Due Process, Probation, and Grievance

Due Process Policy
The Internship Program is committed to training highly competent clinicians who adhere to the highest ethical and professional standards in psychology. Competence includes three broad aspects of professional functioning and map onto the program foundational and functional competencies: a) knowledge and application of professional standards (e.g. Ethical and Legal Standards, Professionalism, Individual and Cultural Diversity), b) professional skills competency (e.g. Research and Evidence-Based Principles, Assessment, Intervention, Consultation and Interprofessional Practice, and Supervision), and c) personal functioning (e.g. Communication and Interpersonal Skills) (Lamb, et. al. 1991). Consistent with this understanding of professional competence this due process policy clearly delineates how problematic behavior is addressed when professional competencies are not being met. Formal evaluations of intern competence are a component of, and could trigger, these Due Process procedures.

Problematic behavior is defined as an interference in professional functioning which is reflected in one or more of the following ways: a) an inability and/or unwillingness to acquire and integrate professional standards into one’s repertoire of professional behavior; b) an inability to acquire professional skills in order to reach an acceptable level of competency; and/or, c) an inability to control personal stress, strong emotional reactions, and/or psychological dysfunction which interfere with professional functioning. Problematic behavior in interns will be tracked in the following ways:

Notice
1) During their regular supervision meetings, interns might be informally addressed regarding problematic behavior. This is the first level of notice to the intern that the program has a concern.

2) If such behavior continues, or supervisors are dissatisfied with the intern’s response to these concerns, communication with the Director of Training should occur. Such communication should be noted by the Director of Training in the interns’ personnel file. The Director of Training will meet with the intern (second notice) within 5 working days to assess the intern’s perception of the problematic behavior and to share faculty concerns. The Director of Training, in collaboration with the program faculty, will develop an appropriate corrective action plan for remediation of the problem and present this to the intern within 15 working days. Depending upon the nature of the problem such a corrective action plan might include increased supervision, additional readings, reduction in caseload, referral for personal therapy, etc. This plan will include setting specific goals and a time frame for reaching them. Notes from this meeting will be entered into the intern’s personnel file and shared with the rest of the psychology staff at the next supervisor’s meeting. Progress towards the specific goals of the corrective action plan will be reviewed and documented monthly with the program faculty at the supervisor’s meeting and with the intern during the intern’s supervision with the Director of Training. A student may exit the corrective action plan when they have achieved the specific goals of the plan as determined by the Director of Training in collaboration with the program faculty.
3) If the intern does not meet the expectations and goals enumerated in the corrective action plan by the time specified, a written letter to the intern (third notice) will be drafted by the Director of Training within 5 working days. This letter will reiterate the goals established in the plan and enumerate those areas in which the intern fell short of expectations. A copy of this letter will be entered into the intern’s personnel file. The intern’s graduate school director of clinical training will be sent a copy of this written notice.

**Hearing**
4) The Director of Training will convene a meeting of staff psychologists within 15 days of the end of the corrective action plan timeline to determine the future course of action regarding this intern. Possible outcomes of this meeting might include: a) placing the intern on probation with a new plan for remediation which includes modified goals and a specified time period for reaching the goals, b) informing the intern that although the internship will be completed, performance concerns will be reflected in letters of reference and forms for licensure, c) temporary suspension of clinical duties, or, d) informing the intern that he/she will be terminated from the internship. All communications regarding actions to be taken must be documented in a formal letter to be given to the intern, sent to his/her graduate school director of clinical training, and entered into his/her personnel file.

**Probation & Termination Policy**
The Executive Training Committee, consisting of the Vice President of Policy and Practice, President, Director of Human Resources, and the Director of Training, reserves the right to require at any time the withdrawal from the program of any intern when in the opinion of the Committee and as documented through evidence available for review, the intern is unfit for any reason to continue in the program. Judge Baker Children’s Center and its programs have an obligation to protect clients, other students, and employees, as well as an obligation to protect its educational, clinical, and research missions from harm caused by actions or conditions of an intern. As an intermediate step, interns may be placed on probation, with a corrective action plan that may limit their professional activities and specifies the actions necessary to end probationary status. Interns may be placed on probation or terminated for lack of competence, potential harm, and lack of professionalism.

**Lack of Competence**
As documented in the Evaluation of Interns Policy in the Intern Handbook, those interns who are unable to achieve an intermediate level of competence on all competency categories are subject to a determination at the end of the internship that they have failed to complete the program successfully. An intern can participate in the program for a full 12 months without being on probation and yet still fail to successfully complete the program. However, major deficiencies in competencies that are judged at any time in the program to pose the potential of harm to others and/or serious breaches in professionalism may result in the intern being placed on probation or terminated prior to the end of the internship year.

**Potential Harm**
Potential harm may be described as arising from: behavior regarded by faculty, clients, or the public as alarming, threatening, bizarre, hostile, or otherwise inconsistent with the duties and responsibilities of an intern; behavior that is disruptive for working groups, clinical treatment, or educational processes; or the inability to function adequately in the role of an intern due to illness while refusing the option of medical leave. Potential harm to other people that occurs in the context of an intern’s professional and training duties is a legitimate concern of the internship program. Private acts of an intern outside of this context are also a legitimate concern of the program because they may indicate the existence of a potential hazard if the person continues in his or her role as an intern (e.g., conviction for a crime).
Lack of Professionalism
The program takes seriously any unprofessional conduct of its interns. Professionalism includes, but is not limited to: honesty; adherence to the APA Ethical Principles of Psychologists and Code of Conduct (http://www.apa.org/ethics/code/index.aspx); adherence to applicable rules, policies, and requirements of the program, training facilities; and appropriate respect for colleagues, faculty, staff and peers.

Procedures for Probation and Termination
Serious concerns or allegations about lack of competence, professionalism, or actual or potential harm will be reported to the Director of Training. He or she will investigate the concern and meet with the intern within 10 working days. The Director of Training will then present a Probationary Report of Findings and Recommendations for review and decision by the Executive Training Committee within 5 working days. Interns can be placed on administrative leave during the course of the investigation provided that the reasonable efforts are made by the Director of Training and the Executive Training Committee to conclude their review in a timely manner. Interns placed on probation will be given a written notice of probationary status that explains the terms of probation and a corrective action plan that outlines the demands being made of the intern and the process and timeline by which the intern’s progress in meeting those demands will be assessed. The intern’s graduate school director of clinical training will be sent a copy of this written notice. Probationary status will be reviewed monthly at the supervisor’s meeting, and results of this meeting will be documented in the intern’s personnel file and presented to the Executive Training Committee by the Director of Training. Interns are removed from probationary status by successfully fulfilling the terms of the corrective action plan within the timeline allotted.

Interns who fail to fulfill the terms of the corrective action plan within the timeline allotted are subject to termination by the Executive Training Committee. Interns will be provided with a written notice of the reason and the effective date. Copies of termination notices are provided, as well, to the intern’s graduate school. Interns will be required to submit all outstanding patient paperwork. Interns may receive credit for training hours accrued prior to the initiation of the corrective action plan. Terminated interns may not get credit for any hours accrued while subject to a corrective action plan.

Exceptions to the Previously Delineated Steps
Consistent with the Progressive Discipline Policy established by the Human Resources Department of Judge Baker Children’s Center, some actions on the part of interns might be considered serious enough to warrant immediate dismissal without benefit of a remedial plan. Such actions might include (but, certainly are not limited to):

- Abusive or inconsiderate treatment of patients, parents, visitors, intern, or employees.
- Theft or abuse of Judge Baker Children’s Center property, or the property of patients, parents, visitors, intern, or employees.
- Falsification of application, time card, time sheet, or any other Judge Baker Children’s Center record.
- Unauthorized use or possession of confidential information concerning patients, their families, interns, or employees; breaches of confidentiality.
- Physical violence or threat of physical violence against any person or their property.
- Possessions of weapons on Judge Baker Children’s Center property.
- Possession, use, sale, or being under the influence of intoxicants or narcotic substances during work time or while on Judge Baker Children’s Center property.
- Refusal to perform work assignments.
- Sleeping while on duty.
- Sexual harassment toward patients, parents, visitors, interns, or employees.
• Horseplay which may result in the injury of a patient, parent, visitor, intern, or employee.
• Serious safety violations.

Appeal
If the intern does not agree with any of the decisions taken as a part of this due process procedure he/she can file an appeal within 10 days of the action by sending a formal written appeal to the Director of Training. Such an appeal can be filed if an intern believes that his/her due process rights were violated or in the event of a denial of the opportunity to fairly present data to refute conclusions drawn. A written appeal must contain the following information:

a) Date of submission
b) Clear statement that the communication is an appeal of the due process procedures
c) Clear statement of the complaint
d) Clear statement of the redress or remedy requested
e) Previous actions taken to address the complaint
f) Handwritten or electronic signature of the intern

Appeals related to the faculty or placement should be submitted to the Director of Training. The responsibilities of the Director of Training are to: (1) acknowledge to the intern receipt of the appeal within two working days; (2) take immediate action if there are allegations of abuse, harassment or other urgent issues; (3) meet with the intern within five working days to gather additional information about the dissatisfactions; and (4) provide to the intern a written response to the appeal within 15 working days of its receipt, with copies to the Vice President of Policy and Practice and Director of Human Resources. Appeal issues that are specific to the Director of Training should be submitted to the Vice President of Policy and Practice, who will follow the process indicated above.

If the intern is dissatisfied with a response provided by the Director of Training, he or she may file a second written appeal with the Vice President of Policy and Practice, stating clearly the reason for the appeal and the requested redress. The responsibilities of the Vice President of Policy and Practice in this situation are to: (1) acknowledge to the intern receipt of the appeal within two working days; (2) meet with the intern within five working days to gather additional information about the appeal; and (3) provide the intern with a written response to the appeal within 15 working days of its receipt, with copies to the President and Director of Training.

If the intern is dissatisfied with a response provided by the Vice President of Policy and Practice, a meeting of the Executive Training Committee will be convened by the Vice President of Policy and Practice along with the President, Director of Human Resources, and Director of Training to resolve the difficulties. The intern will be allowed to present his/her case before the Executive Training Committee by submitting written documentation, meeting with the committee, or requesting the presence of other individuals as he/she deems appropriate. The supervisor involved and the Director of Training may do the same. Following review of all the information available the Executive Training Committee will draft a summary of findings and render a decision regarding appropriate action. The decision of the Executive Training Committee will be the final decision rendered by Judge Baker Children’s Center with the exception of an appeal involving the intern’s termination from the internship program.

Appeal Involving Termination from the Internship
If the intern is dissatisfied with the response provided by the Executive Training Committee only in cases involving termination of the intern from the internship, the intern may submit in writing a request to the Director of Training for appeal to an ad hoc Grievance Committee. In response to such a request the following will occur: (1) acknowledgement to the intern of the request within two working days; (2) designation within five working days of an ad hoc faculty Grievance Committee of three members from outside Judge Baker Children’s Center previously uninvolved in matters related to the appeal, with notice to
the intern of its membership; (3) convening of the committee within 15 working days of receipt of the request
for appeal and arranging for the intern to meet with the committee; and (4) issuance by the committee of its
report and decision within 30 working days of receipt of the request for appeal, with copies to the intern,
Director of Training, and Vice President of Policy and Practice. Should the intern object to the membership
of the ad hoc committee he or she must file with the Director of Training in writing the nature of the
objection within two working days of receipt of notification of the membership. Decisions made by
supervisors regarding professional assessments and judgments, such as performance evaluations, are not
subject to review under this procedure by the ad hoc committee unless it is alleged that the professional
assessment or judgment resulted from unlawful discrimination. In reviewing a complaint of discrimination,
the ad hoc committee may have to inquire into the process by which professional judgments were made, but
the grievance committee may not substitute its judgment for that of the supervisor.

If Judge Baker Children’s Center is in recess during an appeal process, or in instances where additional time
may be required because of the complexity of the appeal or unavailability of the parties or witnesses, any of
the time periods specified herein may be extended by the Director of Training with written notice to the
intern.

Grievance Policy

The Doctoral Psychology Internship Program at Judge Baker Children’s Center is committed to the highest
quality training and supervision. It is expected that supervisors and teachers will, at all times, behave in the
most professional manner. This includes adhering to the highest professional and ethical standards of the
field of psychology and treating interns with respect. Staff responsibilities to interns include adhering to a
regular supervision schedule, timely return of paperwork, availability as necessary for additional supervision,
and frequent, clear, and constructive feedback on intern performance. Interns will complete formal
evaluations of supervisors at regular six month intervals. These evaluations will be shared with supervisors
verbally and a written evaluation form submitted to the Director of Training.

Interns can, during the course of the internship, become dissatisfied with some aspect of their experience.
The interns are entitled to clear and easily accessible mechanisms to address these issues and will be educated
about these mechanisms during the orientation of new interns at the beginning of the training year. Interns
may use the procedures outlined in this policy without fear of reprisal or prejudice. If an intern feels that
he/she has been retaliated against as a result of raising a concern or pursuing a grievance, a separate claim of
retaliation may be pursued through this process.

Expressing a Concern

Interns may express a “concern” about some aspect the internship experience. A concern shall be considered
an informal expression of dissatisfaction communicated verbally or by email. The internship program
encourages, but does not require, interns to address dissatisfactions in this informal manner soon after the
dissatisfaction arises so that members of the faculty can work proactively with the intern to review and, if
indicated, address the issue. Informal expression of dissatisfaction may include the following actions:

- If the intern feels comfortable doing so he/she should bring his/her concern to the supervisor in
  question.
- If the intern does not feel comfortable doing so or does not receive a satisfactory response to his/her
  initial approach he/she should speak privately with the Director of Training about the concerns. The
  Director of Training will determine, together with the intern, the next course of action. Possible options
  include having the intern return to talk to the supervisor in question, convening a meeting between the
  supervisor, the Director of Training and the intern, or convening a meeting between the Director of
Training and the supervisor. If the difficulties cannot be resolved the Director of Training may consider a change in supervisors.

Levels of Redress
Interns may express concerns to a range of faculty members. As general guidance, interns are strongly encouraged, though not required, to first address the concern with the faculty member most immediately involved in the issue and then work through the organizational ladder in the training program, which is as follows:
   a) Direct Supervisor
   b) Alternate Supervisor
   c) Director of Training
   d) Vice President of Policy and Practice
   e) Executive Training Committee

Filing a Grievance
Whether or not they have made an expression of “concern”, all interns may at any time file a formal “grievance”. A grievance is a written statement of complaint and request for redress. This internship program considers the terms “grievance” and “complaint” synonymous. A written grievance must contain the following information:
   g) Date of submission
   h) Clear statement that the communication is a grievance
   i) Clear statement of the complaint
   j) Clear statement of the redress or remedy requested
   k) Previous actions taken to address the complaint
   l) Handwritten or electronic signature of the intern

Initial Processing of a Grievance
Grievances related to the faculty or placement should be submitted to the Director of Training. The responsibilities of the Director of Training are to: (1) acknowledge to the intern receipt of the grievance within two working days; (2) take immediate action if there are allegations of abuse, harassment or other urgent issues; (3) meet with the intern within five working days to gather additional information about the dissatisfactions; and (4) provide to the intern a written response to the grievance within 15 working days of its receipt, with copies to the Vice President of Policy and Practice and Director of Human Resources. Grievances of issues that are specific to the Director of Training should be submitted to the Vice President of Policy and Practice, who will follow the process indicated above.

Appeal of a Grievance
If the intern is dissatisfied with a response provided by the Director of Training, he or she may file a written appeal with the Vice President of Policy and Practice, stating clearly the reason for the appeal and the requested redress. The responsibilities of the Vice President of Policy and Practice in this situation are to: (1) acknowledge to the intern receipt of the grievance within two working days; (2) meet with the intern within five working days to gather additional information about the appeal; and (3) provide the intern with a written response to the grievance within 15 working days of its receipt, with copies to the President and Director of Training.

If the intern is dissatisfied with a response provided by the Vice President of Policy and Practice, a meeting of the Executive Training Committee will be convened by the Vice President of Policy and Practice along with the President, Director of Human Resources, and Director of Training to resolve the difficulties. The intern will be allowed to present his/her case before the Executive Training Committee by submitting written documentation, meeting with the committee, or requesting the presence of other individuals as he/she deems
appropriate. The supervisor involved and the Director of Training may do the same. Following review of all the information available the Executive Training Committee will draft a summary of findings and render a decision regarding appropriate action. The decision of the Executive Training Committee will be the final decision rendered by Judge Baker Children’s Center.

If Judge Baker Children’s Center is in recess during a grievance process, or in instances where additional time may be required because of the complexity of the grievance or unavailability of the parties or witnesses, any of the time periods specified herein may be extended by the Director of Training with written notice to the intern.