

ORIGINAL

**WICONI WAWOKIYA, INC.
SHELTER POLICIES**



Wiconi Wawokiya, Inc.
Shelter Policies
(To be given to each person at the time of intake.)

Wiconi Wawokiya, Inc. is a program for victims and their children to be protected from violence. As such, a series of policies have been adopted by the Board of Directors to make anyone's stay safe and confidential when receiving services.

Provision of Shelter

1. Shelter will be provided in the house in Fort Thompson and in motels paid for by the program.
2. Wiconi Wawokiya, Inc. has a defined program area for the purpose of grant compliance, but Wiconi will not deny a victim emergency services for the sole reason that she lives outside the area.
3. Male children sixteen and over cannot be housed in the shelter. If you have a male child this age, you will be given the option of housing in a motel or in other shelters if necessary. Emancipated females and females over age seventeen or accompanied by an adult are eligible for shelter services. Adult males will be housed in motels.
4. Wiconi has a nondiscrimination policy and shelter and/or services are available without regard to actual or perceived race, color, creed, religion, gender, sexual orientation, gender identity or expression, age, national origin, ancestry, disability, medical condition, limited English speaking or writing ability, citizenship or veteran status. Wiconi prohibits sexual harassment and bullying.
5. If you have a claim of discrimination for federally protected classes, you may report that to the following: the Department of Social Services, Victims Services Program, 700 Governors Drive, Pierre, SD, 57501. 605-773-5884. Email: victimsservices@state.sd.us or with the Office for Civil Rights, 810 Seventh Street NW, Washington, DC 20531.

Rights and Responsibilities

Everyone using the services of Wiconi Wawokiya, Inc. has:

- the right to be treated with respect as an adult.
- the right to be treated without discrimination
- the right to access resources regardless of income, education, marital status, race, disability, color, creed, religion, gender, sexual orientation, gender identity or expression, age, national origin, ancestry, medical condition, limited English speaking or writing ability, citizenship or veteran status.

- the right to confidentiality.
- the right to share only as much information as feels comfortable sharing.
- the right to choose what information to share, with whom to share it and how it will be used.
- the right to request and expect assistance from an advocate.
- The right to request legal prosecution of the abusing person.
- the right to use or refuse any services or resources.
- the right to be informed all available services.
- the right to review your file during business hours.
- the right to receive services that are specific to your individual needs.
- the right to file a grievance without discrimination or reprisal.
- the right to make decisions and set goals.
- the right to safety and to live without the threat of violence.
- the right to privacy.
- the right to a healthy, sober and drug free environment.
- the right to return to your abuser without giving up any other rights.

A copy of this policy is posted on the bulletin board of the shelter and is in the shelter packet given to those in shelter.

Confidentiality

Definition: Confidential information includes any written or spoken information shared in confidence between the person receiving services and an advocate in the course of that relationship, which includes any information that might identify the location or identity of someone who has sought services. Confidential communication includes all information received from that person and any advice, report, or working paper given or made by the advocate. Any and all knowledge, advice, records, logs, client and organizational records, or working papers (including electronically maintained records relating to a person seeking/using services) are confidential and are not to be shared with a third party. Communications are confidential even if the person shares the information with third parties, who are working to further the interest of her, in the presence of the advocate. Confidential documents received from other agencies (for which a person had to execute a written release) are confidential and part of the scope of confidential communications.

Assurance of Confidentiality

It is the policy of Wiconi Wawokiya, Inc. to hold confidential all communications, observations and information made by, between or about program participants. This includes all program participant, service and administrative records resulting from telephone contacts, and any other work product related to recipients of service. Communications are confidential whether made by adults or

children, and whether to or between staff, volunteers, or board members of this organization. This is to assure you that any services you receive here will remain private.

There are a limited number of exceptions to breaching the confidentiality of program participants. These exceptions are as follows:

- Duty to report child abuse or neglect, elder abuse and abuse of the disabled;
- Duty to warn of an imminent threat of harm to self or others;
- Following a court order, after a judge privately reviews records or
- When given express permission by the participant to release information.

The very fact that you are served by Wiconi Wawokiya, Inc. must be kept confidential; disclosure can only be made only under specified conditions listed above. This means that staff shall not disclose any information about a person, including the fact that the person is or is not served by our organization, to anyone outside of this organization unless authorized by the director or the clients we serve. The principal of confidentiality must be maintained at all functions and activities. No information requested by anyone outside Wiconi Wawokiya, Inc. will be given over the telephone. Staff is instructed to respond with the statement: "I'm sorry, I cannot confirm or deny the presence of that person." That includes whether or not a person is or has been served by Wiconi Wawokiya, Inc.

