

ELC of North Florida Grievance Policy Coalitions and ECS

THE EARLY LEARNING COALITION OF NORTH FLORIDA

Grievance Policy and Procedures

The following procedure will apply in all cases not related to School Readiness or Voluntary Pre-Kindergarten alleged parental fraud. In those cases the ELC of North Florida's Fraud Prevention Plan's procedures will apply.

The Coalition will handle grievances or complaints from participants (including providers and parents), contractors, employees, members, and other interested persons arising from actions taken by the early learning program as follows:

- **Parental Complaint Records.** The ELC and its contractor will maintain substantiated parental complaint records on the OEL approved form and will retain these forms for five (5) years.
- **Reporting of Abuse/Neglect.** The ELC's and its contractor's employees are mandated reporters of abuse and neglect under Florida statute and as such will report all suspected abuse and neglect complaints to the Florida Abuse Hotline and the licensing authority within one hour. Written record will be kept of all such reports made for a minimum of five (5) years.
- **Public Information Requests.** The ELC and ECS has established a process by which ECS makes available to the public information regarding parental complaints on request to comply with federal regulation 45 CFR 98.32 and CCDF Plan Element 2.6.5. A detailed description of this process and how such records are maintained and made available in Attachment 5.B.2.
- **Use of (Contractor) Existing Employee Grievance/Complaint Procedures.** Any grievance by an employee of a contractor of the Coalition, arising out of actions taken with regard to Coalition-administered programs, shall be resolved using the employee grievance procedures established by the employing contractor.
- **Coalition Employee Complaint Procedure.** Any complaint by a Coalition employee shall be resolved utilizing the Complaint Resolution Process contained in the Coalition's Personnel Policy #HR105.
- **Coalition Board/Committee/Member Complaint Procedure.** Any complaint by a Board member or Committee member must be made in writing and submitted to the Coalition's C.E.O.. The complaint shall be placed on the next regularly scheduled Board meeting agenda for discussion.
- **Non-employment Related Complaints or Grievance Procedures.** Any complaint or grievance, other than employment related grievances, by a participant, contractor, or employee of any entity or person implementing Coalition programs shall follow the complaint or grievance

procedure of the agency, entity, or person offering or administering the services out of which the complaint or grievance arose in accordance with the procedures set out below.

1) Initial Complaint

All non-employment related complaints or grievances by any participant, contractor, and/or employee must first be presented in writing to the agency or entity delivering that program in accordance with complaint or other grievance procedures established by that agency or entity. The complaint or grievance must be made in writing and addressed to the agency or entity with a copy to the Coalition.

2) Initial Agency/Entity Response

The agency or entity shall respond to any complaint or grievance in accordance with their procedures, but within a time frame not to exceed 10 business days of receipt of the complaint or grievance. The Coalition’s subcontracted agencies will maintain a record of any grievances and file a monthly report of the grievances to the Coalition.

3) Appeal of Initial Agency/Entity Response

The aggrieved party must exhaust all appeal channels available within the established agency/entity grievance procedures. It is not anticipated that the Coalition will face many problems that cannot be settled by the individual agencies. Therefore, the Coalition will act only in the event that those problems/grievances cannot be resolved. In such cases, the grievance procedures listed under item 4 will apply.

4) Complaint to the Coalition Board

While it is the intent of the Coalition to make all decisions and actions based on the best interest of the community and its children, and to resolve problems through discussion and mediation, there may be instances where an individual/entity (including parents, providers, board members, or the general public) believes that a decision or action has resulted in a complaint or grievance. In such instances, the Coalition and the individual/entity, who desires to file a grievance or complaint, will follow the following procedures:

The aggrieved party must submit written notice of the grievance or complaint within 10 business days of the Coalition action or decision. This written notice shall include the following:

- The specific Coalition/agency/entity action or decision.
- The date that the action or decision occurred.
- A detailed explanation of how the individual/entity was adversely affected by the action or decision, citing specific legislation, policy, procedure, statute, etc. that was violated.
- The name, address, and telephone number of an individual who can act on behalf of the individual/entity.
- Copies of all correspondence to any agencies and resolution thereof.

Upon receipt of the complaint or grievance the Board of Directors will review all information within 30 calendar days of receipt of the complaint or grievance, or by the next regularly scheduled board meeting. The Board of Directors is charged with the responsibility of reviewing all pertinent information and, based on the information, making a decision.

The Coalition Board will discuss and review the complaint or grievance and vote on the Board members' recommendations for a decision. The Coalition shall notify the individual/entity of its decision within 10 business days, in writing. The decision of the Coalition Board is final.

Once a Final Resolution is made by the Coalition Board, no item listed within the documents of said complaint or grievance may be discussed again with any Board member or Coalition staff. No further conversations, requests to correspond, public comment requests, etc. will be entertained by the Board or its staff regarding any matter already filed within the complaint or grievance.

In addition, should a contractor/child care provider be found to be in non-compliance of this grievance policy's procedures, found to have attempted to circumvent these procedures, or found to have intentionally provided false information during these procedures, the Coalition reserves the right to suspend or terminate their contract/agreement.

