Due Process Guidelines and Grievance Procedures
UNLV Student Counseling and Psychological Services Doctoral Internship Program

This document includes an overview of the identification and management of Doctoral Intern problems and concerns, a listing of possible sanctions, an explicit discussion of the due process procedures, and important considerations in the remediation of problems. Most problems that arise in the Doctoral Internship training program are a normal part of the training process. We encourage supervisors and Doctoral Interns to discuss and resolve problems and/or conflicts informally, however if this cannot occur, this document provides a formal process for CAPS to respond to issues of concern. The CAPS Doctoral Internship training program will also provide all Doctoral Interns with information relevant to professional standards, legal and ethical regulations and guidelines, and offer opportunities to discuss the implementation of these standards.

Evaluation

The Doctoral Internship Training Program follows a developmental model that supports and builds on the knowledge Doctoral Interns bring, and it provides opportunities to gain experience and training in multiple professional capacities. This model supports interns to build competencies, confidence, and skills throughout the year and graduate ready for entry level positions.

Mid-year and end of the year evaluations with supervisors monitor the developmental progress and readiness of interns. Approval to pass the internship requires that an intern receives no ratings of 1 and no more than ten ratings of 2 (with all other ratings being 3 or above) for every item on the evaluation, when it is completed by supervisors at the end of the year. In supervision, supervisors provide ongoing feedback to interns on their areas strengths and areas for growth. The ongoing evaluation process provides regular feedback and evaluation of goals set for the training year. It is expected that professional autonomy increases as the year progresses and Doctoral Interns complete the internship with competencies to practice as professional psychologists.

See “Completion of Internship” and “Evaluation Procedures” sections of the training manual for additional information.

Due Process: Definition and General Guidelines

Due process is to inform and to provide a framework to respond, act or dispute. Due process ensures that decisions about Doctoral Interns are not arbitrary or personally based. Specific evaluative procedures apply to all Doctoral Interns, and appeal procedures are available for Doctoral Interns who wish to appeal the program's actions. All steps need to be appropriately documented and implemented. General guidelines are as follows:

1. During the orientation period, Doctoral Interns will receive the training program's expectations related to professional functioning in writing and is discussed in group settings and with individual supervisors.
2. The procedures for evaluation, including when and how evaluations will be conducted will be described to the Doctoral Interns. Evaluation is a mutual process (with Doctoral Intern
evaluating supervisor and supervisor evaluating Doctoral Intern) and meant to be a learning experience for both parties.

3. Problematic behavior or concerns are clearly defined in writing and opportunities for discussion and clarification are provided if necessary.

4. Doctoral Interns are informed of due process procedures and written policies for appealing actions of the program.

5. The training program will institute a remediation plan for identified inadequacies, including a time frame for expected remediation. Consequences of not rectifying the inadequacies will be clearly stated in writing.

6. The training program ensures that Doctoral Interns have sufficient time to respond to any action taken by the training program.

7. The training program considers multiple professional sources when making decisions or recommendations regarding a Doctoral Intern's inadequate performance.

8. The training program documents the action taken by the program and its rationale, and provides this documentation to all relevant parties.

**Definition of Problematic Behavior**

Problematic 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. an inability to acquire professional skills in order to reach an acceptable level of competency; and/or
3. an inability to control personal stress, strong emotional reactions, and/or psychological dysfunction which interfere with professional functioning.

It is a professional judgment as to when a Doctoral Intern’s behavior becomes problematic rather than of concern. Doctoral Interns may exhibit behaviors, attitudes or characteristics which, while of concern and requiring remediation, are not unexpected or excessive for professionals in training. Problems typically become identified 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 that 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. Multiple and similar observations are made by more than one supervisor.
6. A disproportionate amount of attention by training staff is required and/or
7. The intern's behavior does not change as a function of feedback, remediation efforts, and/or time.

**Procedures for Responding to Inadequate Performance by an Intern**

If an intern receives a "remedial" (a rating of 1 – below expected competency) from any of their supervisors in any of the major domains of evaluation, or if a staff member has concerns about an
intern’s behavior (ethical or legal violations or professional incompetence) the following procedures will be initiated:

1. The staff member will consult with the Training Coordinator to determine how to proceed (for example, provide feedback and discuss with intern in supervision or write a remediation plan) and continue to assess behavior in question for improvement.
2. If the staff member who brings the concern to the Training Coordinator is not the intern's primary supervisor, the Training Coordinator and/or person with the concerns will discuss their concern with the intern's primary supervisor to determine how to proceed.
3. If the Training Coordinator and primary supervisor determine that the alleged behavior in the complaint, if proven, would constitute a serious ethical, legal, or clinical violation, the Training Coordinator will inform the staff member who initially brought the complaint of the violation.
4. The Training Coordinator will meet with the Training Committee to discuss the performance rating or the behavior concern and possible courses of action to be taken to address the issues.
5. The Training Coordinator, Training Committee, and primary supervisor, may meet to discuss possible course of actions.
6. Whenever a decision has been made by the Training Coordinator about an intern's status at CAPS, the Training Coordinator will inform the intern in writing and will meet with the intern to review the decision. This meeting may include the primary supervisor.
7. The intern may choose to accept the conditions or may choose to appeal the action (Grievance Procedures).
8. The Training Coordinator or primary supervisor may consult with the intern’s Director of Clinical Training from their doctoral program at any time.

