

## CHATHAM UNIVERSITY-INDEPENDENCE HEALTH PSYCHOLOGY INTERNSHIP CONSORTIUM Due Process Policy

### Due Process Procedure

Due process and grievance procedures help ensure that decisions made by the Internship Program are not arbitrary or personally biased and that they are consistent with the accreditation standards of the American Psychological Association. Internship is a time of tremendous growth, which means that interns receive feedback throughout the year. Most concerns that arise with interns are an expected part of the developmental process and can be addressed informally in supervision. Discussion of growth, and the challenges and problems that can arise during growth, is an important part of supervision and we invite interns to collaborate in this process. If a problem becomes more serious, resulting in inadequate performance, this due process procedure will be implemented. Due process is a way to protect intern rights and to provide the intern with the opportunity to correct the problem(s) while receiving support and assistance.

### Due Process: Identifying Problematic Behavior

In rare cases, an intern may show behaviors, attitudes, or characteristics that disrupt the quality of their clinical services; their relationships with peers, supervisors, or other staff; or their ability to comply with appropriate standards of professional behavior. Problematic behavior is defined as an interference in professional functioning and may be exhibited in one or more of the following ways:

- An inability or unwillingness to acquire and integrate professional and ethical standards into their professional functioning. This includes but is not limited to adherence to the APA Code of Ethics, Pennsylvania State Board of Psychology laws and regulations, and Consortium and Internship site Policies and Procedures.
- An inability or unwillingness to acquire professional skills required to reach a minimum level of competency.
- An inability or unwillingness to manage personal stress, psychological problems, and/or excessive emotional reactions which interfere with professional functioning.

Determination of the above behaviors is based on evaluations by the intern's supervisors and training committee. It is a professional judgment when an intern's behavior becomes problematic, rather than of concern. (As a reminder, behaviors of concern can be addressed informally via discussion in supervision, training or meetings, as noted in the Ongoing Evaluation section above.) Problematic behavior, however, is identified through 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 that can be rectified by academic or didactic training.
- The quality of services is sufficiently negatively affected.
- The problem is not restricted to one area of professional functioning.
- A disproportionate amount of attention by training staff is required.
- The intern's behavior does not change as a function of feedback, remediation efforts, and/or time.
- The intern's behavior has potential for ethical or legal ramifications if not addressed.
- The problem potentially causes harm to a client/patient.

- The problematic behavior violates appropriate interpersonal communication with agency staff.

### **Steps in Addressing Problematic and Unprofessional Behavior or Competency Deficit**

At any time, a supervisor, seminar leader, Training Committee member, or staff member involved in training can identify an area of performance as problematic. If a problematic behavior is observed, the following steps are taken.

**Informal Review.** The intern's primary supervisor meets individually with the intern to articulate the area(s) that are problematic. This informal discussion happens as soon as possible after the problem is identified, with the goal of resolving the problem informally.

1. The intern must be provided with clear, concrete examples of expectations and a timeframe for the intern to make the expected adjustments in behavior(s) of concern. The Internship Training Director is informed of this concern within 5 days of the discussion between the intern and primary supervisor.
2. If the intern makes the necessary improvements within the timeframe communicated, this is communicated to the intern and to the Internship Training Director.
3. The issue of concern is documented in the primary supervisor's supervision notes, but these notes do not become a part of the intern's permanent professional file. The areas of functioning that required improvement and the improvement made by the intern is documented in the next formal evaluation of the intern. The Internship Training Director is informed of the improvement as well.
4. No further action is taken unless the problematic behavior returns or additional significant growth areas or problematic behaviors are identified. If the problematic behavior returns or other significant growth areas or problematic behaviors are identified, formal review process is initiated.

**Formal Review:** If the problematic behavior (after completion of informal review (as described above) returns; if other significant growth areas or problematic behaviors are identified; or if an intern receives a rating of 1 or 2 on an evaluation by their supervisor on their mid term evaluation, the following process is initiated:

1. The staff member who noted the problematic behavior or the intern's supervisor notifies the Internship Training Director about the problematic behavior or competency deficit as identified with a 1 or 2 on the mid-year evaluation.
2. The intern will be **notified in writing as soon as possible** that a problem has been identified, that the formal review process is being initiated, and that a Hearing will be held.
3. Within 5 working days of the identification of the concern, the 1 or 2 on the mid term evaluation, or failure to resolve the issue noted in informal review, the Intern, Supervisor, and Internship Training Director meet to discuss the competency deficit or problematic behavior. This hearing will include discussion of the issue and identification of actions to address the issue. If the Internship Training Director is the supervisor who raised the issue, an additional supervisor who works with the intern will be included in the review process.

During this hearing, the intern has the opportunity to share their perspective on the concern verbally or through a written statement detailing their response to the problem.

4. Within 5 business days of the hearing (2.c above), the Training Committee meets to discuss this problem and identify next steps. Possible next steps include no further action, further action that does not warrant a remediation plan, further action that does warrant a remediation plan, and immediate suspension or dismissal. Each step is described below, including what occurs at the end of any remediation or suspension plan that has been enacted.
  - a. No further action is necessary. A letter is provided to the intern that summarizes the concern and states no further action is necessary.
  - b. Further action is needed but does not warrant a remediation plan. The intern is provided a letter that states:
    - The supervisory staff is aware of and concerned about the problem;
    - The problem has been discussed with the intern
    - Supervisory staff will work with the intern to identify steps to address the problem, including a timeframe for improvement.
    - The problem(s) or competency are not significant enough to merit a remediation plan or other more serious action at the time.
    - The Training Director of the intern's home academic program will be notified.
  - c. Further action is necessary and includes a remediation plan. The remediation plan provides a way for supervisors and the Internship Training Director to help the intern correct the deficits or problem behaviors and provide a way to monitor, systematically, the intern's progress. The remediation plan also provides a specified timeframe to improve the problematic behavior or skill deficit. The remediation plan includes:
    - Actual behaviors or skills involved in the problem or deficit;
    - Specific recommendations for addressing the problem or deficit;
    - Timeframe for which the intern must correct the problem or deficit;
    - Procedure to determine whether the problem or deficit has been remediated successfully.

When placed on a remediation plan, the intern receives a copy of the plan. The remediation plan is kept in the intern's permanent file.

**Remediation Plan Options:** A remediation plan needs to have specific and meaningful ways to address problems or deficits once they are identified. Below are some possible ways to remediate problems. Any combination of these and/or other strategies to support the intern in addressing the problem or deficit may be used.

- Increased supervision, such as amount of time in supervision, addition of reflective or learning assignments to regular work. This may be with the same or another supervisor.
- Changing the format or focus of supervision.

- Recommending personal therapy or psychological assessment, with explicitly stated information as to how therapy contacts will be used in the intern evaluation process.
- Decreasing the intern's clinical or other internship responsibilities
- Requiring specific academic coursework or other forms of training
- Other appropriate steps to address the problem.

The Remediation Plan Letter includes:

- The Training Committee is concerned about the evaluation and/or problem behaviors and a remediation plan is necessary.
- The Training Committee will develop a remediation plan and review the plan with the intern.
- The remediation plan will specify the steps necessary to address the problem and the expected outcomes at the end of the remediation plan. The remediation plan will be reviewed with the intern. The individual supervisor (or another staff member chosen by the Training Committee) will work with the intern on the remediation plan.
- The timeframe for the remediation of the problem is specified.
- That the ways in which resolution of the problem has been achieved are specified in the remediation plan.

The intern's home academic program Director of Training is notified of the need for a remediation plan and the remediation plan is shared with them.

At the end of the remediation time frame, the Internship Training director and supervisor (or individual working with the intern on the remediation plan) meet to discuss the outcome of the remediation plan. will provide the intern with a letter that states whether the problem has been sufficiently addressed or not. This document, along with the remediation plan, are placed in the intern's file. Both the remediation plan and letter are shared with the Intern's academic program Training Director. Three alternatives exist at this point.

5. At the conclusion of the remediation plan, three options exist:
  - If the problem has been sufficiently addressed, the intern is no longer in the remediation process.
  - If the problem continues to exist, the remediation timeframe may be extended, and a new remediation plan will begin, following the steps as outlined on the previous page under Further action is necessary and includes a remediation plan.
  - If the problem continues to exist and is of enough concern that the intern may be placed on suspension.
6. Suspension removes the intern from providing all clinical and direct service activities for a specified period of time. During this suspension period, the intern may engage in additional supervision, additional didactic training, role play clinical practice, mentorship, or other forms of remediation. The plan for the training needed during the suspension will be written in a suspension plan, created by Internship Training director and supervisor (or individual working with the intern on the remediation plan). The Training Committee will be consulted. The timeframe of the suspension will be determined by the Internship Training director and supervisor (or individual working with the intern on the remediation plan). The

Intern and the Intern's Training Director of their home doctoral program will be notified and will receive a copy of the suspension plan. The suspension plan will include:

- Description of the observable behaviors and/or skills deficit associated with the problem;
- Specific actions to be taken to address the problem;
- Timeframe for which the problem should be addressed;
- Procedures to determine whether the problem has been addressed at the end of the Suspension plan.

