

<b>TITLE: GRIEVANCE PROCEDURE</b>	<b>POLICY #: 67</b>
Department: Program/Services	Effective Date: 06/25/01
	Applicable Standards:
	3-JCRF-3D-07
<b>Revisions: 7-30-03; 8-18-03; 10-30-03; 12-28-07; 12-9-13</b>	

Policy: McCrossan Boys Ranch will provide a grievance and appeal process for residents, parents, guardians, referring agents, or other concerned people in the resident's life to make a formal complaint or suggestion or express a concern about any aspect of the resident's care during the resident's stay in the facility.

Definitions: N/A

Procedures:

1. Every attempt will be made to deal with issues and to solve problems as they arise.
2. Residents and other concerned people in the resident's life should first talk directly to the staff, contract staff, or volunteer that they feel is responsible for the concern unless it involves harm, threats to harm, or sexual misconduct by that staff, contract staff, or volunteer.
3. If the concern cannot be fixed informally, he or she may fill out a formal written grievance form. (115.352 b3 & c1)
4. Formal grievance forms are available from any staff person. McCrossan Boys Ranch will provide the person who wants to file a grievance with the necessary forms and assistance to file a grievance.
5. Formal grievance forms may be completed by a resident or any person concerned about the resident. (115.352 e1)
6. A resident may ask a third party including but not limited to staff, another resident, family members, attorneys, and outside advocates to help him complete the grievance form or to file a grievance on his behalf. (115.352 e1)
7. If a third party, other than a parent or legal guardian, files a grievance relating to allegations of sexual misconduct on a resident's behalf, the facility may require as a condition of processing the request that the alleged victim agree to have the request filed on his behalf, and may also require the alleged victim to personally pursue any subsequent steps in the grievance process. If the resident declines to have the request processed on his behalf, the facility will document the resident's decision. (115.352 e2 & e3)
8. If a grievance involving sexual misconduct is filed by a resident's parent or guardian, the grievance will not be conditioned upon the resident agreeing to have the request filed on his behalf. (115.352 e4)

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9. The grievance form may be turned in to any staff person or mailed to the facility to the attention of the Executive Director or Associate Director.
10. If the written formal grievance involves an allegation that a resident is subject to a substantial risk of imminent sexual abuse, as soon as the agency is aware of the grievance, it will consider the grievance an emergency grievance. The procedures set forth in the sexual misconduct policy will immediately be followed and the grievance will be forwarded to a level of review where immediate corrective action will be taken. An initial response will be provided within 48 hours and a final agency decision will be issued within five calendar days from the day the grievance was received. The initial response and the final agency decision will document the agency's determination whether the resident is in substantial risk of imminent sexual abuse and the action taken in response to the grievance. (115.352 f1&2)
11. McCrossan Boys Ranch staff will not attempt to influence the grievance writer's statements made about the facility in the grievance document or during an investigation resulting from the grievance.
12. The grievance will be transmitted without alteration, interference or delay to the Unit Manager of the resident that the grievance involves unless the grievance is about the Unit Manager, the Associate Director, the Executive Director, or the Board of Directors.
13. If the grievance is about a Unit Manager, the Associate Director will review the grievance. If the grievance is about the Associate Director, the Executive Director will review the grievance. If the grievance is about the Executive Director or the Board of Directors, the grievance should be filed with the South Dakota Department of Social Services. (115.352 c2)
14. The initial reviewer of the grievance will gather information from residents and staff involved in the grievance as needed to make a decision.
15. A response will be given to the person filing the grievance within five days of the date the grievance was received by staff. Depending on what the grievance is about, the response may include a decision and any corrective action taken or it may just let the person filing the grievance know that more time is needed to investigate. If more time is needed, the person filing the grievance will receive additional written responses on a weekly basis, until a final decision and any corrective action taken is made.
16. If the person filing the grievance is not satisfied with a decision, he or she may appeal the decision in writing within five days to the supervisor of the person who made the decision until a decision is made by the Executive Director. The Executive Director's decision is final.

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17. A final decision will be issued within 90 days of the date the grievance was first received by staff. These 90 days do not include the time spent preparing appeals. The Executive Director may ask for an additional 70 days to make a final decision if the first 90 days did not give him/her enough time to make an appropriate decision. The Executive Director will notify the person filing the grievance in writing that he/she needs extra time and will provide a date by which a final decision will be made. (115.352 d1-d3)
18. If the person writing the grievance is not satisfied with the decision of the Executive Director, he/she may file a grievance with the South Dakota Department of Social Services.
19. If at any time the agency does not respond within the time set, the person filing the grievance may consider the lack of a response as a denial. (115.352 d4)
20. A grievance regarding sexual misconduct at the facility may be submitted at any time, even after the resident has been discharged from the facility. (115.352 b1)
21. A person who files a grievance will not be subject to any adverse action by McCrossan Boys Ranch or its staff, contract staff, or volunteers as a result of filing a grievance.
22. McCrossan Boys Ranch will document all grievances, investigative findings and resulting action. Documentation regarding grievances involving residents will be placed in the resident's permanent file. All information regarding grievances will be kept on file for a minimum of four years.