

Connections Day School
DUE PROCESS & GRIEVANCE PROCEDURES

DUE PROCESS PROCEDURES

Due Process Procedures are implemented in situations in which a supervisor or other staff member raises a concern about the functioning of a trainee. The CDS Clinical Training Program's Due Process procedures occurs in a stepwise fashion, involving greater levels of intervention as a problem increases in persistence, complexity, or level of disruption to the training program.

RIGHTS & RESPONSIBILITIES

These procedures are a protection of the rights of both the trainee and the CDS training program, and also carries responsibilities for both.

Trainees: The trainee has the right to be afforded with every reasonable opportunity to remediate problems. These procedures are not intended to be punitive; rather, they are meant as a structured opportunity for the trainee to receive support and assistance in order to remediate concerns. The trainee has the right to be treated in a manner that is respectful, professional, and ethical. The trainee has the right to participate in the Due Process procedures by hearing the trainee's viewpoint at each step in the process. The trainee has the right to appeal decisions with which the trainee disagrees, within the limits of this policy. The responsibilities of the trainee include engaging with the training program and the institution in a manner that is respectful, professional, and ethical, making every reasonable attempt to remediate behavioral and competency concerns, and striving to meet the aims and objectives of the program.

CDS Training Program: CDS has the right to implement these Due Process procedures when they are called for as described below. CDS staff have the right to be treated in a manner that is respectful, professional, and ethical. CDS has a right to make decisions related to remediation for a trainee, including probation, suspension and termination, within the limits of this policy. The responsibilities of the CDS include engaging with the trainee in a manner that is respectful, professional, and ethical, making every reasonable attempt to support trainees in remediating behavioral and competency concerns, and supporting trainees to the extent possible in successfully completing the training program.

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
3. an inability to control personal stress, psychological dysfunctions, and/or excessive emotional reactions which interfere with professional functioning

It is a professional judgment as to when an issue becomes a problem that requires remediation. Issues typically become identified as problems that require remediation when they include one or more of the following characteristics:

1. the trainee does not acknowledge, understand, or address the problem when it is identified
2. the problem is not merely a reflection of a skill deficit which can be rectified by the scheduled sequence of clinical or didactic training
3. the quality of services delivered by the trainee is sufficiently 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 trainee's behavior negatively impacts the public view of the agency
9. the problematic behavior negatively impacts other trainees
10. the problematic behavior potentially causes harm to a student or student's family
11. the problematic behavior violates appropriate interpersonal communication with agency staff.

INFORMAL REVIEW

When a supervisor or other staff member believes that a trainee's behavior is becoming problematic or that a trainee is having difficulty consistently demonstrating an expected level of competence, the first step in addressing the issue should be to raise the issue with the trainee directly and as soon as feasible in an attempt to informally resolve the problem. This may include increased supervision, didactic training, and/or structured readings. The supervisor will then monitor the outcome of these interventions.

FORMAL REVIEW

If a trainee's problematic behavior persists following an attempt to resolve the issue informally, or if a trainee receives a rating below a "3" on any competency on a supervisory evaluation, the following process will be initiated:

- A. Notice:** The trainee will be notified in writing, within 10 days of an attempt to resolve the issue informally, that the issue has been raised to a formal level of review, and that a Hearing will be held.

B. Hearing: The supervisor will hold a Hearing with the Review Committee (RC) (consisting of the CDS Clinical Director/Director of Clinical Training, the trainee's primary supervisor raising the issue and trainee) 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 trainee's primary supervisor is the person raising the issue, an additional licensed Psychologist who works directly with the trainee should provide perspective at the Hearing and/or provide a written statement related to their response to the problem.

C. Outcome & Next Steps: The result of the Hearing will be any of the following options, to be determined by the RC. This outcome will be communicated to the trainee in writing within 5 working days of the Hearing:

1. Issue an "***Acknowledgement Notice***" which formally acknowledges:

- a. that the training staff are aware of, and concerned with, the problem
- b. that the problem has been brought to the attention of the trainee
- c. that the staff will work with the trainee to specify the steps necessary to rectify the problem or skill deficits addressed by the inadequate evaluation rating

AND

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

2. Place the trainee on a "***Remediation Plan***" which defines a relationship such that the the RC actively and systematically monitors, for a specific length of time, the degree to which the trainee addresses, changes and/or otherwise improves the problematic behavior or skill deficit. The implementation of a Remediation Plan will represent a probationary status for the trainee. The length of the probation period will depend upon the nature of the problem and will be determined by the RC. A written Remediation Plan will also be shared with the trainee and the trainee's academic doctoral program and will include:

- a. the actual behaviors or skills associated with the problem
- b. the specific actions to be taken for rectifying the problem
- c. the time frame during which the problem is expected to be ameliorated

AND

- d. the procedures designed to ascertain whether the problem has been appropriately remediated.

At the end of this remediation period as specified in 'c' above, the RC will provide a written statement indicating whether or not the problem has been remediated. This statement will become part of the trainee's permanent file and will be shared with the trainee's academic doctoral program. If the problem has not been remediated, the RC may choose to move to Step D below or may choose to extend the Remediation Plan. The extended Remediation Plan will include all of the information mentioned above and the extended time frame will be specified clearly.

3. Place the trainee on ***Suspension***, which would include removing the trainee from all clinical service provision for a specified period of time, during which the program may support the trainee in obtaining additional didactic training, close mentorship, or engage some other method of remediation. The length of the suspension period will depend upon the nature of the problem and will be determined by the RC. A written “***Suspension Plan***” will be shared with the trainee and the trainee’s academic doctoral program and will include:
 - a. the actual behaviors or skills associated with the problem
 - b. the specific actions to be taken for rectifying the problem
 - c. the time frame during which the problem is expected to be amelioratedAND
 - d. the procedures designed to ascertain whether the problem has been appropriately remediated.

At the end of this suspension period as specified in ‘c’ above, the RC will provide to the trainee and the trainee’s academic doctoral program a written statement indicating whether the problem has been remediated to a level that indicates that the suspension of clinical activities can be lifted. The statement may include a recommendation to place the trainee on a probationary status with a Remediation Plan. In this case, the process in #2 above would be followed. This statement will become part of the trainee’s permanent file.

D. If the Problem is not Rectified: through the above processes, or if the problem represents gross misconduct or ethical violations that have the potential to cause harm, the trainee’s placement within the CDS training program may result in ***Termination***. The decision to terminate an trainee’s position would be made by the Training Committee and would represent a discontinuation of participation by the trainee within every aspect of the training program. The Training Committee would make this determination during a meeting convened within 10 working days of the previous step completed in this process. The RC may decide to suspend a trainee’s clinical activities during this period prior to a final decision being made, if warranted. The CDS training program will notify APPIC and the trainee’s academic program (for Externs and Interns) of the decision.

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

APPEAL PROCESS

If the trainee wishes to challenge a decision made at any step in the Due Process procedures, they may request an Appeals Hearing before the Training Committee or the Head of Human Resources (HHR). This request must be made in writing within 5 working days of notification regarding the decision with which the trainee is dissatisfied. If requested, the Appeals Hearing will be conducted by a review panel convened by the CDS Clinical Director/Director of Clinical Training and consisting of themselves (or another supervisor, if appropriate) and at least two other members of the training staff who work directly with the trainee. The Appeals Hearing will be

held within 10 working days of the trainee'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, and has final discretion regarding outcome. Decisions made by the review panel will be shared with the trainee and the trainee's home doctoral program.

GRIEVANCE PROCEDURES

Grievance Procedures are implemented in situations in which a trainee raises a concern about a supervisor or other staff member, trainee, or any aspect of the CDS training program. trainees who pursue grievances in good faith will not experience any adverse professional consequences. If a trainee wishes to raise a grievance about a supervisor, staff member, trainee, or the CDS training program they should follow the steps below:

INFORMAL REVIEW

First, the trainee should raise the issue as soon as feasible with the involved supervisor, staff member, other trainee, or the Clinical Director/Director of Clinical Training in an effort to resolve the problem informally.

FORMAL REVIEW

If the matter cannot be satisfactorily resolved using informal means, the trainee may submit a formal grievance, in writing, to the CDS Clinical Director/Director of Clinical Training (DCT). If the DCT is the object of the grievance, the grievance should be submitted to the Head of Human Resources (HHR). After receiving the formal grievance document, the DCT will meet with the trainee and the individual being grieved within 10 working days. In some cases, the DCT/HHR may wish to meet with the trainee and the individual being grieved separately first. In cases where the trainee is submitting a grievance related to some aspect of the training program rather than an individual (e.g. issues with policies, curriculum, etc.) the DCT will meet with the trainee jointly. The goal of the joint meeting is to develop a plan of action to resolve the matter. The plan of action will include:

1. the behavior/issue associated with the grievance
 2. the specific steps to rectify the problem
- AND
3. procedures designed to ascertain whether the problem has been appropriately rectified.

The DCT/HHR will document the process and outcome of the meeting. The trainee and the individual being grieved, if applicable, will be asked to report back to the DCT/HHR in writing within 10 working days regarding whether the issue has been adequately resolved.

If the plan of action fails, the DCT/HHR will convene a review panel consisting of the DCT/HHR and at least two other members of the training staff within 10 working days. 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 that 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 Owners of the Connections Organization Schools in order to initiate the agency's procedures for handling such matters.