

El Paso Psychology Internship Consortium

Due Process and Grievance Guidelines

EPPIC is committed to demonstrating excellence in training. If a supervisor, staff member, or intern recognizes a problem that may impede progress with training or negatively impact the EPPIC training program, they are expected to follow these guidelines to help resolve the issue.

Definition of Problem

A problem may be defined as difficulty within the following areas of functioning:

- Maintaining Professional Standards – inability or unwillingness to integrate the requisite professional standards into professional behavior.
- Professional Skills development – inability to reach the necessary level of competency in counseling/clinical/professional skill development.
- Professional Behavior – any behavior, due to psychological, personal, or emotional dysfunctions, which may cause harm to the training site and/or its clients or disrupt professional functioning.
- Ethical Boundaries – inability to maintain professional and/or ethical boundaries with clients and/or other professionals, or behavior which violates state law or ethical guidelines.

It is a professional judgment as to when an intern's behavior is problematic rather than simply of concern. Trainees may exhibit behaviors, attitudes or characteristics that, while of concern and requiring remediation, are not unexpected or excessive for professionals in training. Problems typically become identified as impairments when they include one or more of the following characteristics:

- the intern does not acknowledge, understand, or address the problem when it is identified,
- the problem is not merely a reflection of a skill deficit which can be rectified by academic or didactic training,
- the quality of services delivered by the intern is sufficiently negatively affected,
- the problem is not restricted to one area of professional functioning,
- a disproportionate amount of attention by training personnel is required,
- the trainee's behavior does not change as a function of feedback, remediation efforts, and/or time,
- the problematic behavior has potential for ethical or legal ramifications if not addressed,
- the intern's behavior negatively impacts the public view of the agency,
- the problematic behavior negatively impacts the intern class

Supervisor Guidelines for Addressing Problematic Behaviors

Informal Review

The primary supervisor will first discuss the problem(s) directly with the intern. The intern will be provided time to correct the problem(s), as deemed reasonable by the supervisor. If the intern has not made sufficient progress in rectifying the behavior or in their skill development, the primary supervisor will initiate the formal review process. If the behavior includes gross misconduct or ethical and/or legal implications, the primary supervisor must forego the informal review and initiate the formal review process immediately. The Consortium Training Director may be involved as the final arbiter in determining the progression from informal to formal review. The informal review process must be documented in writing, but will not become a part of the intern's professional file.

Formal Review

The formal review process is initiated for the following reasons:

- An intern's problem persists following the informal review
- An intern receives a score of "1" on any individual competency item or below a "3" for any broad goal during an evaluation
- An intern behaves in a way that represents gross misconduct or violates ethical guidelines or Texas state law.

Formal Review Procedures

The supervisor will notify the intern's Site Training Director who will begin the Formal Review Proceedings. A Formal Review Committee will be called by the Site Training Director which will consist of the Site Training Director and the intern's Primary Supervisor. If the Site Training Director is the intern's Primary Supervisor, then another member of the Training Committee will attend. The Committee will be formed and a Formal Review meeting will be held within 10 business days. The intern will be notified and invited to participate in the meeting. Regardless of whether the intern chooses to attend, he/she will be invited to submit a written statement in response to the problem to the Formal Review Committee (delivered to either the training director or the site training director) prior to the formal review. During the formal review, the committee will review all paperwork and have a discussion regarding the issue(s) that warranted the formal review. Following the meeting, the Committee will meet together privately and will make one of the following determinations: 1) move for "No Cause", 2) issue a "Remediation Plan", 3) place the intern on probation, or 4) move for immediate dismissal from the training program. Following this determination, a letter will be sent to the Director of Clinical Training at the intern's sponsoring University within 5 business days informing him/her of the Formal Review and subsequent action. The intern will receive a copy of this letter, and a copy will be retained in the intern's professional file. In the case of a "No Cause" determination, the intern will have a choice regarding whether this documentation is shared with the sponsoring institution and retained by the internship program, as described below.

