
Policy Number: 303.095
Title: Juvenile Youth and Family Grievances Procedure
Effective Date: 2/18/2016/4/24

PURPOSE: To provide youth/juveniles, their parents/legal guardians, and other concerned person(s) in their juveniles' lives with a process to make formal written complaints or suggestions, or to express a concern about any part/aspects of the youth's/residents' 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. Anyone who reports~~Persons who write~~ a grievance will not have negative actions taken against them~~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.~~

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.

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

~~1. Responds to grievances within five working days;~~

~~12. Takes the grievance to the warden highest level of administration of the facility or placing agency upon request;~~

~~23. Logs grievances into the correctional operations management system (COMS); and enters them in the appropriate grievance databases;~~

~~34. KeepsMaintains a file of grievances, pertaining to residents along with the findings, and any actions taken for two licensing periods and as required by accordance to the facility grievance retention schedule; and~~

~~45. Reports grievance data pertaining to residents as statedindicated in Ooperating Gguideline 102.040RW, "Performance Measures."~~

ED. Parent/legal guardian/concerned person grievance

1. Records office staff mail ~~an informational packet~~ to parents/legal guardians after a youthresident is admitted that includes how to. ~~The packet provides a process for making~~ a formal complaint, make a suggestion, or expressing a concern about any partaspect of the youth'sresident'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.~~
23. Corrections security caseworkers (CSCs) and corrections program therapists (CPTs) talk/communicate with parents/legal guardians regularly. and They may answer/address questions about/regarding the youth's/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.~~
 - ~~e) 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.~~

FG. Appeals

- ~~1. If a resident is not satisfied with the response received from the facility grievance coordinator, they Youth may file an appeal (Juvenile Grievance Appeal form is attached) with the assistant commissioner of the facilitiesy services division 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 the facilitiesy services division is the department's appeal authority and is responsible for the final decisions on for grievances appeals that do not involve health or behavioral health services issues 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. The~~

~~assistant commissioner designates a central office person to assist with handling and tracking all grievance appeals.~~

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~~retained in their respective grievance databases.
- B. Copies of ~~the~~ grievances and all supporting materials are ~~saved~~retained by the facility grievance coordinator, in paper form or electronically, ~~as required by according to the facility~~ grievance retention schedule.

ACA STANDARDS: ~~4 JCF 3A-06~~

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~~Instruction~~ 303.101RW, "Kites/Communication"

REPLACES: ~~Instruction 303.100RW~~ "Juvenile Grievance Procedure," 8/20/13~~2~~/18/20.
All facility policies, memos, or other communications, whether verbal, written, or transmitted by electronic means, concerning this topic.

ATTACHMENTS: Youth~~Juvenile~~ Grievance form (303.095A)
Youth~~Juvenile~~ Grievance Appeal form (303.095B)

APPROVALS:

Deputy Commissioner, ~~Chief of Staff~~Community Services
Deputy Commissioner, ~~Client~~Organizational Services and Supports
~~Assistant Commissioner, Facility Services~~

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

Assistant Commissioner, Facilities

Assistant Commissioner, Health, Recovery, and Programming