

PSYCHOLOGY INTERN/RESIDENT PROBLEMS, DUE PROCESS, AND GRIEVANCE PROCEDURES

A. DEFINITIONS

1. Problem: Interference in professional functioning exhibited in one (or more) of the following ways:
 - a. Inability or unwillingness to acquire and integrate professional standards into professional behavior and practice.
 - b. Inability or unwillingness to acquire professional skills to a level commensurate with training and experience expected of a psychology intern/resident.
 - c. Inability or unwillingness to manage personal stress, psychological dysfunction, or excessive emotional reactions to an extent where professional functioning is affected.
2. Behavior of concern: Behaviors, attitudes, or characteristics that are unexpected or excessive for professionals in training and may require remedial action(s).
3. Characteristics of problem behavior:
 - a. The intern/resident does not acknowledge, understand, or address problematic behavior when it is identified.
 - b. The problem is not due to a deficit of skill(s) that can be alleviated by didactic or academic training.
 - c. The quality of service(s) delivered is consistently negatively affected by the problem behavior.
 - d. The problem behavior is not restricted to one area of professional functioning.
 - e. The problem behavior has the potential for ethical or legal ramifications if not addressed.
 - f. The problem behavior requires a disproportionate amount of attention from training personnel.
 - g. The intern/resident's behavior does not change in relation to feedback, remedial efforts, or time.
 - h. The intern/resident's behavior negatively affects the public image of the Department of Corrections or the psychology training program.

4. Unprofessional Conduct: Inappropriate professional conduct as demonstrated by:
 - a. Intentional disregard for policies and procedures.
 - b. Knowingly violating any of the ethical principles of psychologists.
5. Grievance: A complaint based upon actual or perceived injustice regarding working conditions, training program, or supervisory treatment.

B. CORRECTIVE ACTION REGARDING BEHAVIOR OF CONCERN, PROBLEM BEHAVIOR, AND UNPROFESSIONAL CONDUCT

1. In the vast majority of cases, a supervisor's concerns regarding intern/resident behavior are minor and can be satisfactorily addressed between supervisor and intern/resident in the course of normal intern/resident supervision. The supervisor will address the concern(s) with the intern/resident and arrive at a mutually agreed upon reasonable deadline for demonstration of improvement by the intern/resident
2. When any intern/resident demonstrates or is believed to have demonstrated problem behavior, as defined in section A3, which has not been corrected by the intern/resident during normal intern/resident supervision as described in section B1 above, or unprofessional conduct as defined in section A4, the supervisor involved will bring the matter to the immediate attention of the intern/resident, or as soon as possible. The intern/resident will be given the opportunity to discuss the incident with the supervisor before anyone else is notified. Subsequently, the supervisor will advise the Psychology Intern/resident Training Director (PTD) of the incident and discussion with the intern/resident. Depending upon the severity of the matter, the Regional Mental Health Director (RMHD), the Internship/Residency President, and the entire training staff may also be informed and/or consulted. The supervisor and the PTD will determine whether or not any further action is necessary. If further action is deemed necessary, the PTD:
 - a. May discuss the issue with the intern/resident, with the intern/resident and the supervisor together, seek input from other staff having professional contact with the intern/resident, or previous supervisors of the intern/resident.
 - b. Will meet with the intern/resident and supervisor to outline corrective action, and develop a reasonable time within which the intern/resident will demonstrate improvement.
 - c. Will consult with the intern's graduate training director, the supervisors of psychology training at the institution, the RMHD, and the MHSD to discuss a course of action if intern improvement is not observed within this time.

