

## **The Arc of Chester County Grievance Policy Notice and Procedure**

**Policy:** Any individual, parent/guardian of an individual or any person acting on behalf of an individual participating in a program of The Arc of Chester County has the right to file a grievance, which includes complaints, about conditions, services or lack of services provided by The Arc or appeal an administrative decision made concerning the individual.

In addition, The Arc of Chester County complies with the Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act. Admissions, the provisions of services, and referrals of participants shall be made without regard to race, color, national origin, religion, age, marital status, sexual orientation, or disability. Title VI of the Civil Rights Act of 1964 states that “no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” The Americans with Disabilities Act forbids discrimination against people with disabilities in everyday activities.

**Procedure:** Any individual (and/or their parent, guardian, or surrogate) who has a grievance and/or believes that they have been discriminated against may file a grievance with The Arc of Chester County.

1. A grievance shall be provided in writing or orally, to the individual’s Program Director. The Program Director or designee shall respond in writing within three (3) working days and shall provide a copy of the letter to the Executive Director.
  - a. Call 610-696-8090 and ask for your Program Director
  - b. Mail a Grievance Form to your Program Director, The Arc of Chester County, 900 Lawrence Drive, West Chester, PA 19380
  - c. Visit our office at 900 Lawrence Drive, West Chester, PA 19380

Grievance forms are located on The Arc’s website: [www.arcofchestercounty.org](http://www.arcofchestercounty.org)

**NOTE:** Any grievance alleging abuse should be made directly to the Executive Director, who shall investigate immediately. The Executive Director shall respond to the grievant in writing within two (2) working days.

2. If the grievant is dissatisfied with the response, or if no response is received, he/she may appeal in writing to the Executive Director. The Executive Director shall respond in writing within three (3) working days and shall provide a copy of the letter to the President of The Arc Board of Directors.



3. If still dissatisfied, or if the grievance is against the Executive Director of the Arc of Chester County, the grievant may appeal in writing to the President of the Board of Directors and shall forward a copy of the letter to the Executive Director. The president shall respond within three (3) working days and shall provide a copy of the letter to the members of The Arc Executive Committee, which shall act as an ad hoc Grievance Committee of the Board.
4. The parent/guardian shall have the responsibility of notifying the Supports Coordination office that he/she has filed a grievance.
5. Individuals filing a grievance without the assistance of a parent/guardian shall be assisted by Arc personnel. In order to ensure appropriate representation, Arc staff shall also assist in notifying when applicable the Supports Coordination office and the Executive Director and/or The Arc President.
6. The Executive Committee or another Board Committee shall meet with the grievant within five (5) working days. The grievant shall document the procedures he/she followed in the effort to reach an administrative resolution, including who was contacted and the nature of the response. The Committee shall determine the significance of the grievance and the resolution desired by the grievant.
7. The Committee shall then meet, within five (5) working days, with the appropriate administrative representatives. The purpose shall be to resolve the grievance, and the Committee may invite the grievant to be present, if appropriate.
8. Unresolved issues may be brought to a hearing chaired by a member of the Board Committee. This hearing shall be conducted within five (5) working days, and the Committee shall ask that the grievant and all appropriate Arc personnel be present. Notes of the proceedings shall be kept.
9. The grievant shall be notified of the right to be represented by counsel at the hearings. If the grievant chooses to bring counsel, he/she shall notify The Arc Executive Director so that counsel may be present to represent Arc interests at the hearing.
10. The Board Committee shall hear all the parties it deems necessary. It shall then convene in private to make a final recommendation as to resolution of the issue(s). The recommendation will be made in writing to the grievant and to the Executive Director.
11. Should the grievant be dissatisfied with the Committee's recommendation or with the Executive Director's response to the recommendation, he/she may file a grievance in writing with the County MH/IDD Administrator where applicable.
12. The Quality Enhancement Committee will review the agency grievance policy and procedure annually and will review all grievance data, QM plan data as well as other

quality initiatives data on at least a quarterly basis in order to address concerns and improve quality based on the review of the data.

In addition to filing a grievance with The Arc of Chester County, the individual may choose to file a complaint with the following departments:

Commonwealth of Pennsylvania  
Department of Human Services  
Bureau of Equal Opportunity  
Room 225, Health & Welfare Bldg.  
P.O. Box 2675  
Harrisburg, PA 17105

PA Human Relations Commission  
Philadelphia Regional Office  
110 North 8<sup>th</sup> Street  
Suite 501  
Philadelphia, PA 19107

U.S. Dept. of Health & Human Services  
Office for Civil Rights  
Suite 372, Public Ledger Bldg.  
150 South Independence Mall West  
Philadelphia, PA 19106-9111

Commonwealth of Pennsylvania  
Department of Human Services  
Bureau of Equal Opportunity  
Southeastern Regional Office  
801 Market Street, Suite 5034  
Philadelphia, PA 19107

If information is needed in another language, please contact 610-696-8090.