

**POLICY**

It is the policy of the Michigan Department of Human Services Bureau of Juvenile Justice (BJJ) that youth and their families will be guaranteed free access to the grievance process without fear of reprisal.

**PURPOSE**

This policy protects youth and family rights and offers administration a tool to become aware of and to correct problems related to the grievance process.

**DEFINITIONS**

See JRG, JJ Residential Glossary.

**RESPONSIBLE STAFF**

Designated in the facility standard operating procedure.

**PROCEDURE**

Each facility is required to develop and implement standard operating procedures (SOPs) relative to youth and family grievances. At a minimum, these SOPs must contain the following requirements:

**Process Explained to Youth and Families**

The grievance procedure is explained and provided in writing to the youth upon admission and sent or given to their families.

The youth signs an acknowledgement that he/she has received a copy of the grievance procedure and an explanation of the grievance procedure by staff.

**Submitting a Grievance**

Grievances may be initiated by:

- The youth.
- A member of youth's family.
- A member of youth's treatment group.

Grievances may be filed concerning any conditions or circumstances of care or treatment over which BJJ exercises authority and control.

Each facility has a minimum of one clearly identified locked box located in:

- Each living unit.
- The administrative area.
- The visiting area.

The youth places the written grievance into the locked box.

Grievances are submitted in writing and dated. Assistance in writing the grievance is provided if needed by the youth. Grievances may also be audio taped and transcribed.

## **Isolation**

A youth in isolation/room confinement may request a grievance form and should be reminded of the process.

The youth is provided the form and an envelope if a manager determines it is safe for the youth to possess the form and a writing instrument.

Staff will not read the grievance.

Staff may place the grievance in a locked box at the direction of the youth.

A staff member accesses the locked box(es) each workday. Non-grievance materials (such as youth requests for medical appointments) that are placed in the same box are immediately forwarded to the appropriate person/unit.

A staff member is responsible for receiving, logging and date/hand stamping all youth and family grievances. At a minimum, the log contains:

- Youth or family member's name.
- Date of grievance.
- Nature of grievance.
- Person who answered the grievance.
- Date and nature of the appeal if applicable.
- Final decision maker.
- Final resolution.

### **Investigating a Grievance**

The designated manager is responsible for investigating the allegations contained in the grievance via:

- A review of pertinent written materials.
- A review of other evidentiary materials.
- Informal interviews with those persons who were witnesses to the issue being grieved.
- Interviews with family members which may be conducted via telephone.

### **Responding to a Grievance**

The designated manager:

- Completes the investigation of the grievance.
- Provides a written response, including the rationale for the decision, to the youth or family member within five (5) calendar days.
- Responds to grievances of emergency nature immediately.
- Sends a copy to the facility/center director or designee for review.

### **Responding to Decision**

If the decision is in youth's/family member's favor, the designated manager must expeditiously remedy the situation.

If the decision is not in youth's/family member's favor, the returned grievance form must clearly inform the youth/family member of the right to appeal to the next level.

Designated staff personally delivers completed grievance responses to the youth.

Family grievance responses can be:

- Personally delivered.

**Appealing a  
Grievance  
Response**

- Sent certified mail/return receipt requested.
- Delivered via any other method that provides confirmation of receipt.

The youth or family member may appeal the grievance response to the facility/center director or designee within fifteen (15) calendar days.

**Responding to  
an Appeal**

The facility/center director or designee:

- Conducts additional interviews.
- Gathers additional evidentiary materials.
- Reviews the initial record.
- Provides a written response, including the rationale for the decision, within seven (7) calendar days.

**Record  
Retention**

Copies of all grievances are maintained in a chronological facility file, along with the grievance log.

Copies of any return receipts or other confirmations are maintained in the file.

Grievance files are retained for five (5) years.

**AUTHORITY**

Child Caring Institutions Rules, R400.4132