Release-of-information forms will be explained and completed in your presence about any information that may be released, before it is released. No information about individual or records will be released to state, federal or other agencies that enable the identification of any person by name, address, social security number or other coding procedures. If records are inspected by an outside agency, the individual who inspects the records must be specifically authorized to do so by the Director of Wiconi Wawokiya, Inc. The taking of notes, copying of records or removal of records is specifically prohibited in such cases.

Staff will not discuss your record with unauthorized individuals whether on or off duty. All employees and volunteers are required to sign a confidentiality agreement acknowledging their responsibility and commitment in regard to client information.

All confidential records are kept locked and secured fireproof files in the office of Wiconi. If you want to review your files, you need to contact the advocate who will secure the file for you and allow you to read it in a private area of the office or shelter.

All employees, volunteers, and/or outside service providers are informed of the confidentiality of shelter records concerning victims. This information is posted

at the shelter. All people receiving services, employees and volunteers must sign a confidentiality form.

You will be notified whenever service provider will be on the premises and advocates will provide a private place for any person in shelter to be during the service call if wanted. If you want to leave the premises while the service provider is here, transportation to a safe place will be provided. The service will be explained to you. Visitors are not allowed.

Grievance Procedure for Violation of Confidentiality

If you have reason to believe confidentiality has been compromised by staff or volunteers, a grievance procedure is available.

Individuals have the right to present grievances in person to the Executive Director. The person who has a problem is responsible for reporting that problem to the Executive Director within five (5) days. There should be no fear of retaliation at any stage of this process. The Executive Director should try to reach a solution through a thorough discussion of the problem with the individual.

If there is no solution at this level the person should prepare a written statement of the problem within five (5) days following discussion with the Executive Director. The Executive Director should provide any necessary assistance in preparing this report. The Executive Director should also personally investigate the problem, discuss the matter and prepare a separate report. These documents should be submitted to the Wiconi Wawokiya, Inc. Board of Directors. It is the Board of Directors responsibility to review the facts and issue a written decision within thirty (30) days. Any decision made by the Board of Directors will be final. The consequences for violation of the confidentiality policy is defined in both the employee and volunteer policy manuals.

No grievance will be recognized unless submitted in writing within 5 working days after such alleged grievance occurred. Failure to comply with any time limitations shall constitute a withdrawal of the grievance.

Releases of Information

Staff may disclose personally identifying information or individual information if you give them explicit, informed, written, reasonably time-limited consent to do so. You must be clearly advised of the possible consequences of any release of confidential information by Wiconi Wawokiya, Inc.

1. Before service participants authorize the release or disclosure of their information by Wiconi Wawokiya, Inc. you should review the information to

be released and evaluate the benefits and drawbacks of releasing that information. Wiconi Wawokiya, Inc. will ensure that you are informed of the scope of the information to be disclosed, the purpose for which the information is to be released, the duration for which the release is valid, and the ramifications of disclosure, including whether a partial disclosure of information might legally require full disclosure of all confidential information.

2. Releases must be in writing, signed, and dated in ink. The written release must:
 - a. Be specific as to the information being released.
 - b. Include the purpose for the information being released.
 - c. Designate the individual or agency the information is going to.
 - d. Specify a time limit for the release (which typically should not exceed 15-30 days).

If needed, a release can be extended if the staff person reaffirms with the survivor that the release is still valid.

Whenever possible, the advocate should witness your signing the release. The release form shall state that it is revocable at any time. After the release is signed, written authorizations will be placed in your file.

Wiconi does not require you to provide a release of information in order to receive services. Services will never be denied because you choose not to sign a release of information.

3. **Limited releases:** If you give informed, written, reasonably time-limited consent for release of confidential information, an advocate shall release the specific, limited information per her request. Under no circumstances should an advocate release more information than authorized by you in the limited release.
4. **Broad releases:** If you indicate that you are interested in signing a broad release to release a large amount of information (for example, your entire case file), you need to fully understand the implications of this release. In addition, staff will try to ensure that you have not been coerced into signing a release. The release will be reviewed by a supervisor before any information is disclosed. In the absence of a supervisor, the Executive Director will review it before any information is disclosed.
5. **Outside requests for records (subpoenas/court orders):** Any response to outside requests for victim information will be responded to by the Executive

Director, in conjunction with the agency attorney. No other staff member is authorized to release information or respond to outside requests for records.

6. If you verbally revoke an authorization to release information or records, staff should attempt to get that revocation in writing. However, even without written revocation, staff must honor the verbal revocation immediately and not release any information.
7. In cases involving emancipated minors, the minor's non-abusive parent or legal guardian must sign the release as well as the minor.
8. If you have been legally adjudicated as unable to sign legal documents and a legal guardian has been court appointed, then the guardian has the right to consent to disclosure of confidential information maintained by Wiconi. The legal guardian must provide a certified copy of her/his order of appointment. You will still be advised that disclosure is anticipated.
9. Blank release forms or release of information forms created by another agency, even if signed by you, are not effective to release confidential information from Wiconi.

