



## **The Hawai'i Psychology Internship Consortium (HI-PIC)**

### **Due Process and Grievance Policies and Procedures**

#### **DUE PROCESS- Intern Performance Issues**

For situations in which a supervisor or other faculty member raises a significant concern about the performance or behavior of a psychology intern.

#### **Definition of Problem Behavior**

For purposes of this document, intern problem behavior is defined broadly as an interference in professional functioning which is reflected in one or more of the following ways:

- 1) an inability and/or unwillingness to acquire and integrate professional standards into one's repertoire of professional behavior
- 2) a failure to acquire or demonstrate professional skills in order to reach a minimum level of competency, and/or
- 3) a failure to control personal stress, psychological dysfunctions, and/or excessive emotional reactions that significantly interfere with professional functioning.

It is a professional judgment as to when an intern's behavior becomes problematic versus being 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 significant issues when they include one or more of the following characteristics:

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

#### **Administrative Hierarchy and Definitions**

HI-PIC's Due Process procedure occurs in a step-wise fashion, involving greater levels of intervention as a problem increases in persistence, complexity, or level of disruption to the intern or training program. Faculty roles included herein are defined as follows:

- **Supervisor:** Any faculty member who provides direct supervision or teaching to an intern.

- **Associate Program Director:** A supervisor who functions as a site-level director of training, serves as a voting member of the Training Committee, and assists the Program Director in program administration duties (if applicable).
- **Program Director:** The psychologist who functions as the program-level director of internship training. S/He leads the Training Committee and serves as a voting member. The training site that houses the Program Director does not additionally house an Associate Program Director.

#### Use of Videoconference

Videoconferencing will be utilized for situations that require the meetings of interns and training staff who are located in geographically different areas of Hawai'i when an in-person meeting isn't feasible in a timely manner.

#### Informal Review

When a supervisor believes that an intern's behavior is or may likely become problematic, the first step in addressing the issue is to raise the issue with the intern directly and as soon as feasible in an attempt to informally resolve the problem. This process should be documented in writing but will not become part of the intern's professional file. The supervisor may seek input from the Program Director or other TC faculty during this phase.

#### Formal Review

If an intern's problem behavior persists following an attempt to resolve the issue informally, or if an intern receives a rating below a "2" within a supervisory evaluation at the time of the first formal intern evaluation, a rating below a "3" within a supervisory evaluation at the time of the second formal intern evaluation, or below a "4" at the time of the final evaluation, the following process is initiated:

- A. The supervisor will meet with the Program Director (PD) and intern within 10 working days to discuss the problem and determine what action needs to be taken to address the issue. If the Program Director is the intern's direct supervisor, an Associate Program Director or another TC faculty will be included in the meeting.
- B. The intern will have the opportunity to provide a written statement related to his/her response to the problem.
- C. After discussing the problem and the intern's response, the supervisor, and Program Director, and Associate Training Director if appropriate may:
  1. Issue an "Acknowledgement Notice" which formally acknowledges a) that the faculty is aware of and concerned with the problem, b) that the problem has been brought to the attention of the intern, c) that the faculty will work with the intern to specify the steps necessary to rectify the problem or skill deficits addressed by the inadequate evaluation rating, and d) that the problem is not significant enough to warrant further remedial action at this time. This notice will be issued within 5 working days of the meeting.
  2. Place the intern on "Probation" which defines a relationship such that the faculty, through the supervisors and PD, actively and systematically monitor, for a specified length of time, the degree to which the intern addresses, changes and/or otherwise improves the problematic behavior or skill deficit. The length

of the probation period will depend upon the nature of the problem and will be determined by the intern's supervisors and PD. The probation is a written statement to the intern and the Director of Clinical Training at the trainee's graduate institution and includes:

- a) the actual behaviors or skills associated with the problem and those expected as a part of remediation,
- b) the specific recommendations for rectifying the problem,
- c) the time frame for the probation during which the problem is expected to be ameliorated, and
- d) the procedures designed to ascertain whether the problem has been appropriately rectified.

This Probation Plan will be issued within 5 working days of the decision. At the end of this probation period, the Program Director will provide a written statement indicating whether or not the problem has been remediated. This statement will become part of the intern's permanent file and will also be shared with the intern and sent to the Director of Clinical Training at the intern's graduate institution.

3. In special cases, the intern may be moved to another training site within HI-PIC. This option would be applicable in situations in which it is believed that the intern's difficulties are the result of a poor "fit" between the intern and the training site, and that the intern could be successful in a different placement. This option would require a meeting of a review panel convened by the Program Director and consisting of him/herself (or an Associate Program Director, if appropriate), the intern's primary supervisor, and at least two other members of the Training Committee. Additional parties who are knowledgeable about the intern's abilities may be involved in order to inform decision making. This meeting, if deemed necessary by the Program Director, will be convened within 10 working days of the original meeting discussed in step A.
4. Document the problem and take no further action.

