

Grievance Procedure

Student's rights are afforded to all persons served by Chileda. Upon admission but no less than 48 hours of admission, resident's rights are explained orally and in writing with the resident and his or her parent(s) or guardian. Each living unit and campus building will have a copy of the Student Rights visible to all. Student rights are reviewed with the resident annually thereafter during the annual review of the Treatment Plan and the Individual Education Plan through the Individual Conversation that is done with the student's Case Coordinator. All staff must know the student's rights and the reporting process as all employees are mandated reporters.

All possible rights violations should be handled as a potential Serious Incident Report and the Shift Coordinator informed of the situation immediately. If any Chileda staff member, volunteer or other professional becomes aware of or witnesses an incident that involves a staff member violating the rights, safety or physical well-being of any resident, they are responsible as a mandated reporter by law to report the incident. Any staff member witnessing an incident must immediately intervene to protect the rights and safety of the resident(s). The staff member witnessing the incident will follow the written procedure for reporting the incident.

Reporting a grievance

1. As soon as the situation is under control, the staff member who witnesses the incident will inform the Shift Coordinator ASAP.
 - a. The Shift Coordinator will contact the Human Resources Manager or the School Counselor as soon as possible and explain the situation.
 - i. The School Counselor will be contacted regarding grievances written by a student or staff written grievance on behalf of a student. These grievances will be documented on the Chileda Student Concern/Grievance Form
 1. Ex: Susie fills out a Student Concern/Grievance Form stating that another student asked her to kiss him.
 2. Ex: Joey tells a staff that another staff member pushed him to the ground and kicked him.
 - ii. The Human Resources Manager will be contacted regarding grievances written up by an employee. These grievances will be documented on an Incident Report.
 1. Ex: Jeff sees another staff member shove a student up against the wall.
 - b. The Shift Coordinator will follow up with the staff member in question based on the guidance from the Human Resources Manager or School Counselor.
 - c. The Shift Coordinator will enter the staff members name into the restriction list, if necessary.
2. The reporting staff member will complete an Incident Report (IR) including the following:
 - a. In detail what they saw that caused concern;
 - b. Describe any physical and/or emotional distress to the people involved;
 - c. What the staff did to protect both the student(s) and/or staff member(s);
 - d. What information they reviewed with the staff and/or student(s) to help rectify the situation.
3. If a staff member is helping a student fill out the Student Concern/Grievance Form, they will help the student add as much detail to the report as possible. Possible witnesses will also be included on the form.

4. The Incident Report or Student Concern/Grievance form will be completed before the end of the reporting staff members shift.
5. The reporting staff member will have a Health and Wellness staff conduct a body check and complete a H&W Visit sheet on the student.
 - a. Once the H&W Visit Sheet is complete, the Shift Coordinator will be given the H&W Visit Sheet.
6. Once the IR or Student Concern/Grievance form is complete, the reporting staff member will hand the IR or Student Concern/Grievance form to the Shift Coordinator.
7. The Shift Coordinator will complete the back of the IR or Student Concern/Grievance form with their follow up including:
 - a. Steps taken to stabilize the situation;
 - b. Proactive steps taken before consultation with the Human Resources Manager is initiated;
 - c. Information reviewed with the staff to help rectify the situation (only if CPS does not need to be called and/or any internal investigation needs to take place) and;
 - d. Shared plan from consultation with the Human Resources Manager.
8. The Shift Coordinator will also collect any necessary documentation including:
 - a. Incident Reports from staff involved in the incident and any witnesses
 - b. Any Emergency Intervention Forms
 - c. Health and Wellness Visit Sheet
 - d. Copy of staff assignment sheet
9. Once all the necessary documentation is collected, the Shift Coordinator will place the items in folder and give it to the Human Resources Manager or School Counselor.
10. The Shift Coordinator will follow the Serious Incident Reporting procedure for reported incidents of abuse/neglect.

****If a student, parent, social worker or community member (etc.) reports a concern to a staff member, the staff member will assist the student, parent, social worker or community member in filling out the Student Concern form and follow the above procedure***

Investigating a grievance

1. When the Human Resources Manager or School Counselor is contacted regarding a possible resident rights violation, the level of separation for the staff will be determined:
 - a. None
 - b. Work with other students
 - c. Work in a different house/classroom
 - d. Office work
 - e. Suspension
 - f. Other
2. The Human Resources Manager or School Counselor will also determine if Child Protective Services (CPS) will be contacted regarding the incident.

3. If CPS is contacted regarding the incident, no internal investigation will take place until CPS or Law Enforcement contacts the Human Resources Manager or School Counselor regarding the outcome of their investigation.
4. If CPS or Law Enforcement screens in the incident, they will conduct their investigation and Chileda will comply with their requests.
5. If CPS or Law Enforcement screens out the incident, Chileda will conduct the investigation and complete the SIR review within seven business days of the notification from CPS and/or Law Enforcement that the incident has been screened out.
6. Once it has been determined when the incident should be investigated, the Human Resource Manager or School Counselor will assign two Client Rights Specialist to conduct the interviews.
7. When the investigation is complete, the Client Rights Specialists who conducted the investigation will make recommendations regarding appropriate actions to be taken.
 - a. If the situation is unsubstantiated after all the information is gathered, the Human Resources Manager will determine the course of action.
 - b. If the situation is found to be substantiated, actions will be recommended by the Client Rights Specialists who conducted the investigation. The recommended actions may be disciplinary, corrective, or a combination of both, depending upon the following:
 - i. The severity of the violation of residents rights;
 - ii. The frequency of resident rights violations committed by the staff member;
 - iii. Whether the violation was premeditated or malicious in intent;
 - iv. The current employment status of the staff member;
 - v. The probability or repetition of resident rights violations by the staff member;
 - vi. The knowledge base and attitude of the individual which suggests positive change in caring for the resident will occur.
8. Upon completion of the investigation and follow up with the employee, the Human Resource Manager will file the investigation folder in the employee's personal file.
9. The Human Resources Manager will notify the Shift Coordinator of the employee's status on the Staff Restriction list and the Shift Coordinator will update the list.

Client Rights Specialists

Primary-Chris Nelson

Secondary: Todd Seefeldt

Kim Connor

Karrie Zielke

Jon Zinniel

Malika Eisberner

Paula Steadman