



New Hampshire Division for Children, Youth and Families Policy Manual

2105 OMBUDSMAN PROGRAM

Chapter: Sununu Youth Services center

Section: Youth Rights and Privileges

Approved:

Joseph E. Ribsam, Jr., DCYF Director

Policy Directive: **22-23**

Effective Date: **February 2022**

References Of Note

Federal Authority: [28 CFR 115](#)

Statutes: [RSA 126-A:4 III](#)

Administrative Rules:

Case Law:

This policy defines the relationship between the Office of the Ombudsman and the John H. Sununu Youth Services Center (SYSC).

Required Practices

Any deviations to the following information must be documented with Supervisory Approval.

- I. RSA 126-A:4 III authorizes the Office of the Ombudsman to provide independent assistance to SYSC youth by investigating and resolving complaints regarding any matter within SYSC, including services or assistance provided by the facility or its contractors.
 - A. The Office of the Ombudsman at SYSC may provide mediation or other means for informally resolving complaints.
 - B. The records of the Office of the Ombudsman are confidential and will not be disclosed without the consent of the youth on whose behalf the complaint is made, except as may be necessary to assist the service provider to resolve the complaint, or as required by law.
 - C. The Office of the Ombudsman forwards youth reports received of sexual abuse, sexual harassment and sexual misconduct to the SYSC Administrator, or designee, allowing youth to remain anonymous upon request and barring any immediate safety concerns¹.
- II. The representatives of the Office of the Ombudsman will undergo all security screenings required for non-employee entrance to the secure facility.
 - A. The Office of the Ombudsman is not required to specify any youth or staff as the purpose of their arrival.
 - B. The Office of the Ombudsman shall be permitted to make rounds of the facility, including but not limited to:
 - 1. Checking Ombudsman Boxes;

2. Reading communications and other logs; and
 3. Having conversations with staff and youth.
- III. Youth will be oriented to the Office of the Ombudsman within 24-hours of admission to the facility.
- IV. All newly hired SYSC staff will be oriented to the Office of the Ombudsman during Core Academy training.
- V. SYSC Administration will provide the Office of the Ombudsman with an on-site office location.
- VI. SYSC Administration will provide locked boxes within the secure facility for youth or staff to place Complaint Forms (Form 2105) or other written statements of concern.
 - A. Only the Office of the Ombudsman will have access to the locked boxesⁱ.
- VII. Staff may communicate with the Office of the Ombudsman to privately report sexual abuse, sexual harassment, or sexual misconduct against youthⁱⁱⁱ by:
 - A. Arranging for a face-to-face meeting; or
 - B. Utilizing the Ombudsman Boxes.
- VIII. Upon request, staff will provide youth with a Form 2105 and an appropriate writing tool to complete the form, unless the youth lacks sufficient control at the time of the request to safely use the tool.
 - A. In such cases and in view of the youth, staff will record the date and youth's name, with permission from the youth, on a Form 2105 and place the form in the Ombudsman Box.
 - B. In lieu of a Form 2105, youth may submit a written description of their concern.
- IX. Staff will not discourage youth from requesting, completing, or submitting a Form 2105. Any written document addressed to the Office of the Ombudsman and provided to staff must:
 - A. Not be altered or destroyed; and
 - B. Be placed in the Ombudsman Box or delivered directly to the Office of the Ombudsman within 24-hours of receipt.

- X. So youth who allege sexual abuse may submit a concern, without having to submit it to a staff member who is the subject of the complaint^{iv}, youth may complete a Form 2105 or other written submission, and:
 - A. Be permitted to place the form or other written submission in the Ombudsman Box;
 - B. Request staff to place the form or other written submission in the Ombudsman Box;
 - C. Give the form or other written submission directly to the Office of the Ombudsman;
or
 - D. Give the form or other written submission to staff and request that staff deliver the form/submission directly to the Office of the Ombudsman.

- XI. Third parties, including other committed or detained youth, staff, family members, attorneys, and outside advocates, are permitted to assist youth in filing requests for administrative remedies relating to allegations of sexual abuse, and shall also be permitted to file such requests on behalf of youth through the Office of the Ombudsman^v.

- XII. Although encouraged to seek resolution through direct communication with the appropriate staff, staff will not restrict or discourage youth or parent/legal guardian access to the Office of the Ombudsman at any point in time.

- XIII. A parent/legal guardian of a committed or detained youth can file a complaint with the Office of the Ombudsman regarding allegations of sexual abuse, including appeals, on behalf of the youth. Such a complaint will not be conditioned upon the youth agreeing to have the request filed on their behalf^{vi}.

- XIV. It is the responsibility of the DCYF Director or designee and the Office of the Ombudsman to determine the content of and manner in which the Office of the Ombudsman will report to DCYF on the nature of youth complaints/concerns received as such information is critical to the ability of DCYF to recognize patterns of inappropriate staff conduct.

Applicable Forms	
Form	Title
2105	Complaint Form

Glossary and Document Specific Definitions

A - B C - D E - F G - I J - L M - N O - Q R - S T - V W - Z

Document Change Log			
PD	Modification Made	Approved	Date

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- i 28 CFR 115.351(a)
 - ii 28 CFR 115.351(d)
 - iii 28 CFR 115.351(e)
 - iv 28 CFR 115.352(c)(1)
 - v 28 CFR 115.352(e)(1)
 - vi 28 CFR 115.352(e)(4)