ECS Grievance Procedure for Putnam, St. Johns, Clay, Nassau, Baker & Bradford Counties

If you are unsatisfied with the service you have received from ECS, please follow these guidelines in filing a complaint.

Episcopal Children's Services, ECS, encourages parents and service providers to resolve disputes/complaints on an informal basis. The Senior Vice President will consider complaints received either orally or in writing and resolve to find a solution to them within the confines of the ECS, Coalition's and OEL's policy whenever possible. If a grievance cannot be resolved informally, ECS will arrange for a formal review and will seek a fair and timely resolution of the problem as outlined below. ECS will not discriminate against an aggrieved party for seeking resolution of a problem through the appeal procedure.

Record Keeping and Reporting

- Parental Complaint Records. The ECS contractor will maintain substantiated parental complaint records on the OEL approved form and will retain these forms for five (5) years.
- Reporting of Abuse/Neglect. The ECS and its employees are mandated reporters of abuse and neglect under Florida statute and as such will report all suspected abuse and neglect complaints to the Florida Abuse Hotline and the licensing authority within one hour. Written record will be kept of all such reports made for a minimum of five (5) years.
- ECS has established a process by which ECS makes available to the public information regarding parental complaints on request to comply with federal regulation 45 CFR 98.32 and CCDF Plan Element 2.6.5. A detailed description of this process and how such records are maintained and made available in Attachment 5.B.2.

Issues Subject to Appeal:

- Alleged discrimination because of race, color, religion, national origin, sex, age, marital or parental status, sexual orientation or handicap.
- Alleged violation, misinterpretation, or inequitable application of the Coalition's or ECS policies or procedures affecting the aggrieved party.

The following procedure will apply in all cases not related to School Readiness or Voluntary Pre-Kindergarten alleged parental fraud. In those cases the ELC of North Florida's Fraud Prevention Plan's procedures will apply.

Review Procedure:

If an aggrieved party is not able to satisfactorily resolve a dispute informally with ECS, or fails to resolve the issue within 5 business days after being informed of the complaint, the aggrieved party may request a review by submitting to the service provider a signed grievance statement. This must be done within 10 business days following the event on which the grievance is based.

The grievance statement must describe the nature of the grievance; the legislation, rule, regulation or policy of ECS that the individual claims has been violated; and the remedy or relief requested. The initiating party should forward copies of the statement, related correspondence and documentation to ECS.

ECS will then convene a committee of members of the leadership team. The committee will give fair consideration to all the facts and will provide the aggrieved party with a written response within 10 business days of receipt of the grievance statement. The Senior Vice President will send the response to all parties who received copies of the grievance statement.

If not satisfied with the Senior Vice President's response, the complainant may, within 10 days following receipt of the response, file a written request for review of the grievance with the Chief Executive Officer (CEO) of ECS, or the Early Learning Coalition, ELC, whichever is appropriate. If the aggrieved party is an ECS employee or the subject matter of the complaint deals with company policies or procedures, the written request should be submitted to the ECS CEO. If the aggrieved party is a family or provider served by school readiness or VPK services provided through the ELC by ECS, the written request should be submitted to the ELC. The complainant must provide all concerned parties with copies of the request for review, the original grievance statement, and the Senior Vice President's response.

If the written request is submitted to the CEO of ECS, the CEO will schedule an interview with the aggrieved party within 30 days and will give written notice of the time and place of the interview to the complainant. The CEO may choose to continue the interview at a later date if he/she determines such continuances to be advisable. The interview will generally conform to the following format:

- Opening statements by the complainant which summarize the problem, outline how the case will be presented, and state the relief or remedy sought.
- Presentation of the case by complainant with questioning by the CEO.
- At the discretion of the CEO there may be additional questioning of the principals or other witnesses to grievance.
- Summations by the complainant.
- If required, requests for further information by the CEO
- Within 5 days after completion of the hearing, the CEO will provide a written decision to all concerned parties and that decision shall be final.

General Policies Concerning Grievances:

- A decision made as result of a formal grievance hearing may apply to all similarly situated parties. In some cases, the decision will be relevant only to the complainant and will not serve as a precedent for establishing or changing any ECS policy or procedure.
- Complainants are expected to exhaust the remedies available to them through ECS's grievance procedures prior to instituting any proceedings regarding the subject matter of the grievance in any state or federal court or agency or with the ELC. If, prior to or subsequent to commencing a complaint under the ECS grievance procedure, a complainant files a related claim with a state or federal court or agency

or with the ELC then ECS reserves the right to discontinue the grievance proceedings if, in its judgment, it determines that the continuation either will not conclude the case or will be unnecessarily duplicative.

- A complainant may be accompanied by a representative of his/her/the entities choice at the formal appeal before the CEO. If a complainant intends to have an attorney act as the advisor, he/she/the entity shall so advise the ECS at least seven (7) days prior to the attorney's appearance before the CEO.
- Complainants are expected to comply with, and will be bound by, the time limits specified for each level of the grievance proceedings. Failure to comply with applicable time limits may result in a refusal to consider the grievance.