**Section 2602.160 Grievances**

This Section shall apply to all grievances except for grievances regarding sexual misconduct outlined in Section 2206.170(d).

a) Prior to submitting a grievance, all youth are encouraged to discuss the matter with a supervising staff member. All supervising staff members shall take reasonable steps to resolve youth issues whenever possible.

b) Youth may file a grievance for any issue. Examples of common issues for youth grievances include, but are not limited to, the following:

1) Damaged or lost personal property;

2) Staff conduct;

3) Handling of mail;

4) Dietary issues;

5) Medical or mental health treatment issues;

6) Requests for Americans with Disabilities Act (42 USC 12101) accommodation; and

7) Disciplinary issues.

c) Youth grievances must be submitted in writing. Copies of grievance forms shall be available for youth to use, and the youth may keep a copy for the youth's records. Grievances may be submitted to the designated detention officer by hand or by depositing the grievance form in the locked grievance box.

d) A grievance shall be filed within five calendar days after the discovery of the incident, occurrence, or problem that gives rise to the grievance. However, if a youth can demonstrate that a grievance was not timely filed for good cause, the grievance shall be considered.

e) Youth may submit emergency grievances through this process but shall be encouraged to immediately report issues posing a substantial risk of imminent personal injury or other serious or irreparable harm to supervising staff members. Supervising staff members shall contact the superintendent or the superintendent's designee for prompt resolution of emergency issues posing a substantial risk of imminent personal injury or other serious or irreparable harm. Youth shall be instructed to note on the grievance form if it is submitted as an emergency.

f) The designated detention administrator shall respond to all submitted emergency youth grievances as follows:

1) Conduct an initial review of facts to determine whether circumstances indicate an emergency.

2) Note on the grievance form when circumstances indicate an emergency and immediately forward to the superintendent. Also, immediately forward allegations of sexual misconduct to the PREA Coordinator.

3) Note on the grievance form when circumstances do not indicate an emergency, notify the youth of this determination on the grievance form, and respond to the grievance in accordance with non-emergency procedures.

g) The designated detention administrator shall respond to all non-emergency youth grievances as follows:

1) Examine all relevant information concerning the issue being grieved, including interviewing witnesses and collecting documentation.

2) Conduct a face-to-face meeting with the youth when the designated detention administrator determines there are serious issues related to safety, security, and well-being that are the subject of the grievance.

3) Document all information sources on the response to youth grievance form (response form).

4) When the designated detention administrator is capable of resolving the grievance, provide the youth with a response form within five working days of receipt, and forward a copy to the superintendent. The response shall include a description of the information considered and a rationale for the response.

5) When the designated detention administrator is incapable of resolving the grievance, send the grievance form, all supporting documentation, and the partially-completed response form to the superintendent for review within five working days of receipt.

h) Superintendents shall respond to youth grievances as follows:

1) For emergency grievances, the superintendent shall provide the youth with a written response utilizing the grievance form within one working day of receipt and forward a copy for inclusion in the youth's file.

2) For non-emergency grievances not resolved by the designated detention administrator, the superintendent shall review the grievance form and supporting documentation and provide the youth with a response form within five working days of the superintendent's receipt. A copy of the response form shall be forwarded for inclusion in the youth's file.

3) For non-emergency grievances resolved by the designated detention administrator, the superintendent shall review the grievance form and supporting documentation and forward a copy for inclusion in the youth's file.

i) A youth may appeal the designated detention administrator written response by completing the appeal section of the response form and sending the grievance form, response form, and supporting documentation to the superintendent within 5 calendar days of receiving the response. Upon receipt, the superintendent shall review the grievance and provide the youth with a written response within five working days.

j) If the youth withdraws a grievance after submitting it, the designated detention administrator must document the withdrawal on the grievance form.