

Resident Grievance Procedure

~~Rhode Island Department of Children, Youth and Families
Division of Juvenile Correctional Services: Training~~

~~School Policy: 1200.1206~~

~~Effective Date: March 1, 2011~~

~~Version: 1~~

~~The RI Training School provides residents with a means to express dissatisfaction with individual actions or policy issues. Grievances may relate to the substance or application of any policy or practice of the Division or Staff. Specific findings of the Disciplinary Board may not be submitted to the grievance procedure.~~

~~Grievances are submitted through a formal procedure designed to provide timely and equitable responses. Every effort is made to settle grievances at the lowest of the four levels. Staff never discourage or inhibit a resident or his/her family's attempt to pursue the grievance procedure. Staff never retaliate against residents who utilize the procedure or family members who assist residents in filing grievances. Unit Managers inform residents and their families that no retaliatory action will be taken against them for use of the grievance procedure.~~

~~Related Procedure~~

~~[Resident Grievance Procedure](#)~~

~~Related Policy~~

~~[Resident Handbook](#)~~

Procedure from Policy 1200.1206: Resident Grievance Procedure

- A. Staff ensure that residents are informed of the grievance procedure.
1. Social Workers and Unit Managers inform each newly admitted resident of the existence of the grievance procedure, including the:
 - a. emergency grievance process;
 - b. steps that must be taken to use it; and
 - c. names of the persons or positions designated to resolve grievances.
 2. Staff provide the resident with the written grievance procedures and ask the residents whether they understand the grievance process.
 3. Residents with limited cognitive or communication skills are provided assistance and/or translation services necessary to participate meaningfully in the process.
 4. Staff are familiar with the grievance procedure in order to answer resident questions and assist them in the process when necessary.
 5. A copy of the grievance policy is posted conspicuously in each housing unit.
 6. The Resident Handbook describes the grievance procedure in clear, simple language and is distributed in conformance with DCYF Policy 1200.1301, Resident Handbook.
- B. The Unit Manager holds elections for a Resident Unit Representative in each unit. This Resident Unit Representative serves as the Resident Grievance Liaison in all units except the detention unit.
1. The Resident Grievance Liaisons are thoroughly familiar with the resident grievance procedure.
 2. The Resident Grievance Liaisons maintain a Level 3 or are replaced through an election process.
 3. The Resident Unit Representatives/Resident Grievance Liaisons are elected by a majority vote of their peers for a term of no longer than one (1) year.
- C. A resident's family includes parents, immediate family members responsible for the resident's welfare, guardians, or other custodians of the resident.
1. A family member may assist the resident in submitting a grievance.
 2. If a resident's family member assists in initiating a grievance, the family member must be given an opportunity to participate in any formal meetings relevant to the grievance.
- D. Residents or family members acting on behalf of residents:
1. Initiate the grievance process by submitting the first level grievance forms, which are available and accessible to residents in their housing units, school, gym, health clinic, visiting areas, and upon request.
 2. Obtain and submit the Resident Grievance Form confidentially.
 3. Indicate on the Resident Grievance Form whether or not he or she wishes to have the assistance of a Resident Grievance Liaison, a staff member not involved in the incident being grieved, or a family member to help him/her in the process.
 4. Submit written grievances by placing them in a locked grievance box or by delivering them to the Unit Manager.
 - a. Each housing unit has one locked grievance box in an area of the unit accessible to residents.
 - b. The Unit Manager checks every grievance box in his/her unit at least one time during his or her regularly assigned work day.
 5. Residents receive responses to their grievances that are respectful, legible and address the issues raised.

