

Arizona Psychology Training Consortium

Due Process Procedures

The Consortium provides collaborative due process procedures for remediation, disciplinary actions, and grievances. The general guidelines for management of problematic resident performance, conduct, or skill deficiencies, and due process procedures for problem resolution and residents' grievances are consistent with the standards of the Association of Psychology Postdoctoral and Internship Centers. They emphasize due process and assure fairness in decisions about residents, and also provide avenues of appeal that allow residents to dispute decisions and file grievances.

The spirit that guides due process procedures is dialogue and collaboration. Neither the Consortium nor the affiliated training sites make unilateral decisions unless there is imminent risk to clients, students, residents, or others. The protection of clients and residents is the overriding principle in collaborative decision-making.

The Consortium and affiliated training sites follow due process guidelines to ensure that decisions about residents are not arbitrary or personally based. These guidelines include appeal procedures that permit any resident to challenge program decisions. The due process guidelines include the following:

1. Present residents with the program expectations regarding professional functioning at the start of the training year.
2. Specify evaluative procedures, including the time frame and the method, in the *Resident Training Agreement* before the start of the training year.
3. Define "problematic behavior."
4. Provide prompt notice and an opportunity for a hearing concerning failure to meet competence in any particular area.
5. Provide a remediation plan for skill deficiencies or problematic behavior, including a time frame for remediation and the consequences of not rectifying the deficiencies or problematic behavior.
6. Provide residents with a written description of procedures they may use to appeal decisions and to file grievances.
7. Ensure that residents have sufficient time to respond to any action taken by the program that affects them.

8. Use input from multiple professional sources, including the supervisors at the affiliated training site, when making decisions or recommendations regarding the resident's performance.
9. Document, in writing and to all relevant parties, the action(s) taken and its (their) rationale.

I. Defining areas of concern

In the Consortium's psychology training program, areas of concern typically fall into one of two areas:

1. **Skill deficiency.** Skill deficiencies may include lack of doctoral-level
 - Psychological assessments;
 - Diagnostics;
 - Test administration or interpretation;
 - Forming therapeutic alliances with patients/clients; or
 - Knowledge of pertinent research or additional weaknesses such as:
 - Conducting professional activities beyond the resident's abilities or scope;
 - Disregard for a supervisor's guidance; or
 - Resistance to appropriate opportunities for learning.
2. **Problematic Trainee Behavior.** Behaviors are identified as problematic behaviors if they include one or more of the following characteristics:
 - The resident does not acknowledge, understand, or address the problem when it is identified.
 - The problem is not merely a reflection of a skill deficit that can be rectified by academic or didactic training.
 - The quality of services delivered by the resident is sufficiently negatively affected.
 - The problem is not restricted to one area of professional functioning.
 - A disproportionate amount of attention by training personnel is required.
 - The resident's behavior does not change as a function of feedback, remediation efforts, and/or time.

II. Procedures for responding to a skill deficiency or problematic behavior

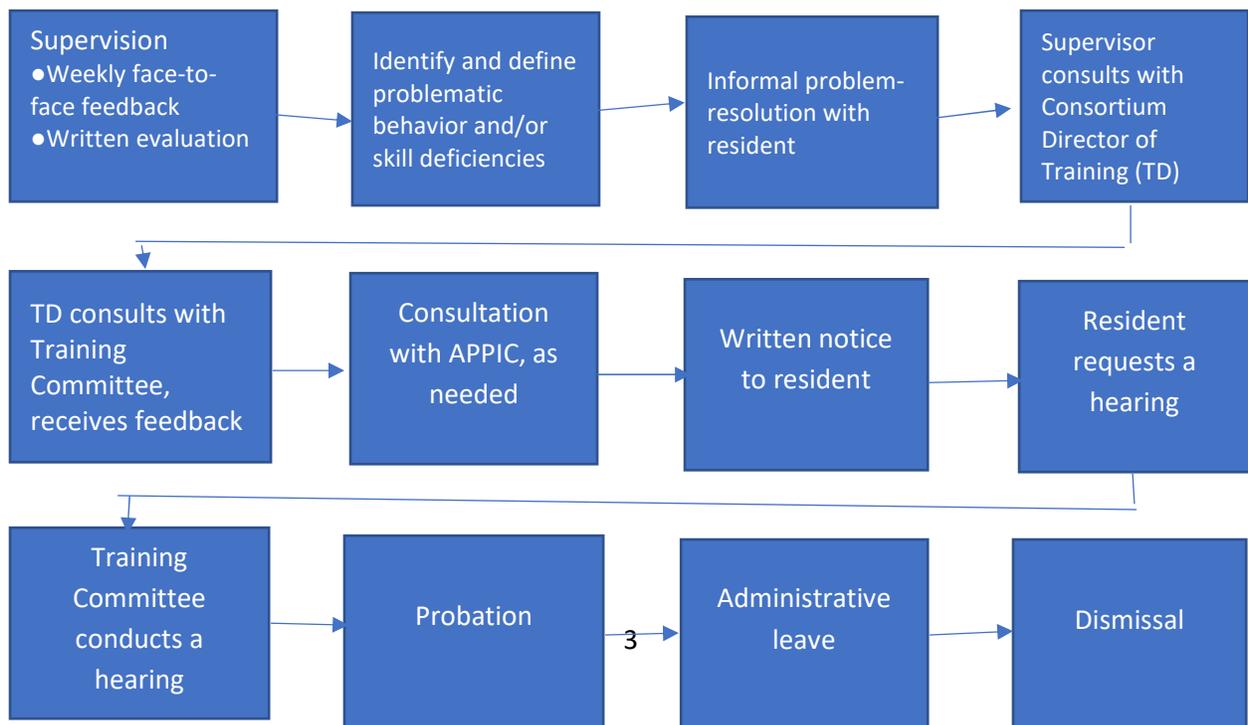
Initial Response

If an affiliated training site supervisor or a Consortium Training Committee member judges a resident's performance as reflecting a skill deficiency or problematic behavior, the following

procedure will be initiated, unless the Consortium Training Committee determines that immediate disciplinary action is appropriate.

