances and all supporting materials are saved by the facility grievance coordinator, in paper form or electronically, as required by the grievance retention schedule.

REFERENCES: Minn. Rules 2960.0050 and 2960.0080
Operating Guideline 102.040RW, "Performance Measures"
Operating Guideline 202.050RW, "Resident Rights"
Policy 302.121, "Reporting Maltreatment – Juvenile Facilities"
Policy 303.101, "Kites/Communication"

REPLACES: "Juvenile Grievance Procedure," 2/18/20.
All facility policies, memos, or other communications, whether verbal, written, or transmitted by electronic means, concerning this topic.

ATTACHMENTS: Youth Grievance form (303.095A) (public pdf)
Youth Grievance Appeal form (303.095B) (public pdf)

APPROVALS:
Deputy Commissioner, Chief of Staff
Deputy Commissioner, Client Services and Supports
Assistant Commissioner, Facilities

Assistant Commissioner, Facilities
Assistant Commissioner, Health, Recovery, and Programming