6. ~~If a grievance is found valid, the Superintendent or designee ensures immediate and appropriate action to remedy the issue.~~
- E. ~~Grievances and the results of grievance investigations are fully documented. The Superintendent or designee regularly analyzes Resident Grievance Forms (whether granted or denied) for patterns or trends.~~
 - F. ~~This grievance procedure does not apply to any allegations of criminal activity or abuse by staff or residents, whether physical, sexual or verbal.~~
 - a. ~~These allegations are handled through the Office of the Child Advocate (OCA) and/or the Department's Child Protective Services and/or the RI State Police.~~
 - b. ~~Residents and families are informed of this limitation.~~
 - G. ~~If the Unit Manager determines that a Level I grievance challenges the interpretation or application of promulgated policy, he/she refers the grievance to a Deputy Superintendent and informs the resident, family member assisting the resident, the Grievance Liaison or designated staff of this decision.~~
 - a. ~~The grievance commences as a Level II grievance.~~
 - b. ~~The grievance is subject to the procedures set forth for each level of review, except that each decision maker is allowed thirty (30) days to provide a written response regarding a grievance or appeal to the resident and any individuals, including family members, who are assisting him/her.~~
 - H. ~~Level I—Unit Level~~
 1. ~~The resident completes the Resident Grievance Form and places it in the locked grievance box or informs staff or a Resident Grievance Liaison, who assists him/her in completing the Resident Grievance Form.~~
 2. ~~This same process is utilized by a family member assisting the resident. When a family member files a grievance on behalf of a resident, he/she files the Resident Grievance Form with the Unit Manager or designee.~~
 3. ~~Upon receipt of the grievance, the Unit Manager or designee assigns a complaint number utilizing a sequential numbering system which includes the unit and the year (i.e., No. I D-87).~~
 4. ~~If the resident requests assistance from the Resident Grievance Liaison or designated staff, the Unit Manager refers the resident and/or family member in assisting the resident to the pertinent individual within one (1) business day of receipt of the grievance.~~
 5. ~~Residents in detention have the right to request and receive the assistance of staff not involved in the matter being grieved.~~
 6. ~~The Unit Manager investigates the grievance and meets with the Resident Grievance Liaison or staff assisting the resident and the aggrieved resident within five (5) business days following the date the grievance was received.~~
 - a. ~~No staff alleged to be involved in the grievance investigates the grievance.~~
 - b. ~~Any family member who is assisting the resident in the grievance process is informed of and may attend the meeting.~~
 7. ~~Within seven (7) business days following the date received, the Unit Manager or designee or grants or denies the grievance.~~
 - a. ~~The Unit Manager informs the resident and any family member who is assisting the resident, the Resident Grievance Liaison or staff assisting the resident of the decision in writing.~~
 - b. ~~The resident, any family member who is assisting the resident, the Resident Grievance Liaison or staff assisting the resident may file~~

an appeal either by placing the Resident Grievance Form in the Unit's grievance lock box or informing the Unit Manager.

- c. ~~The Unit Manager records the outcome of each grievance and notes on the grievance form whether the grievance was satisfactorily resolved or whether the resident appealed the grievance decision.~~
- d. ~~If the decision is appealed, the grievance is forwarded to the Deputy Superintendent for Level II review.~~
- e. ~~The resident, family member assisting the resident, the Resident Grievance Liaison or staff assisting the resident receives a copy of the completed form.~~

I. ~~Level II—Administrative Level~~

- 1. ~~The Deputy Superintendent meets with the Resident Grievance Liaison or staff assisting the resident, the Unit Manager, and the aggrieved resident within seven (7) business days of the receipt of the appeal. Any family member assisting the resident is informed of and may attend this meeting.~~
- 2. ~~The Deputy Superintendent discusses the grievance with the parties enumerated in paragraph (I)(1) to resolve the matter.~~
- 3. ~~If the grievance cannot be resolved, the Deputy Superintendent makes and documents a decision on the Resident Grievance Form within five business (5) days of the meeting.~~
- 4. ~~A copy of the Deputy Superintendent's decision is forwarded to the resident, any family member assisting the resident and the Resident Grievance Liaison or staff assisting the resident.~~
- 5. ~~If the aggrieved resident is not satisfied with the decision of the Deputy Superintendent, the resident, a family member who is assisting the resident in the grievance procedure, the Resident Grievance Liaison, or the staff assisting the resident files an appeal in the Unit's grievance lock box.~~
 - a. ~~The Unit Manager forwards the appeal to the Deputy Superintendent within one (1) business day of receipt.~~
 - b. ~~The Deputy Superintendent forwards the appeal to the Office of the Child Advocate for review within five (5) business days of receiving notice that the resident requests a Level III review.~~