No Cause – The Formal Review Committee may make the determination that the intern’s actions may not constitute a problem but rather a concern as identified in the above section titled “Definition of a Problem.” The awareness of the concern may be sufficient to rectify the issue and may not warrant formal remediation at this time. In this case, the intern can choose to have a written statement identifying that a formal review was held and that the claim was dismissed due to “No Cause” and have the document placed in his/her file and a copy sent to the Director of Clinical training. The intern may also choose to have no documentation written or sent to his/her Director of Clinical Training.

Remediation Plan – is a written statement acknowledging that the issue has been brought to the attention of the Formal Review Committee, and that the intern is aware of the problem. The plan will also include identification of the problematic area(s), a plan of action to rectify the problematic area(s), an identified timeframe for improvement, and a specific procedure for evaluating whether the problem had been adequately addressed. This plan will be issued to the intern within 5 business days of the meeting. The intern will have three business days to review the document with their primary supervisor and to sign and return it to their site director. Copies of all documentation related to the Remediation Plan will be placed in the intern’s professional file. If the problem is not successfully remediated through the process outlined in the Remediation Plan, the intern will be placed on Probation.

Probation – if it is determined by the Formal Review Committee that an intern should be placed on probation, the Consortium Training Director (if not already involved) will be included in the committee for the remainder of the proceedings. The committee will have 5 business days to submit, in writing, a formal document that stipulates the following:

- The intern is officially on probation and that non-compliance could result in dismissal from the program.
- Identification of problem behavior(s) or skills deficit(s) in question.
- A remediation plan which will include:
 - Targeted changes in behavior or skill development
 - Specific intervention strategies (i.e., remediation plan) that will be used to help the intern make the necessary improvements (e.g., additional supervision, additional professional readings, change in format and/or focus of supervision, etc.)
 - Steps for monitoring improvement
 - Methods used to evaluate improvement
 - A timeframe for expected resolution to the problem or skills improvement

The intern will have 3 business days to review the documentation with their primary supervisor and site director and to sign and return it to the site director. The signed documentation will be placed in the intern’s professional file. The Formal Review Committee will convene a meeting within 5 business days following the end of the specified probation period. The intern will be invited to attend a portion of the meeting to discuss his/her progress. Regardless of whether the intern chooses to attend the meeting, he/she will be encouraged to submit, in writing, a personal statement of progress to the training director or the site training director for review by the Formal Review Committee prior to the meeting. If

it is determined by the Committee that the intern has met the requirements of probation within the allotted time, a letter revoking the intern's probationary status will be placed in the intern's professional file and copies will be given to the intern and the Director of Clinical Training of his/her doctoral program.

If the intern has not met the requirements of the probationary period, the Formal Review Committee will make one of the following determinations: 1) if the intern has been making progress toward complying with the terms of probation, the committee may decide to make adjustments to the remediation plan and/or extend the probationary period. All adjustments to remediation plans and/or date extensions will be submitted in writing to the intern and the Director of Clinical Training of the intern's doctoral program; 2) If the Formal Review Committee determines that the intern has not made sufficient progress and/or progress in this area is not likely with further intervention, the committee may move for dismissal from the training program.

Dismissal – A dismissal from the internship program may be appropriate for the following reasons:

- The intern has not made sufficient progress during his/her probationary period, and the Formal Review Committee has determined that further intervention will not rectify the issue or that remediation is not possible within the allotted time of the internship program.
- The severity of the problem signifies gross misconduct or includes ethical and/or legal violations that have caused or have the potential to cause harm to the training site, and/or, its clients, and/or the El Paso Psychology Internship Consortium.

