
 <p>COLORADO Division of Youth Services</p>	POLICY S-13-2	PAGE NUMBER 1 OF 7
	CHAPTER: Youth Rights	
	SUBJECT: Youth Grievance Procedures	
	EFFECTIVE DATE: July 1, 2020	
<p>THIS POLICY RELATES TO:</p> <p>Detention Youth Centers Treatment Youth Centers</p>	 Anders Jacobson, Director	

I. POLICY:

A youth grievance procedure shall be available for use by all youth in the custody of the Division of Youth Services. All youth shall be informed of their right to grieve any inappropriate or infringing programming and/or behavior or actions of employees or other youth. Grievances shall be resolved according to the procedures herein established by the Division of Youth Services.

II. KEY TERMS: See the Division of Youth Services website for detailed definitions.

 [DYS Policy Key Terms](#)

A. Impartial Person

B. Youth Grievance

III. ASSOCIATED FORMS:

None

IV. PROCEDURES:

A. Informal Resolution: The informal resolution process is designed to encourage the youth to attempt to process the complaint at the lowest level possible, with the goal of resolving the issue.

CHAPTER	SUBJECT	POLICY	PAGE 2 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

1. The youth is not required to complete this step prior to submitting a formal grievance form.
 2. Division of Youth Services (DYS) employees shall be readily available to youth to listen to their concerns and/or complaints and shall respond to youth by providing them with information and taking actions to resolve the issues whenever possible.
- B. Formal Grievance Resolution: A youth shall be afforded the opportunity to file a formal grievance. Youth who choose to file a formal grievance shall not be subject to any disciplinary sanctions or adverse action as a result of choosing to file a formal grievance.
1. The Youth Formal Grievance Form shall be the required format in which youth submit grievances, and shall be located in areas of the youth center that youth have access to without requiring the assistance of employees and/or upon request.
 2. DYS employees shall provide the youth with a grievance form at the earliest time available.
 3. Writing materials shall be made available whenever a youth wishes to write a complaint unless it is believed that youth may harm themselves or others with the writing instrument and/or pose a safety/security risk.
 - a. DYS employees shall not give a youth a pen or pencil if it is believed that the youth may use it as a weapon. In such cases, the youth may be given another type of writing tool such as a crayon or the employee may assist the youth by filling out the written grievance form.
 - b. DYS employees shall provide assistance to youth when it is believed that the youth is unable to adequately complete the complaint. Youth may also ask for assistance from another youth if such assistance does not create a safety/security situation.
 4. Locked grievance boxes shall be made available for youth to submit their completed grievance form.
 5. It is the responsibility of the youth to place the grievance in the locked box. In the event that a youth turns in the grievance to an employee, the employee shall place the unread grievance in the locked box.
 6. The appointing authority shall appoint an impartial person to collect and respond to all grievances.

CHAPTER	SUBJECT	POLICY	PAGE 3 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

7. The designee(s) shall collect all grievances in a timely manner not to exceed 48 hours excluding weekends and holidays. The designated employee shall review all grievances to determine who shall respond/complete the grievance process with the youth and shall document this on the form.
 - a. If the topic and/or the person the complaint references are not DYS youth center, regional, or office employees or programming related, the document shall be forwarded to the appropriate party. This information shall be communicated to the youth and documented on the form.
 - b. The designee(s) shall develop and maintain a youth center tracking system for grievances.
 - i. All grievances shall be documented on an internal youth center tracking form utilizing a tracking system to document the process, content, and resolution process.
 - ii. The designee shall communicate with the youth to respond and/or complete the grievance process. The designee is also responsible for documenting and informing the youth about any schedule conflicts and/or investigation needs.
 - c. The employee resolving the youth grievance shall investigate the complaint. This investigation shall include a review of all pertinent written materials and interviews with people who witnessed and/or are aware of the situation.
8. Upon receipt of the grievance, the grievance shall be responded to and/or concluded within 72 hours excluding weekends and/or holidays. Reasons for not completing the grievance process within 72 hours shall be documented on the grievance form and communicated to the youth.
9. A formal written response shall be completed on the Youth Formal Grievance Form and provided to the youth by a youth center employee.
10. If the decision is in favor of the grievant, the appointing authority shall ensure that appropriate action is taken to rectify the situation. Documentation of this process, including resolution dates, shall be maintained with the grievance document.

CHAPTER	SUBJECT	POLICY	PAGE 4 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

11. If the youth is not available upon conclusion of the grievance process, efforts are to be made to communicate the outcome to the youth which shall be documented and maintained with the grievance form.
12. A youth center administrator or designee shall conduct an administrative review of all completed grievances and dispositions to ensure fair dispositions and conformity with policy and procedures.