J. ~~Level III—Third Party Review~~

- 1. ~~The Office of the Child Advocate (OCA) meets with the Unit Manager, the Deputy Superintendent, the aggrieved resident, the Resident Grievance Liaison or staff assisting the resident within ten (10) days of receiving the Level III review request.~~
- 2. ~~Any family member assisting the resident in the process is informed of and may attend this meeting.~~
- 3. ~~The OCA submits a written decision, which includes a recommendation for disposition of the grievance, to the Superintendent on the Resident Grievance Form no later than ten (10) days after his/her review.~~
- 4. ~~Within seven (7) days of receipt of the OCA recommendation, the Superintendent issues a decision on the back of the Resident Grievance Form.~~

K. ~~Level IV—Superintendent Review~~

- 1. ~~If the Superintendent does not adopt the recommendation of the Advocate, he/she includes a statement explaining his or her decision to reject said recommendation.~~
- 2. ~~The Superintendent considers whether the implementation of the recommendation would:~~
 - a. ~~constitute a violation of law or promulgated policy;~~
 - b. ~~create a security breach;~~
 - c. ~~result in physical danger to any person;~~

d. ~~require expenditure of funds not reasonably available; or,~~

- e. ~~be detrimental to the public or the proper and effective accomplishment of the duties of the Division in the judgment of the Superintendent.~~
- 3. ~~The Superintendent forwards a copy of his or her decision to the OCA, the Deputy Superintendent, the Unit Manager, the aggrieved resident, any family member who assisted the resident, and the Resident Grievance Liaison or staff assisting the resident.~~
- 4. ~~If the Superintendent sustains the recommendations of the OCA, the Unit Manager implements the recommendation in accordance with the directions of the Superintendent.~~

L. ~~Emergency Grievance Process~~

- 1. ~~A resident may file an emergency grievance in the event of risk of serious bodily injury, possible breach of security, or the immediacy of an issue that cannot be addressed in a timely manner through the normal grievance process.~~
- 2. ~~Any resident grievance related to health care is deemed a potential emergency; determination of emergency status is made in conformance with paragraph 3 b, below.~~
- 3. ~~A resident may file a Resident Grievance Form with any staff.~~
 - a. ~~An oral request by a resident to use the emergency grievance procedure is sufficient to initiate the process.~~
 - b. ~~Staff receiving a Resident Grievance Form or oral request immediately notifies the Master Control Center (MCC). The MCC notifies the Superintendent or designee who determines whether the grievance constitutes an emergency.~~
 - c. ~~If the emergency grievance process is commenced orally, the staff assists the resident in completing the Resident Grievance Form.~~
- 4. ~~If the grievance constitutes an emergency, the Superintendent or designee immediately takes any corrective measures necessary to resolve the grievance, including preventing a risk of serious bodily injury or breach of security.~~
 - a. ~~The Superintendent or designee immediately notifies the Unit Manager of the incident and any actions taken to resolve the grievance.~~
 - b. ~~The Unit Manager meets with the resident as soon as possible to discuss the incident and ensure satisfactory resolution of the grievance.~~
- 5. ~~If the grievance is determined not to constitute an emergency, it is handled through the grievance process beginning at the first level of review. A copy of the Resident Grievance Form is forwarded to the Unit Manager and the aggrieved resident to initiate the process.~~
- 6. ~~The parent(s) or guardian(s) of a resident who files an emergency grievance receives a copy of the Resident Grievance Form and is informed of any action taken as a result of the grievance.~~

M. ~~Paragraphs A—L are consistent with American Correctional Association (ACA) Standards 3-JDF-3D-08 and 3-JTS-3D-09.~~

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TITLE 214 - DEPARTMENT OF CHILDREN, YOUTH, AND FAMILIES

CHAPTER XXX - OLD REGULATIONS WHICH WERE NOT ASSIGNED

CHAPTER-SUBCHAP-PART

SUBCHAPTER XX - OLD REGULATIONS WHICH WERE NOT ASSIGNED

CHAPTER-SUBCHAP-PART

PART 6346 - RESIDENT GRIEVANCE PROCEDURE

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Agency Head Signature

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