Possible Exceptions

1. Emergencies which are life threatening or could result in serious bodily harm. To the extent possible, emergency services should be contacted without revealing any confidential information about any program participant. In many cases, the survivor should be conscious and able to speak with Emergency Medical Technicians (EMT). It is important to remember that even if it is appropriate to call 911, it is never appropriate to share a survivor's whole case history or file. In addition, it is not appropriate to specifically comment on why s/he was receiving assistance from your organization.
2. Mandatory reports to Children's Protective Services in cases of child abuse and neglect. Any report shall only be made according to the child abuse and neglect reporting law.
3. Mandatory reports to South Dakota Department of Social Services in cases of the abuse of an elder or adult with disabilities.
4. Crimes committed in the shelter. To the extent possible, criminal activity that must be reported to law enforcement will be reported without revealing any confidential information about any victim in shelter. Staff may disclose confidential information when there is a crime being committed in the shelter and it has been determined that law enforcement should be involved. The

determination of whether to involve law enforcement should only be made by the Executive Director.

Confidential Record Keeping

1. No record of victim involvement with Wiconi Wawokiya, Inc. shall be retained beyond six years after the last contact with the person under the terms set out below.
2. The destruction of all service records for those receiving services must be completed at the shelter office by an advocate designated by the Executive Director.
3. Non-personally identifying, aggregate information regarding services provided to victims, and non-personally identifying demographic data will be kept for ten years or as may be required by any specific funder. Such non-personally identifying, aggregate data will not be maintained in any way that could inadvertently identify any individual client.

Non-Discrimination Policy

Wiconi Wawokiya, Inc. provides services to all eligible persons without regard to race, disability, color, creed, religion, gender, sexual orientation, age, national origin, ancestry, medical condition, limited English ability, citizenship or veteran status.

Our policies will include culture competency and diversity in every aspect of our work. Staff will endeavor to ensure that victims, including all children and their families are made to feel welcome, valued, respected and acknowledged. The environment and the materials will reflect different interests, ages, developmental stages, ethnicities, religions and genders of children and families.

Cultural competency is defined as the capacity to function in more than one culture, requiring the ability to appreciate, understand and interact with members of diverse populations within our local community.

Transportation Policy

The transporting of shelter residents and others receiving services are evaluated on an individual need after consideration of the circumstances, the immediate safety concerns, the availability of funding in that line item of the budget and the distance to the destination. The decision will be made in consultation with the advocate and the shelter coordinator.

Transportation: Transportation is decided by the shelter director/coordinator on a case-by-case basis and is dependent on several things – the weather, the

distances involved, the availability of the organization's vehicle, an authorized licensed driver (volunteer or staff) and your safety. Wiconi will make every effort to get you to court for your case. Other appointments may need to be changed to accommodate the circumstances. Everyone in the vehicle must use seat belts and child restraints. If you have a vehicle, the shelter may issue you gas vouchers. Those decisions will be made by consulting with the shelter director/coordinator as every situation is different.

Medical Care Policy

An advocate will advise those in shelter of the medical care offered by the shelter. If you or your children are ill, an advocate will assess, in consultation with you, the seriousness of the illness. If warranted, the advocate will call for an ambulance for transportation to the hospital. You will also be provided with transportation by an advocate for medical appointments.

Referral Process

If you request shelter and the shelter is full, an advocate will make referral to the nearest shelter or to another shelter as requested by the victim. An advocate will contact the other shelter and make all arrangements for transportation of the woman and her children. If you are not eligible for services, a referral will be made to another suitable agency, such as a homeless shelter. The referral process will also be used if you request services not offered by the shelter such as mental health treatment, therapeutic counseling, etc.

Childcare

You are responsible for your children at all times. Other women in shelter are not allowed to provide childcare. If you need assistance with childcare, discuss it with an advocate. Do not expect that advocates will be available for any childcare. Wiconi may be able to provide childcare under pre-arranged circumstances. Normally, you will need to make arrangements with friends or relatives outside the shelter for childcare.

Drug-Free/Smoke-Free Shelter

This policy establishes guidelines for maintaining a drug-free shelter as delineated in the Federal Drug-Free Workplace Act.

1. All persons are prohibited from the illegal manufacturing, distributing, dispensing, possessing of or using controlled substances. Violation of any of the following policies may result in immediate dismissal from the shelter.
2. Wiconi Wawokiya, Inc. also has a no smoking policy in the buildings. All

persons will need to leave the building to smoke. No smoking is allowed in agency vehicles.

Jallean Jankowski
Signature

Shirley Cross
Signature

A. Henry
Signature

Date: Oct 19, 2017