At the end of the suspension plan, the Internship Training director and supervisor (or individual working with the intern on the remediation plan), in consultation with the Training Committee, will provide the intern with a written statement regarding the Suspension Plan and if the problem has been addressed or not. The Suspension Plan and this letter are placed in the intern's permanent file and are shared with the intern's Training Director of their home doctoral program. If the problem has been sufficiently addressed, the intern may return to clinical services. The intern may be placed on probationary status with a remediation plan. In this case, remediation plan steps (starting with 4.c) from above are followed.

7. Under certain circumstances, the intern may be allowed to change individual supervisors, depending on supervisor availability and the concern noted by the intern. This option is considered when it is believed that the intern's difficulties are related to a poor fit between the intern and supervisor and the intern could be successful with a different supervisor. Please note that this may not always be possible, where only one psychologist is present. In this situation, the intern may be able to request co-supervision or support in supervision from the Internship Training Director. This option requires review and approval of the Training Committee, including the intern's primary supervisor. Should this option of a new supervisor be selected, the new supervisor will be responsible for the management of the remediation plan.
8. **Immediate Suspension or Termination** Please note that the Internship Site and Consortium have the right to terminate immediately an intern for gross misconduct, violations in contradiction to site workplace expectations, ethical violations of a serious nature, or situations/behaviors that lead to the intern not being able to perform internship duties and have the potential to cause can harm the well-being of clients. This decision to terminate is made by the Training Committee, in consultation with the Office of Human Resources of the Consortium site of the intern. This decision will be made within 10 days of Step 3 under Formal Review. The Training Committee may choose to temporarily suspend the intern's clinical work during this period prior to a final decision being made, if warranted. In the event of dismissal, APPIC and the Director of Training from the intern's home doctoral program will be contacted within 5 days of the decision. Please note that dismissal from the doctoral internship could jeopardize any intern's ability to graduate from their home academic program. What constitutes grounds for immediate dismissal is reviewed in orientation and we encourage interns to consult with their site supervisor, Internship Training Director, and Internship Site Handbook, and Site Employee Handbook for the specific details of what constitutes grounds for immediate dismissal.

9. **Procedure for Appeals:** In the event that an intern does not agree with any of the previously described notifications, remediation, suspension or dismissal decisions, the appeal procedures below should be followed.

The intern may file a formal appeal in writing with all supporting documents, with the Executive Director of Counseling and Wellness, who will chair the Review Panel. If the Executive Director of Counseling and Wellness is the intern's immediate supervisor, the intern may appeal the decision to the Vice President of Student Affairs and Dean of Students, who will chair the Review Panel. The intern must submit this appeal within five (5) business days from their notification of any of the above (notification, remediation, suspension or dismissal decisions).

Within 5 business days of receipt of the formal written appeal from an intern, the Review Panel Chair will consult with the Training Committee and decide whether to convene a review panel or respond to the appeal directly.

If a Review Panel is convened, it will consist of the Chair of the Review Panel, the Internship Training Director, and one licensed supervisor. A Human Resources Staff may be consulted as well. In the event that the appeal involves the Internship Training Director, another licensed psychologist staff will be involved in lieu of the Internship Training Director.

The Review Panel:

- Will notify the intern and their supervisor or staff member involved that a Review Panel has been formed.
- May request personal interviews or written statements from individuals as deemed relevant.
- Honor any request of the Intern to be interviewed.
- Review any request from the intern or the supervisor or staff member involved that other individuals who may have relevant information be interviewed.
- Has 15 business days to conduct their review. Following that review, the Chair will provide a letter of summary to the Review Panel.
- The Review Panel may choose to uphold actions taken previously or may choose to implement a new course of action as is deems appropriate and necessary.
- The Internship Training Director will communicate the results of the appeal, in writing, to the intern within 3 business days of receipt of the Review Panel's summary letter. If the Internship Training Director is involved in the appeal, then the Review Panel Chair will communicate the results of the appeal, in writing, to the intern within 3 business days of receipt of the Review Panel's summary letter.

The decisions of the Review Panel are final.