C. Sensitive and Emergency Grievances:

1. If a youth is of the opinion that a grievance is of a sensitive or emergency nature, the grievance may be filed directly with the youth center director, director of youth center operations, and/or the regional director. The persons listed above that the youth submits the grievance shall depend on the topic of the grievance and/or who can grant relief.
 - a. The youth must clearly explain the nature of the complaint in a written grievance.
 - b. The grievance may be given directly to the youth center director in a sealed envelope and/or mailed via US Mail to the director of youth center operations or regional director.
 - i. If it is determined that the grievance is not of a sensitive or emergent nature, the youth shall be communicated with and provided with an explanation as to the non-emergent nature. The grievance shall then be sent through the formal resolution process.
 - ii. If it is determined that the grievance is of a sensitive or emergent nature, the youth center director, appointed designee, director of youth center operations or regional director, or their designee shall conduct the necessary inquiry within 48 hours and take the appropriate steps to address the grievance complaint.
2. If a grievance is an allegation of child abuse, the complaint shall be reported to the appropriate authorities that have authorization to conduct an alleged institutional abuse investigation or contact the proper law enforcement agency immediately. Appropriate documentation in the Colorado Trails Database regarding the alleged child abuse shall also be completed.

CHAPTER	SUBJECT	POLICY	PAGE 5 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

3. If the grievance is an allegation of EMPLOYEE ON YOUTH SEXUAL ABUSE OR SEXUAL HARASSMENT, OR YOUTH ON YOUTH SEXUAL ABUSE OR SEXUAL HARASSMENT, the youth center director or designee shall gather information related to the allegation. If the information gathered meets the reporting requirement of the Division of Youth Services' policy, appropriate reporting procedures shall be followed. If criminal charges are warranted, local law enforcement shall be contacted. Appropriate documentation in the Colorado Trails Database regarding the alleged child abuse shall also be completed. If criminal charges are warranted, local law enforcement shall be contacted. Appropriate documentation in the Colorado Trails Database regarding the alleged child abuse shall also be completed.

D. Civil Rights Grievances:

1. If the grievance alleges a civil rights violation, the youth center shall immediately report the claim to the client's civil rights contact person and an investigation shall be initiated within seven days of such report.
 - a. Information regarding the appropriate contact person for civil rights claims shall be posted in a visible location in the youth center that can be accessed by the youth.
 - b. Information regarding the appropriate contact person for civil rights claims shall be included in the youth handbook.
 - c. Interpretive services shall be made available as necessary to assist the youth file a complaint.
 - d. The youth shall be provided notice by a youth center employee that they may also file a complaint with:

The Center for Equal Opportunity 1575 Sherman St. Room 737
 Denver, CO 80203
 303-866-6047
 Fax (303-866-7108
 TDD: 303-866-7105

- e. The youth may also file a civil rights complaint directly with:

U.S. Department of Health and Human Services Office for Civil Rights 1961 Stout Street -- Room 08-148
 Denver, CO 80294-3538
 Voice Phone (800) 368-1019
 Fax (202) 619-3818

CHAPTER	SUBJECT	POLICY	PAGE 6 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

TDD (800) 537-7697

- f. The youth may also file a food-related civil rights complaint directly with:

U.S. Department of Agriculture, Director, Office of Adjudication,
1400 Independence AVE. S.W., Washington, D.C. 20250-9410
Voice: 1-866-632-9992
Fax: 1-202-690-7442

2. The Center for Equal Opportunity and Risk management may assist with the resolution of youth-related civil rights issues, as requested.
3. THE YOUTH MAY ALSO CALL THE CHILD PROTECTION OMBUDSMAN'S OFFICE, PHONE NUMBER 866-276-8640.

E. Grievance Appeal Procedure:

1. Once the youth receives the written response to their grievance complaint, they shall be afforded the opportunity to appeal the findings to the youth center director, director of youth center operations, and/or regional director or their designee(s) in his/her absence. The youth shall submit the grievance within five days to the youth center director or their designee with any additional material necessary to explain his/her appeal.
2. The appeal shall be responded to within 72 hours excluding weekends/holidays and a resolution shall be completed as soon as possible.
3. The youth center director, director of youth center operations and/or regional director or their designee(s) in his/her absence may conduct a formal hearing if the circumstances of the grievance indicate that a hearing is necessary.
4. If it is determined that a hearing is necessary, the youth may bring a DYS employee, another youth, an attorney at their own expense, or any other person of their choice to serve as their representative and/or to assist them at the appeal hearing.
 - a. The youth, youth center employee, or others involved, may call witnesses and present materials to substantiate their positions.

CHAPTER	SUBJECT	POLICY	PAGE 7 of 7
Youth Rights	Youth Grievance Procedures	S-13-2	6/1/05, 5/1/10, 10/1/10 7/1/12, 4/1/15, 2/24/17, 11/1/18, 2/1/19, 7/1/20

- b. The youth center director, director of youth center operations, and/or regional director or their designee(s) in his/her absence shall notify all involved parties in writing of the findings and recommendations within 72 hours after the review or hearing is completed excluding weekends and/or holidays.

F. The Grievance Review Process:

1. The director of youth center operations shall review the findings of the youth center director upon the written request of the grievant.
2. An associate director shall review the findings of the regional director upon the written request of the grievant.
 - a. If a grievance alleges discrimination and the grievant requests a review, an associate director or their designee shall review the grievance.
 - b. The reviewer may, but is not required to investigate or hold a hearing, but is required to review the written materials. This decision is final. Written notification of the decision shall be forwarded to the youth center director, director of youth center operations and regional director (as needed), employee(s), and youth(s) involved within five working days of the filing of the request for a review of an appealed grievance.

- G. Grievance Distribution: The original grievance form along with all pertinent documents shall be kept in the youth's file. Copies shall be given to the youth initiating the complaint and one shall be maintained in a youth center-related grievance file.