

OFFICE OF CHILDREN'S SERVICES GRIEVANCE PROCESS

OCS aims to treat every family served with dignity, respect, and with consideration of their cultural values. If you disagree with a decision or action of the Office of Children's Services, you may want to access the grievance process. The complaint procedure is a formal way to ensure your concerns are heard and addressed. OCS will not take action against you for filing a grievance. Please review the following information to determine whether your complaint is eligible for the grievance process.

What is a grievance?

A grievance is a formal complaint explaining a case-specific action or decision taken by the Office of Children's Services or OCS employee that an individual disagrees with.

Who can file a grievance?

A parent, foster parent, adult family member, a person with a significant relationship to a child (meaning a grandparent, stepparent, or parent's live-in partner), or a person participating in the provision of services to a child or family.

How can I file a grievance?

You must complete the complaint form starting on page 3 and submit it to the Community Relations Manager through one of the ways listed on the form (fax, e-mail, or mail). In most cases, matters can be resolved directly with the worker or the supervisor. Before filing a grievance, it is a good idea to speak with the worker or supervisor to see if the matter can be resolved.

What issues or concerns are NOT eligible for the grievance process?

- **Personnel Complaints:** if you have a personnel complaint, those should be directly addressed with the employee's supervisor or manager.
- **Substantiation Appeals:** if you received a notice that an allegation of child abuse, maltreatment or neglect was substantiated, you can review that decision by submitting a Request for Appeal of Substantiated Child Abuse or Neglect Finding.
- **Late Complaints:** most grievances must be filed within 6 months if you received or had notice of the decision or action. In cases where you did not have notice, you will have up to 3 years to file a complaint.
- **Decisions or Actions taken by the Department that are reviewable by the court under AS 47.10:** contact your attorney (if you have one) to explore your legal options.
- **Employment or Contract Service Disputes:** contact your union or administrative services representative.
- **A Decision Regarding a Grant Program:** a grant program that operates under 7 AAC 78.310, may appeal to the Commissioner.
- **An Action by other State/Federal Agencies:** contact the agency you have a concern with.
- **A Decision Regarding a Civil Rights Action:** you may contact the Department's Civil Rights Coordinator.
- **Late Payments or Contest Rates Paid:** contact your case worker, licensing worker or the provider payments unit at 1-877-456-2215.
- **Emergency Removal of a Foster Child:** contact the case worker to discuss your options.
- **Foster Care Licensing Action:** contact your licensing worker, as you may submit a hearing request to appeal.

Which regulations apply to the grievance process?

The OCS grievance process is outset in regulations 7 AAC 54.255 and 7 AAC 54.260.

Can I use this form to submit a complaint without going through the complaint process?

Yes, you can submit a copy of the complaint form, which will be maintained on file with our office. Please clearly indicate that you are not seeking to use the grievance process.

OCS GRIEVANCE PROCESS CONT'D

INITIAL GRIEVANCE REVIEW

Within 5 business days of receiving your complaint form (below), the Community Relations Manager (CRM) will review your concerns, the requested remedy, and determine whether it is eligible for the grievance process. If the CRM needs more information to make that determination, they will contact you.

If your complaint is ineligible for the grievance process, the CRM will inform you that your grievance has been denied, providing the reasons for the denial and what options may exist to address your concerns.

If your complaint alleges personnel misconduct, your complaint will be forwarded to the regional manager, who may contact you to discuss your concerns. Personnel complaints may not be addressed through the grievance process.

LEVEL 1 GRIEVANCE REVIEW

If your grievance has been accepted, a first level reviewer will schedule a meeting with you within 10 business days of being assigned your grievance. The first level reviewer will meet with you, consider your concerns, the information you share, and discuss possible remedies to resolve the grievance. Within 15 business days after your meeting, the first level reviewer will send you a written decision. If you are satisfied with the outcome of the meeting and decision, you will not need to do anything else.

LEVEL 1 APPEAL (Optional)

If you disagree with the outcome of the first level review, you have a right to request a second level review. You must submit your appeal within 10 business days of the notice being sent to you. You must submit your request for appeal in writing to the Community Relations Manager.

LEVEL 2 GRIEVANCE REVIEW

Within 10 business days of receiving an appeal, a second level reviewer will schedule a meeting with you. The second level reviewer will meet with you, consider your concerns, the information you share, and discuss possible remedies to resolve the grievance. Within 15 business days after your meeting, the second level reviewer will send you a written decision. If you are satisfied with the outcome of the meeting and decision, you will not need to do anything else.

LEVEL 2 APPEAL (Optional)

If you disagree with the outcome of the second level review, you have a right to request a third level review. You must submit your appeal within 10 business days of the notice being sent to you. You must submit your request for appeal in writing to the Community Relations Manager.

LEVEL 3 GRIEVANCE REVIEW – FINAL AGENCY ACTION

Within 10 business days of receiving an appeal, a third level reviewer will schedule a meeting with you. The third level reviewer will meet with you, consider your concerns, the information you share, and discuss possible remedies to resolve the grievance. Within 25 business days after your meeting, you will receive a decision that is the final agency action for the purposes of judicial review. If you still disagree with the outcome after the final agency action, you may access judicial review through the Superior Court.

**Please note that all times listed in the grievance process are business days, not calendar days.
The timeframes listed above for response may be extended due to availability of staff or other unforeseen circumstances.**

Office of Children's Services Complaint Form

Prior to filling out this form, talk to the OCS employee or their supervisor to see if your complaint can be resolved. If the issue could not be resolved, complete this form, and send it to the Community Relations Manager at the fax, e-mail or address below. Please print clearly when filling out this form.

Who are you?

Name (First Middle Last Name)

Mailing Address City State Zip

I prefer to be notified by e-mail rather than postal mail

E-mail

Primary Phone:

Secondary Phone:

Child or Children Involved with OCS (First Middle Last Name)

Relationship to child or family involved with OCS

Select one:

Other:

Describe your concern

Date or Timeframe of Action/Inaction/Decision

Name of Employee Involved

Office Location

Describe the situation that caused you to file a grievance:

What action, inaction or decision was made that you disagree with:

Was there a specific policy, procedure, or regulation that you believe was misapplied, misinterpreted, or violated:

What steps, if any, have you taken to resolve your concerns:

What would resolve your grievance:

Signature:

Date:

(If you require additional space to explain your situation, you may attach a separate sheet of paper to this form)

Please mail, e-mail, or fax attention to:

Community Relations Manager

Office of Children's Services

P.O. Box 112631

Juneau, Alaska, 99811

Fax: 907-465-3397

E-mail: fcs.ocsccommunications@alaska.gov

*****FOR INTERNAL USE ONLY*****

Date Received:

CRM Review Due:

Tracking #: