



## Ohio Administrative Code

### Rule 5139-5-02 The office of the chief inspector.

Effective: December 12, 2019

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(A) Pursuant to section 5139.04 of the Revised Code the office of the chief inspector is established to administer an effective grievance procedure for youth and to perform other duties assigned by the director.

(B) The chief inspector is appointed, pursuant to section 5139.02 of the Revised Code, by the director of the department of youth services to serve in the unclassified service at the pleasure of the director.

(C) The chief inspector shall:

(1) Serve as the chief administrator of the grievance procedure for youth;

(2) Investigate and monitor practices within the department of youth services to ensure that all laws as well as rules, regulations and directives of the department and subordinate facilities are being followed and applied fairly throughout the system, and report to the director any noncompliance with recommendations for corrective action;

(3) Review every grievance to ensure consistency and compliance with all relevant Ohio department of youth services policies and procedures. Ensure that both the handling of the grievance and the determination of the matter at issue in the grievance were consistent with Ohio department of youth services policies and procedures.

(4) Require periodic reports from each institution and regional office with information relating to the youth grievance procedure;

(5) Submit to the director an annual report including a statistical and narrative summary as to the numbers and nature of all grievances processed during the report period, their disposition, and the status of all pending grievances by institution and region throughout the department of youth



services. The annual report shall be a public record and shall be available to the public during reasonable hours. The annual report will be filed with the office of the governor and with any standing legislative committee on juvenile correction herein after established;

(6) Continuously monitor the utilization and operation of the youth grievance procedure;

(7) Initiate and supervise on going training for department staff to maintain an active awareness and understanding of the youth grievance procedure;

(8) Conduct periodic audits of all records filed for each institution and regional office to ensure proper documentation and utilization of the grievance procedure for youth;

(9) Monitor the orientation of youth to the use of the grievance procedure;

(10) With approval of the director, appoint any assistants necessary to fulfill the mission of the office;

(11) Perform other duties related to grievance procedures as appropriate and/or assigned by the director.

(D) The chief inspector shall have all necessary authority to perform the required duties and responsibilities of the office of chief inspector. The chief inspector shall have full investigative powers and complete access at any time to all facilities, offices, or installations under the jurisdiction of the department of youth services. All records, files, documentation, and any other information shall be available to the chief inspector upon request. Any employee of the department of youth services who falsifies information or otherwise obstructs an investigation of the chief inspector in any manner will be subject to disciplinary action.

(E) The office of the chief inspector shall not accept jurisdiction of a grievance until all administrative remedies have been exhausted at the local institution or regional office, with the exception of grievances that allege that a managing officer was personally involved in a violation of law or policy and approved it or did nothing to prevent it. A grievance directed against a managing officer shall be referred immediately to the attention of the chief inspector for investigation and



disposition.

(F) Upon receipt of a grievance against a managing officer, the chief inspector shall send notice to all affected parties setting forth the date the grievance was received by the chief inspector and specifying that the grievance will be investigated and reviewed within ten working days. All affected parties shall be provided with a copy of the chief inspector's decision.

(G) The chief inspector may establish procedures for the resolution of emergency grievances on a priority basis. An emergency grievance is one which requires immediate resolution in order to avoid irreparable harm to the youth or the institution.