If one or both of the above criteria are met, the Formal Review Committee may move to terminate the intern's placement. The decision to terminate an intern's placement may only be made through consensus by the EPPIC Training Committee, and would represent a discontinuation of participation by the intern within every aspect of the consortium. The Training Committee would make this determination during a meeting convened within 10 business days of the Formal Review process or the completion of the probationary period, or during the next regularly-scheduled monthly Training Committee meeting, whichever occurs first. The Consortium Training Director may determine to suspend the intern's clinical activities during this period until the decision has been made. Prior to the meeting for dismissal, the Training Committee will review all documentation from the Formal Review process. The Training committee may also interview the intern, members of the Formal Review Committee, and other involved parties in order to inform the decision regarding dismissal. If the Training Committee decides to dismiss the intern from the EPPIC training program, the Training Committee will issue a notice of dismissal to the trainee's employer, APPIC, the intern, and the Director of Clinical Training at his/her doctoral training program within 20 business days. This timeframe will include the completion of a mandatory "hearing", described below. A copy of the documentation will also be placed in the intern's professional file.

If the Training Committee determines that dismissal is not warranted, the members will either create a new Remediation Plan or place the intern on Probation. Please see the guidelines on Remediation Plans and Probation identified earlier in this documentation for more information.

Appeal Process

If the intern disagrees with the decision of the Formal Review process, he/she may appeal the decision by requesting a "Hearing." A hearing is mandatory if the Formal Review process results in the decision to dismiss the intern from the internship program. To request a hearing, the intern must complete the "Grievance/Appeal Form" located at the end of this document and submit it to the Consortium Training Director within 5 business days of the Formal Review Committee's decision, or the Training Committee's decision if the intern is appealing dismissal from the internship program. Within 10 business days of receipt of the Grievance/Appeal Form, the Consortium Training Director will appoint and convene an Appeal Panel.

The Appeal Panel will consist of one supervising psychologists from the EPPIC training staff and another member from the EPPIC training staff. The Consortium Training Director will make every effort to appoint members of the Appeal Panel who have not participated in previous steps of the review process. The intern may request a specific member of the EPPIC training staff to serve on the Appeal panel, and the Consortium Training Director will honor this request to the extent that it is reasonable and feasible. The Appeal Panel will review all documentation and may interview any involved parties. The Appeal Panel will make a determination to either uphold or modify the decision made through the Formal Review Process. The decision of the Appeal Panel is final. A letter will be sent to the Director of Clinical Training at the intern's doctoral training institution within 5 business days, informing him/her of the decision, and a copy of this documentation will be submitted to the intern and a copy will also be retained in the intern's professional file.

Intern Guidelines for Issuing Grievances

The following guidelines are provided to interns who may be experiencing problems in their internship that may inhibit their progress in the training program. Interns pursuing grievances about the program, staff members, supervisors, or other interns should know that no negative repercussions from the members of the consortium will result when their claims are made in good faith. Interns are expected to follow these guidelines in addressing any grievance:

Informal Grievance Review

Interns should first address their concern(s) with the individual with whom the grievance lies. An honest attempt to resolve any grievance should be made by both parties prior to taking further action. If the grievance involves the policies of the training site or consortium, the intern is expected to talk personally with the Site Training Director or Consortium Training Director. Any instance of staff or supervisor misconduct, discrimination, or harassment should be brought immediately to the attention of the Consortium Training Director or Site Training Director.

Formal Grievance Review

If the matter cannot be adequately resolved through an informal process, the intern may request a Formal Grievance Review. The intern will complete the Grievance/Appeal form found at the end of this

document and submit it to the Consortium Training Director. If the Consortium Training Director is the subject of the grievance, then the form will be submitted to a Site Training Director for review. The subject of the grievance will be asked to submit a written response to the Consortium or Site Training Director within 3 business days. Within 5 business days of receipt of the Grievance/Appeal Form, the Consortium or Site Training Director will review the grievance and any written response and will convene a Formal Grievance Review meeting with the intern and the person in question. The Consortium or Site Training Director has the option of meeting individually with the involved parties prior to the Formal Review meeting. The joint meeting will focus on developing a plan of action to resolve the issue. This plan will be documented. Both the intern and the subject of the grievance will report back to the Consortium Training Director or Site Training Director within 10 business days of the Formal Review meeting as to whether the problem is resolved or if progress is being made. If all involved parties agree that the progress being made is adequate and is likely to lead to resolution, the plan of action may be modified and/or continued for a specified length of time no longer than 10 additional business days and revisited by the Formal Review Committee to determine whether resolution has been achieved.