Guidelines for Addressing Problematic Behaviors

It is important to have meaningful ways to address problematic behavior once it has been identified. In implementing remediation or sanction interventions, the training staff must be mindful and balance the needs of the intern, the clients involved, other interns, the training staff, and other CAPS staff. The following is a list of remediation and sanction alternatives to be considered in addressing problematic behaviors. One or more of any of the following actions may be taken, depending on the situation. The Doctoral intern’s Director of Clinical Training from their doctoral program may be contacted at any time.

1. **Verbal warning** to the Doctoral Intern by the primary supervisor or Training Coordinator emphasizes the need to improve the rating or discontinue the behavior under discussion. No record of this action is kept.

2. **Written acknowledgment** to the intern formally acknowledges:
   a) that the Training Coordinator is aware of and concerned with the performance rating or behavior concern,
   b) that the concern has been brought to the attention of the intern,
   c) that the Training Coordinator will work with the intern to rectify the problem or skill deficits, and
d) that the behaviors associated with the rating are not significant enough to warrant more serious action at the present time.

The written acknowledgment may be removed from the intern file when the intern responds to the concerns and successfully completes the internship.

3. **Written warning** to the intern indicates the need to immediately work on improving the behavior resulting in the poor rating or to discontinue the concerning/problematic behavior. This letter will contain:

a) a description of intern’s unsatisfactory performance;

b) actions needed by the intern to correct the unsatisfactory behavior;

c) the time line for correcting the problem;

d) what action will be taken if the problem is not corrected; and

e) notification that the intern has the right to request a review of this action.

A copy of this letter will be kept in the Doctoral Intern's file. Consideration may be given to removing this letter at the end of the Doctoral Internship by the Training Coordinator in consultation with the Doctoral Intern's supervisor and the Training Committee. If the letter is to remain in the file, documentation should contain the position statements of the parties involved in the dispute.

4. **Schedule modification** is a time-limited, remediation-oriented, closely supervised period of training designed to return the Doctoral Intern to a more fully functioning state. Modifying a Doctoral Intern's schedule is an accommodation made to assist the intern in responding to personal reactions to environmental stress, with the full expectation that the Doctoral intern will complete the Doctoral Internship. This period will include more closely scrutinized supervision conducted by the primary supervisor in consultation with the Training Coordinator. Several possible and perhaps concurrent courses of action may be included in modifying a schedule. These include:

a) increasing the amount of supervision, either with the same or other supervisors;

b) change in the format, emphasis, and/or focus of supervision;

c) recommending personal therapy and providing community referrals

d) reducing the intern's clinical or other workload;

e) requiring specific academic course work.

The Training Coordinator, in consultation with the primary supervisor and the Training Committee will determine the length of a schedule modification period. The termination of the schedule modification period will be determined, after discussions with the Doctoral Intern, by the Training Coordinator in consultation with the primary supervisor.

5. **Probation** is also a time limited, remediation-oriented, more closely supervised training period. Its purpose is assessing the ability of the intern to complete the Doctoral Internship and to return the intern to a more fully functioning state. Probation defines a relationship that the Training Coordinator systematically monitors for a specific length of time the degree to which the intern addresses, changes and/or otherwise improves the
behavior, possibly associated with the inadequate rating. The Doctoral Intern is informed of the probation in a written statement that includes:

a) the specific behaviors associated with the unacceptable rating;
b) the recommendations for rectifying the problem;
c) the time frame for the probation during which the problem is expected to be improved, and
d) the procedures to determine whether the problem has been appropriately rectified.

If the Training Coordinator determines that there has not been sufficient improvement in the Doctoral Intern's behavior to remove the probation or modified schedule, then the Training Coordinator will discuss with the primary supervisor and the Training Committee possible courses of action to be taken. The Training Coordinator will communicate in writing to the Doctoral Intern if the conditions for revoking the probation or modified schedule have not been met. This notice will include the course of action the Training Coordinator has decided to implement. These may include continuation of the remediation efforts for a specified time period, implementation of another alternative, or dismissal from the internship. The Training Coordinator may discuss with the CAPS Director if it appears that the Doctoral Intern will not successfully complete the Doctoral Internship.

6. **Suspension of direct service activities** requires a determination that the welfare of the Doctoral Intern's clients has been jeopardized. Therefore, direct service activities will be suspended for a specified period as determined by the Training Coordinator in consultation with the Training Committee. At the end of the suspension period, the Doctoral Intern's primary supervisor, in consultation with the Training Coordinator, will assess the Doctoral Intern's capacity for effective functioning and determine if and when direct service can be resumed.

7. **Administrative leave** involves the temporary withdrawal of all responsibilities and privileges at CAPS. If the probation period, suspension of direct service activities, or administrative leave interferes with the successful completion of the training hours needed for completion of the Doctoral Internship, this will be noted in the Doctoral Intern's file. The Training Coordinator, in consultation with Human Resources, will inform the Doctoral Intern of the effects the administrative leave will have on the Doctoral Intern's stipend and benefits.

8. **Dismissal from the Doctoral Internship** involves the permanent withdrawal of CAPS responsibilities and privileges. When specific interventions do not, after a reasonable time period, rectify the problematic behavior or concerns and the intern seems unable or unwilling to alter her/his behavior, the Training Coordinator will consult with the Director about the possibility of termination from the training program. Either administrative leave or dismissal would be invoked:
   a) in cases of severe violations of the APA code of ethics
   b) when imminent physical or psychological harm to a client is a major factor
   c) major disruption to other people in the training program or CAPS staff
d) the Doctoral Intern is unable to complete the Doctoral Internship due to physical, mental or emotional illness

e) the Doctoral Intern does not meet minimum competency requirements and is not making adequate progress

Grievance Procedures

There are two situations in which grievance procedures can be initiated.

1. A Doctoral Intern can appeal an evaluation report of their supervisor or a complaint from another party or actions recommended by the Training Coordinator or Training Committee. They can elect to attempt to resolve this informally or formally. Both sets of procedures are outlined below.

2. A Doctoral Intern may have a complaint against a CAPS staff member.

These situations are described below.

Informal Doctoral Intern appeal:

If a Doctoral Intern is dissatisfied with a supervisor's evaluation report or disagrees with a complaint from another party they may request a special meeting with the Training Coordinator and/or Training Committee. The review meeting will include the Training Coordinator and any staff involved in the dispute. The Doctoral Intern may invite other staff members to assist, or to present additional information. Following this special review meeting, a recommendation will be forwarded to the Training Coordinator and the Training Committee for further action. Possible actions include but are not limited to:

a) acceptance or modification of the supervisor's evaluation,
   b) specific changes in the remediation program,
   c) change of supervisor, and/or
   d) addition of another supervisor.

If the Doctoral Intern remains dissatisfied, they can institute a formal appeal or ask for the Review Panel procedures (outlined below) to be instituted.

Formal Doctoral Intern appeal:

If the Doctoral Intern wishes to formally appeal any action taken by their supervisor or Training Coordinator, the Doctoral Intern must, within five (5) work days of receipt of the Training Coordinator’s decision, inform the Training Coordinator, in writing, of such an appeal. When an appeal is made, the Doctoral Intern must provide the Training Coordinator information supporting the Doctoral Intern's position or concern. Within three (3) work days of receipt of this notification, the Training Coordinator will consult with the Director and will implement Review Panel procedures as described below.
When a Doctoral Intern has a complaint against a CAPS staff member:
The CAPS training program recognizes that unanticipated problems may occasionally arise among Doctoral Interns and other CAPS staff. The problem-solving procedures outlined below are intended to address these problems.

1) A Doctoral Intern who has a specific complaint and is willing to speak to a staff member about the complaint is encouraged to first address the complaint to the appropriate target (presumably another staff person).

2) If the Doctoral Intern makes an attempt to address the issue directly but is unable to resolve the issue, they will work with the primary supervisor or Training Coordinator to come up with a solution to the problem.

3) If no solution is identified, or if the identified solution is unsuccessful, the primary supervisor or Training Coordinator then informs the target of the complaint that this unresolved matter is being referred to the Director. If the situation is still not resolved to the satisfaction of the Doctoral Intern they can call for the Review Panel procedures (outlined below) to be instituted.

Review Panel and Process

1. When needed, the Director of CAPS will convene a Review Panel. The panel will consist of three staff members selected by the Director with recommendations from the Training Coordinator and the Doctoral Intern involved in the dispute. The Doctoral Intern has the right to hear all facts with the opportunity to dispute or explain the behavior of concern.

2. Within five (5) work days, a hearing will be conducted in which the appeal is heard and relevant material presented. Within three (3) work days of the completion of the review, the Review Panel submits a written report to the Director, including any recommendations for further action. Recommendations made by the Review Panel will be made by majority vote.

3. Within three (3) work days of receipt of the recommendation, the Director (in consultation with the Training Coordinator) will either accept or reject the Review Panel's recommendations. If the Director rejects the panel's recommendations, due to an incomplete or inadequate evaluation of the dispute, the Director may refer the matter back to the Review Panel for further deliberation and revised recommendations or may make a final decision.

4. If referred back to the Review Panel, the panel will report back to the Director within five (5) work days of the receipt of the Director’s request for further deliberation. The Director (in consultation with the Training Coordinator) then makes a final decision regarding what action is to be taken.

5. The Training Coordinator informs the Doctoral Intern and if necessary, the training program of the decisions made.

6. If the Doctoral Intern disputes the Director’s final decision, the Doctoral Intern has the right to contact the Ombud’s Office at ombuds@unlv.edu to discuss the situation.

If there are extenuating circumstances that makes these timelines or procedures unattainable, the other involved parties will be notified in writing.