1. A supervisor at an affiliated training site, or a Consortium Training Committee member, notifies the Consortium Director of Residency Training that there is a concern about the resident's skills or professional functioning.
2. The Director of Residency Training informs the resident in writing about the notice of a skill deficiency or problematic and advises the resident about the available courses of action, including scheduling a hearing during which the resident may respond to the notice.
3. The Director of Residency Training consults with the supervisors at the training site, and perhaps affiliated training site administrators.
4. The Director of Residency Training will seek input from the Consortium Training Committee.
5. The Consortium Director of Residency Training may request informal problem resolution assistance from APPIC.
6. The Consortium Director of Residency Training will speak with the residency to attempt resolution.
7. If the above procedures do not bring resolution, then the Consortium Director of Training will, upon the resident's request, schedule a hearing at which the resident may respond.
8. Following the hearing, appropriate disciplinary action may be considered, as described below.

Flow Chart for Trainee Problem Resolution



Possible Disciplinary Actions

The Director of Training, after consultation with the Consortium Training Committee, may implement any of the following disciplinary actions. These are not necessarily sequential. The Director of Training will select the course and extent of the action based on the needs of the resident, the affiliated training site, and the clients at the affiliated training site.

1. Written Notice. A Written Notice directs the resident to discontinue unsatisfactory action(s) or behavior(s). The resident will be given a letter specifying the following:
 - a. Notification to the resident that there is unsatisfactory behavior.
 - b. Description of the unsatisfactory behavior.
 - c. Actions required to correct the unsatisfactory behavior.
 - d. Timeline for correction.
 - e. Consequences if the problem is not corrected.
2. Probation. If the area of problematic behavior is deemed serious enough, the resident may be placed on probation. The resident 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. Consequences if the problem is not corrected.
3. Administrative Leave. The resident may be placed on leave, accompanied by suspension of all duties and responsibilities in the agency. The resident will be informed in writing about potential consequences resulting from suspension, which might include inability to complete training hours or other requirements.
4. Dismissal. When appropriate, a resident may be dismissed from the Consortium training program. The resident must receive written notice of dismissal. Dismissal 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 Consortium or affiliated training site policy and procedures;
 - d. Serious legal violation(s); or
 - e. Any other condition that jeopardizes client, student, staff, or resident welfare.

Following the delivery of the written document outlining the disciplinary action to be taken to correct problematic behaviors or skill deficiencies, the Training Committee and the resident's Supervisors will meet with the resident to discuss the action. The resident may accept the disciplinary action, or may

appeal to the Consortium's Board of Directors. Pending the decision by the President of the Board of Directors, the resident remains subject to the disciplinary action imposed by the Director of Training.

5. Appeals. The steps to be taken when a resident appeals a disciplinary decision to the Consortium's Board of Directors are as follows:

1. If a resident desires to appeal a disciplinary decision of the Director of Residency Training, that resident may appeal that decision to the full Board of Directors of the Arizona Psychology Training Consortium. This appeal is to be filed with the Secretary of the Board of Directors within ten days of the issuance of the Director of Residency Training's decision. The Appeal must include evidence and rationale which support the basis of the Appeal. The Appeal may include a proposed alternative resolution of the grievance under consideration.
2. Within ten days of the receipt of an Appeal, the President shall schedule a meeting of the full Board of Directors of the Consortium at which the Appeal will be considered. The decision of the full Board of Directors shall be final.

Grievance Procedure

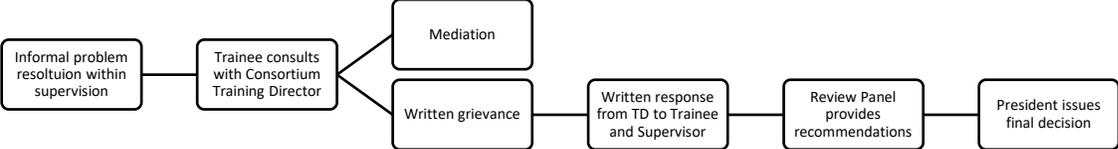
If a resident experiences a problem with a training site supervisor, Consortium Director of Residency Training, or Consortium Training Committee member, or if a resident has a personal complaint about the program (including but not limited to complaints about evaluations, supervision, stipends/salary, harassment, etc.) then the resident shall proceed with the following steps for resolution

1. Attempt to address and resolve the problem directly with the individual as soon as possible.
2. If addressing the problem directly is not successful, the individual is unavailable, or the resident prefers not to address the issue with the individual, then he or she may consult with the Consortium Director of Residency Training. The Consortium Director of Residency Training will assist by taking one or more of the following actions:
 - a. Serving as a consultant to assist in deciding how best to communicate with the individual;
 - b. Facilitating a mediation session between the resident and the individual;
 - c. Taking the issue to the Consortium Training Committee for consultation and problem solving;
 - d. