

DUE PROCESS AND GRIEVANCE PROCEDURES FOR PSYCHOLOGY INTERNS

The following guidelines have been drawn from multiple sources including:

Lamb, D.H., Presser, N., Pfost, K., Baum, M., Jackson, V.R., & Jarvis, P. (1987).

Confronting professional impairment during internship: Identification, due process, and remediation. *Professional Psychology: Research and Practice*, 18, 597-603.

Lamb, D.H., Cochran, D.H., Jackson, V.R. (1995). Training and organizational issues associated with identifying and responding to intern impairment. *Professional Psychology: Research and Practice*, 22(4), 291-296.

Texas A&M University Student Counseling Services Due Process and Grievance Procedures for Psychology Interns.

Texas State University Counseling Center Interns Evaluation, Review and Grievance Procedures.
Arizona State University Counseling and Consultation Evaluation Procedures.

General Guidelines for Due Process

Due process insures that judgments or decisions made by the training program about interns are not arbitrary or personally biased. The training program has adopted specific evaluation procedures which are applied to all interns. The appeals procedures presented below are available to the intern so that the intern has ample opportunity to ensure fairness is involved in the decision-making process.

General due process guidelines include:

1. presenting to interns, in writing, the program's expectations in regards to professional functioning at the outset of training;
2. stipulating the procedures for evaluation, including when, how, and by whom evaluations will be conducted;
3. using input from multiple professional sources when making decisions or recommendations regarding the intern performance;
4. specifying the definition of "problem behavior."
5. articulating the various procedures and actions involved in making decisions regarding competent functioning and deficiencies;
6. communicating, early and often, with graduate programs about the performance of interns while on internship;
7. methods for instituting a remediation plan for identified inadequacies, including a time frame for expected remediation and consequences of not rectifying the inadequacies;
8. providing the intern with a written statement of procedural policy describing how the intern may appeal the program's actions or decisions;
9. ensuring that interns have a reasonable amount of time to respond to any action(s) taken by the program; and
10. documenting in writing, the action(s) taken by the program and the rationale to all relevant parties (e.g., the intern's academic advisor or training director, intern supervisor).

EXPECTATIONS OF PSYCHOLOGY INTERNS

With regard to the intern behavior and performance during the internship experience, the general expectations of the training program are that the intern will:

- Practice within the bounds of the APA Ethical Code of Conduct (www.apa.org/ethics/)
- Practice within the bounds of the laws and regulations of the [State of Virginia](#);
- Practice in a manner that conforms to the professional standards of The College of William and Mary and the Counseling Center.
- Fulfill the internship requirements established by the W&M Counseling Center

I. The Evaluation Process

In accordance with our training philosophy, supervisors provide ongoing feedback to interns to assist in their professional development. It is important for interns to understand that communications between interns and supervisors are not confidential. However, as the supervisory relationship is an intimate one in nature, supervisors will use discretion when deciding what is appropriate and necessary to communicate to other supervisors and the Training Committee.

Each intern receives two hours per week of one-on-one supervision from their individual supervisor(s). Interns receive additional supervision of core experiential component activities. Interns receive a total of four to five hours of supervision per week. In the context of these supervisory relationships, interns receive ongoing feedback regarding their professional strengths and areas/skills in need of development.

Interns are supervised by experienced practitioners in the mental health field. Primary individual supervision is provided by psychologists licensed in the Commonwealth of Virginia. Formal evaluations occur quarterly. At these intervals, training staff pool input regarding the performance of the interns in all aspects of their training. Evaluations are shared with the intern's graduate program as necessitated by remediation plan or academic program requirements.

The Director of Training will meet with the intern cohort as a group at least bi-monthly and will meet with interns individually during alternate months in order to provide an opportunity to discuss how the training experience is progressing. In addition, interns may request to meet at any time with the Director of Training or CC Director to discuss any matters of concern, including those related to feedback and evaluation.

Evaluation Processes include:

1. Ongoing Feedback

Each clinical supervisor and seminar leader is responsible for providing ongoing feedback to interns regarding their strengths, areas for growth, and progress towards successful completion of the internship year.

2. Supervisor Meetings

During supervisor meetings, training staff share observations regarding interns' skills and areas for growth. Feedback is based upon all aspects of the intern's training experiences, including: reports by all clinical supervisors, case presentations, informal consultations regarding cases, collaboration during team days, observations by seminar leaders, and observations of interdisciplinary communication and professional behavior. The purpose of this process is to ensure an integrated approach towards developing the interns' competencies. Interns will be invited to certain supervisor's meetings as a way to provide opportunities for open, direct communication and mutual feedback.

3. Written Evaluation

Written evaluation forms are used to provide feedback and document the intern's clinical skills and

professional development. Written evaluations occur quarterly and are compiled by each of the intern's primary individual supervisors. Each supervisor meets with the intern to discuss the evaluation, and all sign it to indicate that it has been reviewed. The formal evaluations become a part of the intern's permanent file. The intern is encouraged to maintain a copy of the evaluations for their own records.

4. Providing Evaluation

Interns are asked to reflect on their own progress and experience during the evaluation periods. They complete written evaluations of their supervisors after the supervisor has completed and reviewed the formal evaluation with the intern.

II. Determining Adequate Intern Performance

The training staff would consider interns performance in profession-wide competencies (use of research, ethical and legal standards, professional values, attitudes and behaviors, communication and interpersonal skills, assessment, intervention, Supervision, and consultation and inter-professional/interdisciplinary skills) in determining adequate performance.

Definition of "Learning need" and "Not meeting performance standards"

Any behavior that does not meet the standard for satisfactory functioning at the Counseling Center according to agency policies and procedures, training requirements and guidelines, or instruction by licensed clinical supervisor while operating under their license, can be categorized as "Learning need" or "Not meeting performance standards" depending on the following factors:

- a) intent and impact regarding professional practice in psychology and delivery of services within this agency
- b) Functioning as an agent or employee of the College of William and Mary and/or
- c) Severity and seriousness of the behavior

A "learning need" can be defined as any of the following:

- a) an intern's behavior that is identified as an important area for growth or focused learning.
- b) Marginal competency in basic skills (as noted in the description of a score of "2" in the evaluation)
- c) any behavior that is not consistent with the expected level of development for an intern
- d) any behavior that doesn't change with feedback and/or time

A "learning need" can be identified at any time during the internship year by any member of the staff and would result in a "growth plan." A learning need that does not change as a function of the growth plan could become an issue classified as "not meeting performance standards."

"Not meeting performance standards" can be defined as any of the following:

- a) An inability or unwillingness to acquire and integrate professional standards into one's repertoire.
- b) An inability to acquire professional skills and reach an accepted level of competency.
- c) An inability to control personal stress, psychological dysfunction, or emotional reactions.
- d) An inability or unwillingness to acknowledge, understand, or address problematic behavior when identified.
- e) Quality of service delivered results in negative outcomes for clients.
- f) Problematic behavior impacts multiple areas of professional functioning.
- g) Problematic behavior could have ramifications in ethics and legalities if not addressed.
- h) Disproportionate amounts of resources are required to support intern functioning.
- i) Intern's behavior does not change as a function of feedback, remediation efforts, or time.
- j) Intern's behavior negatively affects WMCC public image or the image of the profession.

Problematic behavior that doesn't adequately improve through supervision, academics or didactics could be attended to by the training committee with consultation from any entity which may be able to provide relevant remedies to adequately address the identified issue. These entities include but are not limited to professional standards, legal counsel, human resources, state licensing boards, professional consultants, national professional organizations, etc. Any such consultations will be documented and kept in a confidential file.

III. Procedures for Responding to Performance Concerns by an Intern

All trainees' progress during the year is regularly discussed in a bi-weekly meeting of staff supervisors. Routine developmental issues that are the focus of training, seminars and clinical supervision are often identified. Supervisors make every effort to manage these within the normal scope of training activities. At any time during the year, a CC staff member may determine some aspect(s) of an intern's performance as not meeting expected level of development ("learning need") or is inadequate ("Not meeting Performance Standards").

A. Procedures to address a "learning need" – growth plan

At any point during the training year any member of the training staff can identify a "learning need" and suggest a growth plan to help the intern develop a given competency. Similarly, an intern may request the development of a growth plan for their professional development. In either case, a written plan would be developed and the Supervisors Committee will be informed. As stated above, a "learning need" that does not change as a function of the growth plan could become an issue classified as "Not meeting performance standards."

An intern has the opportunity to respond to the growth plan if there is disagreement. The disagreement can be addressed with the training staff who suggested the growth plan or with the Supervisors Committee by providing a written statement and/or presenting a statement in person. The committee will make the final decision on whether the growth plan will be put into effect.

B. Procedures used when an intern is "not meeting performance standards" - Remediation

1. The intern will be notified that the concerning behavior is being addressed in the Supervisors Committee Meeting. A review of their performance will continue so that the Committee could arrive to a decision regarding the best way to help the intern achieve competency in the specific area(s) identified.
2. The intern can respond to the identified issue by providing a written statement and/or presenting a statement in person to the committee. This is an optional step for the intern.
3. In discussing the identified issue(s) and considering the intern's statement (if one is given), the Supervisors Committee may determine that one or more of the following responses will be made:

- **No Action Required or Written Growth Plan**

The identified issue does not warrant any further action or the behavior is either part of a normal developmental issue or a "learning need" that can be addressed in the course of ongoing supervision or a "growth plan." In such case, the supervisor and intern will be notified and recommendations to address the behavior may be included.

- **Written Remediation Plan**

The intern will be given a remediation plan specifying the following:

- a. Description of the unsatisfactory behavior
- b. Actions required to correct the unsatisfactory behavior (e.g. increasing supervision, changing the format, emphasis, and/or focus of supervision, recommending personal therapy and/or psychological assessment, reducing the intern's clinical or other work load and/or requiring specific academic course work or other forms of training)
- c. Timeline for correction
- d. Explanation of the procedure that will be used to determine whether satisfactory progress has been made
- e. Possible consequences if the problem is not corrected

A copy will be sent to the intern's academic program.

- **Suspension of Clinical Privileges**

If it is determined that the intern's problem behavior might impact client welfare, the intern's clinical privileges will be suspended. The intern will be informed in writing about potential consequences resulting from suspension, which might include inability to complete program hours or other requirements. The intern will be given a letter specifying the following:

- a. Description of the unsatisfactory behavior
- b. Actions required to correct the unsatisfactory behavior and restore clinical privileges
- c. Timeline for correction
- d. Explanation of the procedure that will be used to determine whether satisfactory progress has been made
- e. Possible consequences if the problem is not corrected

A copy will be sent to the intern's academic program.

- **Administrative Leave**

The intern may be placed on administrative leave, accompanied by suspension of all duties and responsibilities in the agency. The intern will be informed in writing about potential consequences resulting from suspension, which might include inability to complete program hours or other requirements. The intern will be given a letter specifying the following:

- a. Description of the unsatisfactory behavior
- b. Actions required to correct the unsatisfactory behavior
- c. Timeline for correction
- d. Explanation of the procedure that will be used to determine whether satisfactory progress has been made
- e. Possible consequences if the problem is not corrected

A copy will be sent to the intern's academic program.

- **Dismissal**

The intern will be given a letter specifying the following:

- a. Description of the unsatisfactory behavior and attempts to address it
- b. Grounds for decision to dismiss

A copy will be sent to the intern's academic program.

Dismissal from the internship program might occur under the following circumstances:

- a. It is determined that remediation cannot be successfully accomplished.

- b. Serious violation of ethical standards
 - c. Serious violation of the WMCC policy and procedures
 - d. Serious violation of College Policy
 - e. Violation of federal or state statute
 - f. Any other condition that jeopardizes intern, client or staff welfare
4. The Director of Training or another member of the Supervisors Committee will meet with the intern to review the outcome of Supervisors Committee decision; the intern may also request to meet with the Supervisors Committee as a whole. The intern may choose to accept the conditions or may choose to appeal the decision. The procedures for appealing the decision are presented in Section IV.
 5. If the intern chooses not to appeal the Supervisors Committee's decision it is expected that the intern's performance will be reviewed no later than the next evaluation period or the timeline specified in the plan or letter.
 6. If the intern's performance is deemed satisfactory at the next review period the intern will be informed in writing and no further action will be taken. A copy will be sent to the intern's academic program.
 7. However, if the Supervisors Committee determines that there has not been sufficient improvement in the intern's performance to remove the conditions stipulated, the Supervisors Committee may adopt any one of the following measures:
 1. Issue an extension of the remediation for a specified time period in which the Supervisors Committee will once again determine if sufficient improvement in the intern's behavior has been made.
 2. Determine which further action is necessitated and follow outlined procedures (see actions in section B:3 above).

IV. Appeal Process regarding Remediation

- A. If the intern wishes to appeal the decision made by the Supervisors Committee the intern must inform the Director of Training in writing and explain the grounds for the challenge within five (5) working days of receipt of the decision.
- B. No later than seven (7) working days of receipt of the appeal the Director of Training will convene an **Appeal Panel** consisting of two staff members selected by the Supervisors Committee and two selected by the intern. An appeal hearing is conducted in which the appeal is heard. The CC Director, who has final decision-making authority, will not sit on the Appeal Panel.
- C. The Appeal Panel will render a decision to accept or reject the Supervisors Committee action. All decisions and recommendations by the Appeal Panel are determined by majority vote.
 - i. In the event that the committee's decision is upheld, the Training Director will notify the intern in writing of this decision within 24 hours. If the intern chooses, the intern can exercise a final appeal to the CC Director.
 - ii. If the committee's decision is overruled, the Training Director will notify the intern in writing of this decision within 24 hours. In the event that the Appeal Panel suggests any recommendations, the Training Director will include those in the

written notification. The intern meets with the Training Director who outlines the new recommendations for action as determined by the Appeal Panel.

- B. Once a final decision has been made, the intern, intern's academic program and other appropriate individuals are informed in writing of the action taken.

V. Intern Complaint Procedures

In order to protect the needs and rights of all interns, a complaint procedure has been developed. While it is hoped that any concerns or complaints can be discussed and resolved informally, a formal mechanism is appropriate in light of the power differential between interns and supervisors. In general, interns are encouraged to work actively to create an experience that fits their needs and interests and to work with the CC staff to ensure that their needs are met. Giving feedback to staff members/supervisors or the Director of Training is encouraged in order to create an environment that facilitates open dialogue and feedback, and supports professional development.

Complaints may be initiated in the following situations:

1. an intern has a complaint concerning any staff member/supervisor regarding a situation other than an evaluation,
2. an intern has a complaint concerning another intern or trainee,

Complaints Regarding Non-Training Issues:

1. The intern is encouraged to speak directly with the colleague involved for a resolution.
2. If the situation is not resolved, or if the intern prefers not to speak directly to a colleague one-on-one, the intern may inform the Training Director in order to either a) facilitate a discussion of the complaint with the identified colleague, b) address the issue directly with this staff member, or c) determine the appropriate procedure or office to address the complaint.
3. If the complaint is not or cannot be resolved in this manner then the intern may provide a written statement to the Supervisors Committee who will make recommendations for resolution.
4. If the complaint remains unresolved, the Director of the CC will meet with the Supervisors Committee to review and act upon the complaint.

All employees of the College of William Mary, including trainees, have the right to file formal grievances with the College. Guidelines for grievance procedures are outlined in [W&M Human Resources Grievance Procedures](#). In the case of perceived harassment or discrimination (sexual, racial or other), which is not resolved through this procedure, the intern should refer to the [W&M Sexual Harassment Policy](#)