

## **Rutgers School Psychology Internship Consortium**

### **Due Process Procedures**

**Due Process Procedures** are implemented in situations in which a member of the training team raises a concern about the functioning of a psychology intern. These procedures are intended to protect intern rights and are implemented in order to afford the intern with every reasonable opportunity to remediate problems and to receive support and assistance. These procedures are not intended to be punitive.

#### **Definition of a Problem**

For purposes of this document, a problem 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) an inability to acquire professional skills in order to reach an acceptable level of competency; and/or 3) an inability to control personal stress, psychological challenges, and/or excessive emotional reactions which interfere with professional functioning.

It is a professional judgment made by the supervising psychologist in consultation with the training director as to when an issue becomes problematic rather than solely of concern. Intern trainees may exhibit behaviors, attitudes or characteristics that, while of concern and requiring attention, are not unexpected or excessive for professionals in training. Issues typically become identified as problems that require remediation when they include one or more of the following characteristics:

- 1) the problematic behavior potentially causes harm to a patient
- 2) the intern does not acknowledge, understand, or address the problem when it is identified;
- 3) the problem is not merely a reflection of a skill deficit which can be rectified by the scheduled sequence of clinical or didactic training;
- 4) the quality of services delivered by the intern is significantly 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 trainee's behavior does not change as a function of feedback, and/or time;
- 7) the problematic behavior 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 cohort;  
and/or,
- 10) the problematic behavior violates appropriate interpersonal communication with agency staff.

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

The Consortium'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 training program. Faculty roles included herein are defined as follows:

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

**Training Director (TD):** The supervisor who functions as the director of training. They leads the internship Training Committee and serves as a voting member.

**Training Committee (TC):** The Training Committee is comprised of the TD and the supervisors from each Consortium site. While two (or more) supervisors from each site may attend TC meetings, only one supervisor from each site acts as a voting member. The voting member is selected by the site.

### Informal Review

When a supervisor believes that an intern's behavior is becoming problematic, the first step should be to raise the issue with the intern directly and as soon as feasible in an attempt to informally resolve the problem. Strategies to resolve the problem may include increased supervision, didactic training, and/or structured readings. This process should be documented in writing in supervision notes and discussed with the TD and TC, but will not become part of the intern's professional file.

### Formal Review

If an intern's problem behavior persists following a documented attempt to resolve the issue informally, or if an intern receives a rating below a "1" on any learning element on a supervisory evaluation, the following process is initiated:

- A. **Notice:** The intern will be notified in writing that the issue has been raised to a formal level of review, and that a Hearing will be held.
- B. **Hearing:** The supervisor or faculty/staff member will hold a hearing with the TD and intern within 10 working days of issuing a Notice of Formal Review to discuss the problem and determine what action needs to be taken to address the issue. If the TD is the intern's direct supervisor, an additional supervisor and member of the TC will be included in the meeting. The intern will have the opportunity to provide a written statement related to their response to the problem.
- C. **Outcome and Next Steps:** The result of the Hearing will be any of the following options, to be determined by the TD and other faculty/staff members who were present at the Hearing. This outcome will be communicated to the intern in writing within 5 working days of the Hearing:
  - 1) Issue an "Acknowledgement Notice" which formally acknowledges:
    - a) that the TC is aware of and concerned with the problem;
    - b) that the problem has been brought to the attention of the intern;
    - c) that the TC will work with the intern to specify the steps necessary to rectify the problem or skill deficits addressed by the inadequate evaluation rating;or,

- d) that the problem is not significant enough to warrant further remedial action at this time.

2) Place the intern on a Performance Improvement and Feedback Plan (PIFP) which defines a relationship such that the TC, through the supervisors and TD, actively and systematically monitor, for a specific length of time, the degree to which the intern addresses, changes and/or otherwise improves the problematic behavior or skill deficit. The PIFP period will depend upon the nature of the problem and will be determined by the intern's supervisor and the TD. A written PIFP is shared with the intern and the Director of Clinical Training at the intern's graduate institution and includes:

- a) the actual behaviors or skills associated with the problem;
- b) the specific recommendations for rectifying the problem;
- c) the duration of the PIFP during which the problem is expected to be ameliorated; and,
- d) the procedures designed to ascertain whether the problem has been appropriately rectified.

During the course of the PIFP, the intern's primary supervisor agrees to provide updates to the Training Committee regarding progress at a minimum of 30 day intervals following implementation. At the end of this designated PIFP, the TD 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 also will be shared with the intern and sent to the Director of Clinical Training at the intern's graduate institution.

3) In rare cases, the intern may be allowed to switch supervisors within The Consortium if a second licensed psychologist who is willing and qualified to provide supervision can be identified at the Consortium site. This option would be applicable in situations in which it is believed the intern's difficulties are the result of a poor "fit" between the intern and supervisor and the intern could be successful in a different supervisory relationship. This option would require a meeting of a review panel convened by the TD and consisting of her/himself, the intern's primary supervisor, and at least two other members of the TC. 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 TD, will be convened within 10 working days of the original meeting discussed in step A.

- D. If the problem is not rectified through the aforementioned processes, or if the problem represents gross misconduct or ethical violations that have the potential to cause harm, the intern's placement within The Consortium may be terminated. The decision to terminate an intern's placement would be made by the entire TC and a representative of Human Resources from the employing agency and would represent a discontinuation of participation by the intern within every aspect of the training program. The TC would make this determination during a meeting convened within 5 days of the TD being

notified of either of a lack progress on the PIFP or of the intern's gross misconduct. The TD may decide to temporarily suspend an intern's clinical activities during this period prior to a final decision being made, if warranted. In the event of dismissal, APPIC and the intern's Director of Clinical Training at the intern's home doctoral program would be contacted within two working days.

All aforementioned time limits may be extended by mutual consent within a reasonable limit.

### Appeals Process

If the intern wishes to challenge the decisions made, he or she may request an Appeals Hearing before the TC. This request must be made in writing- an email will suffice- to the TD within five working days of notification regarding the decision made at any step of the aforementioned process. If requested, the Appeals Hearing will be conducted by a review panel convened by the TD and consisting of him/herself (or another supervisor, if appropriate), the intern's primary supervisor, and at least two other members of the TC. The intern may request a specific member of the TC to serve on the review panel. The Appeals 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.

### Notifying the Sponsoring Doctoral Program

If either the Acknowledgment Notice or the PIFP action occurs, the TD will inform the intern's sponsoring university within five working days, indicating the nature of 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.

Once the Acknowledgment Notice or PIFP is issued by the TD, it is expected the status of the problem or inadequate rating will be reviewed no later than the next formal evaluation period or, in the case of PIFP, no later than the time limits identified in the PIFP. 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.

### Grievance Procedures

**Grievance Procedures** are implemented in situations in which a psychology intern raises a concern about a supervisor or other faculty member or trainee, or about the internship training program. 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 TD in an effort to resolve the problem informally. If the concern is not resolved to the intern's satisfaction upon discussion with the individual being grieved, the concern should be raised with the TD, if the TD is not the grieved party. The TD will attempt to resolve any concerns through informal mediation and/or consultation.

### Formal Review

If the matter cannot be satisfactorily resolved using informal means, the intern may submit a formal grievance in writing to the TD. If the TD is the object of the grievance, the grievance should be submitted to another member of the Training Committee. The individual being grieved will be asked to submit a response in writing. The TD (or TC member, as appropriate) will meet with the intern and the individual being grieved within 10 working days. In some cases, the TD or other TC member 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) the behavior associated with the grievance;
- b) the specific steps to rectify the problem; and,
- c) procedures designed to ascertain whether the problem has been appropriately rectified.

The TD or other TC member will document the process and outcome of the meeting. The intern and the individual being grieved will be asked to report back to the TD or other TC member in writing within 10 working days regarding whether the issue has been adequately resolved.

If the plan of action fails, the TD or other TC member will convene a review panel consisting of her/himself and at least two other members of the TC within 10 working days. The intern may request a specific member of the TC 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 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 (i.e., either Rutgers in the cases of DDDC or The Haven or the sites in the cases of CCSN, South Brunswick, Princeton, Shepard Schools, and The Stevens Institute) in order to initiate the due process procedures outlined in the employment contract. If the review panel determines the grievance against the staff member potentially can be resolved internally, the review panel will develop a second action plan that includes the same components as the aforementioned. The process and outcome of the panel meeting will be documented by the TD or other TC member. 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 5 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 forwarded to the employing agency in order to initiate the due process procedures outlined in the employment contract.

Please sign the following acknowledgement page and return to the internship training director.



## **Rutgers School Psychology Internship Consortium**

### Acknowledgment

I acknowledge that I have received and reviewed the Due Process and Grievance procedures of the Rutgers School 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.

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Print Name

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Signature

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Date