3. If it appears the intern/resident is in serious danger of not satisfactorily meeting the training objectives for the rotation, internship, residency or practicum placement, the PTD may place the trainee on probation. The PTD will develop a written improvement plan with input from the training supervisor, the intern's graduate training director, the RMHD, and other training supervisors. The improvement plan will be reviewed and approved by the Internship/Residency President, or designee. The plan will include:
 - a. A description of the problematic behavior and/or deficiency(s).
 - b. Assignment(s) for the trainee to complete to demonstrate competency, and a deadline for completion.
 - c. A designation of the supervisory staff member(s) who will monitor the assignment(s).
4. When an intern is placed on probation, the intern's graduate program training director will be notified immediately and will be provided frequent (minimum weekly) updates by the PTD regarding the intern's progress.
5. If the supervisor or the PTD believes the matter is a serious breach of professional conduct or if the incident is a second occurrence, the PTD, training supervisors, and RMHD will meet to determine an appropriate course of action which can include continued probation or dismissal from the training program. The Intern/Residency President will be advised of the course of action decided by the PTD and RMHD.
6. If there is a determination to place the trainee on probation or to dismiss the trainee from the program, the trainee shall be provided written notice of the basis for the placement on probation or dismissal and of the opportunity to grieve the action through the grievance process set forth in section C below. A grievance of a dismissal shall be filed with the PTD within seven (7) calendar days of receipt of the notice.
7. If the infraction violates the rules of the Department of Correction and/or threatens the security of the institution, the trainee's actions will be investigated in accordance with departmental procedure 108.003 Investigative Process, and the trainee may be placed on inactive status during the period of investigation.
8. At all points in the process of correction of behavior, the trainee will be treated with respect, kept informed, consulted, and involved in a manner deemed appropriate by the PTD.
9. If a trainee believes s/he is being treated unfairly or in any unsatisfactory manner, the trainee may address these concerns via the grievance process outlined in section C below.

C. PSYCHOLOGY INTERN/RESIDENT GRIEVANCE PROCEDURE

1. If an intern/resident has a disagreement, dispute, or conflict with a supervisor, the PTD, another intern/resident, or any other department employee, or if an intern/resident is treated in a way that the intern/resident believes is inappropriate, the first course of action taken by the intern/resident will be to raise the matter directly with the person involved in the disagreement, dispute, or conflict. It is expected that most problems can be resolved at this level.
2. In most situations, the person with whom the intern/resident has a disagreement should always be approached first. If a training supervisor, unit supervisor, the PTD, or anyone else is consulted prior to the intern/resident discussing the problem with the person involved in the disagreement, the intern/resident will be reminded to first discuss the concerns with the person directly involved unless it is determined by the supervisor or PTD that it would be inappropriate to require the intern/resident to first discuss the situation with the involved person.
3. If, in the intern/resident's opinion, a joint discussion with the involved person does not satisfactorily resolve the matter, the following procedure should take place. If the person involved is a training supervisor, unit supervisor, another intern/resident, or other employee of the department, the PTD should be the first person notified. If the PTD is the person involved, the intern/resident should contact the Intern/Residency president. In any of the above cases, the person notified will discuss the issue with the person involved in the dispute prior to suggesting a course of action to the intern/resident.
4. If the action(s) suggested by the PTD or the MHSD is not agreeable to the intern/resident, or if this action is not successful in resolving the issue, the following course should be taken. If the person involved is not the PTD, the intern/resident should notify the PTD. If the person involved is the PTD, the intern/resident should notify the MHSD. In any of these circumstances, a three-way meeting will be one option considered. The PTD and MHSD may elect to consult with all training supervisors and/or the RMHD at this point in the process for advice in assisting with problem resolution.
5. Should the above courses of action fail to resolve the matter, the intern/resident will present her/his grievance in writing to the MHSD who, with consultation as the MHSD deems appropriate, determine a final course of action. Grievances shall be filed within 14 days after the incident leading to the disagreement, dispute, or conflict occurred or within 14 days after the incident giving rise to the disagreement, dispute, or conflict became or should have been known to the intern/resident or, in the case of continuing behavior, within 14 days of the last offending action. The decision on the grievance shall be in writing to the intern/resident.
6. If the intern/resident is dissatisfied with the way in which the matter is resolved, s/he may appeal the grievance decision by requesting that the case be reviewed by the central office panel composed of the PTD, the MHSD, and one staff member each from the Offices of Institutions, Administration, Program Services, Health Services, and

Community Corrections. The review panel will forward the case with its recommendations to the Assistant Secretary for final review. The decision of the Assistant Secretary shall be final.

7. However, if the intern/resident is still dissatisfied with the resolution of the matter, other courses of action that may be pursued by the intern/resident are to notify the intern's graduate training director, if applicable, Association of Psychology Postdoctoral and Internship Centers, and/or the American Psychological Associate Office of Accreditation.
8. Grievances involving sexual harassment or other forms of discrimination should be filed in accordance with departmental procedures.