


**MISSISSIPPI DEPARTMENT OF HUMAN SERVICES
DIVISION OF YOUTH SERVICES
JUVENILE INSTITUTIONS**

Subject: Youth Grievance		Policy Number: 2	
Number of Pages: 4		Section: XV	
Attachments		Related Standards & References	
A. Grievance Form B. Grievance Investigation Form C. Grievance Appeal Form D. Witness Statement Form		ACA 3-JTS-3D-09	
Effective Date: October 31, 2006 Revised: October 22, 2008		Approved:  Kathy Pittman, Director	

I. POLICY

It is the policy of the Mississippi Department of Human Services, Division of Youth Services, that all youth have the right to file a grievance at any time. The grievance process allows youth to raise issues, and have errors corrected. Youth who file a grievance shall not be subject to disciplinary sanction or reprisal. To ensure an effective and protective grievance policy, all phases of the process shall remain confidential and all grievances shall be addressed and processed in a timely manner. Youth have the right to appeal any resolution provided on a grievance. Youth may request the assistance of any person in the completion and submission of a grievance.

II. DEFINITIONS

As used in this policy and procedure, the following definitions apply:

- A. **Grievance:** A formal complaint filed by a youth when s/he feels that his or her rights have been violated due to neglect, an unjust condition, circumstance, or action; and/or when a youth seeks to remedy a problem or issue that remains unresolved by prior verbal complaint or any other matter that is of concern to the youth.
- B. **Grievance Officer:** An Administrator appointee assigned the responsibility to investigate and process grievances filed by youth, as well as to report findings and recommendations to the Campus Investigator.
- C. **Appeal:** A formal rebuttal of the initial grievance resolution.

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III. PROCEDURE

Grievance procedures shall be posted in all housing units as well as other common areas throughout the facility. If a grievance requires immediate response, the grievance shall be forwarded to the Facility Administrator or designee for resolution.

A. Orientation – The Grievance Officer or designee shall provide each youth admitted to the Training School with an overview of the grievance policy and procedure during Orientation. During the course of this overview, it shall be made clear to the youth that they have a right to present a grievance to any staff person informally when they feel that a resolution can be immediately initiated. The overview shall also include the following information:

1. Youth's right to file a grievance at any time concerning any topic.
2. Instructions on how to fill out grievance forms,
3. Location of secure drop boxes, Grievance Forms, and pre-labeled envelopes,
4. Grievance Investigation timeline and response,
5. Notification of findings,
6. Youth's right to appeal,
7. The Appeal process.

B. Filing a Grievance - Youth have the right to file a grievance at any time without fear of threat or intimidation and may request the assistance of any person, in the composition and submittal of a Grievance. To ensure that a youth's right to file a grievance is protected, the grievance process shall remain confidential and staff shall have no authority or control of youth access to Grievance Forms.

1. Drop boxes are located in each housing unit and all common areas accessible to youth; in addition to areas housing youth separated from the general population due to special circumstances. A regular supply of Grievance Forms and pre-labeled envelopes shall be maintained at each secure drop box.
2. Youth may complete a Grievance Form (Attachment A), seal the form in the envelope labeled GRIEVANCE, and place it in the secured drop box. *However, grievances not filed using the official form shall be accepted and processed as an official grievance.* The secured drop boxes shall be emptied daily by the Grievance Officer.

C. Logging and Tracking a Grievance – All Grievance Forms shall be picked up and processed daily by the Grievance Officer. Grievances shall be date stamped, logged by category in a bound book and tracked by an individual control number. Also noted in the log shall be the student's name, date filed, the relevant grievance category, and the response/resolution of the grievance.

1. Once logged, the Grievance Officer shall review each grievance and

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designate a staff person to address the grievance and seek resolution.

2. For those grievances involving allegations of civil rights violations, abuse, medical/mental health concerns, or alleged criminal behavior, violent activity, and/or staff misconduct, the Grievance Officer shall resolve/close the grievance and forward the grievance to the Campus Investigator (Program Integrity Investigator when necessary) as an incident for investigation and log such referral in the grievance Log. In such circumstances, the Grievance Officer shall inform the youth that the incident has been referred for investigation and that the findings of which shall be provided upon completion of the investigation (see policy VII.2: Incident Reporting).
- D. Resolving a Grievance – All attempts should be made to resolve potential and actual grievances by encouraging communication with youth. However, grievances shall be reduced to writing when they cannot be immediately or informally resolved. No retaliation may be taken against youth who file a false complaint.
1. The Grievance Officer shall interview the grieving youth and discuss possible resolutions. When necessary, the Grievance Officer shall consult with relevant Staff to achieve resolution.
 2. If no immediate resolution can be had, the Grievance Officer shall interview witnesses, participants, and/or staff involved; as well as gather any and all evidence associated with the grievance. Witness statements shall be documented using the Witness Statement Form (Attachment D).
 3. Following the review of all communications, evidence, and other documentation, the Grievance Officer shall record all findings using the DYS Grievance Investigation Form (Attachment B); and provide a recommendation or resolution within 48 hours of the initial grievance filed by youth.
- E. Notification of Results - The Grievance Officer shall meet with the youth within 48 hours of the completion of the grievance investigation to discuss with the youth the recommendations for the resolution of the grievance. The youth shall be given a written copy of the resolution.
1. The youth shall have the option to sign the Grievance Form accepting the decision/resolution or the youth may request an appeal in dispute of the decision/resolution to the Facility Administrator.
 2. Upon decision by the youth to appeal the resolution, an Appeal Form (Attachment C) shall be provided.
 3. The decision/resolution and the youth's signature indicating agreement or dispute of the decision/resolution shall be noted on the original Grievance Form (Attachment A).

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- F. Appeal - Any youth filing a grievance has the right to appeal the initial response/resolution by completing an Appeal Form (Attachment C). The youth has 48 hours from receipt of the disposition to appeal. Furthermore, youth may request the assistance of any person in the composition and submittal of an Appeal.
1. Youth may request an appeal upon notification of the initial response/resolution. Also, youth may submit an appeal using a Grievance Form (Attachment A).
 2. After the youth completes a Grievance Appeal Form (Attachment C), the Grievance Officer shall note that an appeal has been filed in the Grievance Log and forward the appeal, the original grievance, and all information related to the investigation to the Facility Administrator.
 3. The Facility Administrator shall determine the appropriate resolution and/or action to be taken, following an evaluation of all communication, documentation and/or evidence relevant to the appeal within 48 hours of receipt of the appeal.
 4. The decision of the Facility Administrator is final and the findings and response/resolution shall be given in writing to the appealing youth, and youth receipt of such and signature shall be noted in the Grievance Log. As well, a copy shall be placed in the youth's grievance and Master File.
- G. Record Keeping - All original documentation, including the Grievance Form (Attachment A), Grievance Investigation Form (Attachment B), Incident Report Form, Witness Statement Form (Attachment D), Grievance Appeal Form (Attachment C), and final resolution shall be forwarded to and maintained by the Grievance Officer and filed by month. Copies of all materials shall be filed in the youth's master file. Grievance records shall be maintained for three years and then destroyed.
- H. Training - It shall provide for documented competency-based training for staff and orientation training for youth in the provisions of the process for filing and management of grievances with the documentation of training retained in the youth master record file and staff training file.
- I. Trends and Recommendations - The Grievance Officer shall review and evaluate grievances on a monthly basis and prepare a report summarizing trends and patterns indicated by grievances filed in a given month. The report shall be submitted to the Facility Administrator. Identified trends shall be reviewed for policy and training implications.