Grievance Investigation

If the issue has not been adequately resolved through the above process, the Consortium Training Director or Site Training Director will form a Grievance Investigation Committee in an attempt to resolve the issue. The Committee will consist of the Consortium Training Director or Site Training Director and an additional member of the training committee. The Committee will have 10 business days from the date of the last Formal Review meeting to review all relevant documentation, interview all parties involved, and convene a meeting to make a final decision regarding the matter. Decisions made by the Grievance Investigation Committee are final. The Grievance Investigation Committee will provide full documentation of their findings and provide copies of their findings to affected parties. If the Committee determines that a grievance against a staff member or supervisor has merit and either cannot be resolved or is not appropriate for resolution through a process internal to the internship program, the issue will be turned over to the employer agency in order to initiate the due process procedures outlined in his/her employment contract.

If, at any point during the grievance process, there is reason to believe that the intern is being subject to unethical or potentially harmful treatment, the Consortium Training Director may suspend the relationship between the involved parties until an investigation may be completed.

El Paso Psychology Internship Consortium

Grievance/Appeal Form

Supervisee Name: _____ Date: _____

Primary Supervisor: _____

Site Training Director: _____

Please attach all documentation and relevant information to this coversheet. Documentation should include the following:

1. A complete and concise statement of your appeal/grievance. Please only include one appeal/grievance per form.
2. A discussion of any policy or procedural violation (if applicable)
3. The date of the violation.
4. Any discussion of the specific resolution you seek.
5. Any other documentation that you feel would be relevant to this incident.

If needed, you are encouraged to seek assistance and/or advice from any senior staff member or non-agency professional.

Intern Signature



El Paso Psychology Internship Consortium

Remediation Plan

Intern _____

Date of Formal Review Select date

Formal Review Committee _____
Choose a title

Primary Supervisor

Reason for Formal Review:

Click here to enter text.

Identified area(s) of concern:

Click here to enter text.

Remediation plan:

Click here to enter text.

Time frame:

A review meeting will be set for **Select Date** to review progress and determine if further action is warranted.

By signing this form I acknowledge that I have been made aware of the area(s) of change that are requested of me and agree work toward making the changes delineated by the aforementioned remediation plan within the specified time frame.

Intern Signature

Date

Formal Review Committee Signatures

Choose title

Primary Supervisor



El Paso Psychology Internship Consortium

Probation

It has been determined by the Formal Review Committee that you are not meeting expectations set forth by the El Paso Psychology Internship Consortium. You are receiving this document to inform you that you are being placed on official probation and that non-compliance with the requested remediation set forth in this document could result in your dismissal from the program.

Intern _____

Date of Formal
Review _____

Select Date

Formal Review
Committee _____

Site Training Director

Primary Supervisor

Consortium TD

Reason for being placed on probation:

Click here to enter text.

Targeted area(s) for improvement:

Click here to enter text.

Remediation plan:

Click here to enter text.

Steps for monitoring improvement:

Click here to enter text.

Methods for evaluation:

Click here to enter text.

Time frame:

A review meeting will be set for Select Date to review progress and determine if further action is warranted.

By signing this form I acknowledge that I have been placed on probation and have been made aware of the areas of change that are required. I agree to work toward making the changes delineated by the aforementioned remediation plan within the specified time frame. I have been made aware that failure to make the appropriate changes can result in my dismissal from the internship program.

Intern Signature

Date

Formal Review Committee Signatures

Site Training Director

Primary Supervisor

Consortium Training Director