D. If the problem is not rectified through the above processes, or if the problem represents gross misconduct or ethical violations that have the potential to cause harm, the intern's placement within HI-PIC may be terminated. The decision to terminate an intern's placement would be made by the entire 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 working days of the original meeting discussed in step A or from the last day of any probation period or other remedial planning, or during the regularly-scheduled monthly Training Committee meeting, whichever occurs first. The Program Director may decide to temporarily suspend an intern's clinical activities during this period prior to a final decision being made, if warranted.

### Hearing/Appeal

If the intern wishes to challenge or appeal the decisions made from previous Due Process steps, or if he, she, or they wishes to formally challenge ratings received on a formal evaluation, a “Hearing” before the Training Committee may be requested. This request must be made in writing to the PD and the supervisor- an email will suffice- to the Program Director within 5 working days of notification regarding the decision made in step C or D above, or within 10 days after receiving a formal evaluation. If requested, the Hearing will be conducted by a review panel convened by the Program Director and consisting of him/her/themselves (or an Associate Program Director, if appropriate), the intern’s primary supervisor, one other member of the Training Committee and one agency administrator within 10 working days. The intern may request a specific member of the Training Committee or agency administrator to serve on the review panel. The Hearing will be held within 10 working days of the intern’s request. The review panel will review all written materials and have an opportunity to interview the parties involved or any other individuals with relevant information. The review panel may uphold the decisions made previously or may modify them. The review panel has final discretion regarding outcome.

- E. If either the Acknowledgment Notice or the Probation action occurs, the PD will inform the intern's sponsoring university within 5 working days, indicating the nature of the problem and/or the inadequate rating, the rationale for the action, and the action taken by the faculty. The intern shall receive a copy of the letter to the sponsoring university.
- F. Once the Acknowledgment Notice or Probation is issued by the PD, it is expected that the status of the problem or inadequate rating will be reviewed no later than the next formal evaluation period or, in the case of probation, no later than the time limits identified in the probation statement. If the problem has been rectified to the satisfaction of the faculty and the intern, the sponsoring university and other appropriate individuals will be informed, and no further action will be taken.

### **Grievances by Interns**

These guidelines are intended to provide the psychology intern with a means to resolve perceived conflicts. Interns who pursue grievances in good faith will not experience any adverse professional consequences. For situations in which an intern raises a grievance about a supervisor, staff member, trainee, or the internship program:

#### Informal Review

First, the intern should raise the issue as soon as feasible with the involved supervisor, staff member, other trainee, or Program Director in an effort to informally resolve the problem. If the issue cannot be resolved with the involved party, the intern should raise the issue informally with the Program Director if they have not done so in the first step.

#### Formal Review

If the matter cannot be satisfactorily resolved using informal means, the intern may submit a formal grievance in writing to the Program Director. If the Program Director is the object of the grievance, the grievance should be submitted to an Associate Program Director, if appropriate, or another Training Committee member. The individual being grieved will be asked to submit a response in writing. The Program Director (or Associate PD, if applicable) will meet with the intern and the individual being grieved within 10 working days. In some cases, the Program Director or Associate PD may wish to meet

with the intern and the individual being grieved separately first. The goal of the joint meeting will be to develop a plan of action to resolve the matter. The plan of action will include a) a description of the behavior or circumstances associated with the grievance, b) the specific steps to rectify the problem, c) and procedures and a timeline designed to ascertain whether the problem has been appropriately rectified. The Program Director or Associate Program Director will document the process and outcome of the meeting. The intern and the individual being grieved will be asked to report back to the Program Director or Associate PD in writing within 10 working days regarding whether the issue has been adequately resolved.

If the plan of action fails, the Program Director or Associate Program Director will convene a review panel consisting of her/him/themselves and at least one other member of the Training Committee and one agency administrator within 10 working days. The intern may request a specific member of the Training Committee or agency administrator to serve on the review panel. The review panel will review all written materials and have an opportunity to interview the parties involved or any other individuals with relevant information. The review panel has final discretion regarding outcome.

If the review panel determines that a grievance against a staff member cannot be resolved internally or is not appropriate to be resolved internally, then the issue will be turned over to the employer agency in order to initiate the due process procedures outlined in the employment contract. If the review panel determines that the grievance against the staff member can potentially be resolved internally, the review panel will develop a second action plan that includes the same components as above. The process and outcome of the panel meeting will be documented by the Program Director or Associate Program Director. The intern and the individual being grieved will again be asked to report back in writing regarding whether the issue has been adequately resolved within 10 working days. The panel will reconvene within 10 working days to again review written documentation and determine whether the issue has been adequately resolved. If the issue is not resolved by the second meeting of the panel, the issue will be turned over to the employer agency in order to initiate the due process procedures outlined in the employment contract.

#### Use of Videoconference

Videoconferencing will be utilized for situations that require the meetings of interns and training staff who are located in geographically different areas of Hawai'i.

## Acknowledgment

Please sign this acknowledgement page and return to the Program Director.

I acknowledge that I have received and reviewed the Due Process and Grievance Policies and Procedures of the Hawai'i Psychology Internship Consortium. I agree to abide by the procedures outlined in this document. I have been provided with a copy of the document to keep in my files.

Signature

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Print Name

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Date

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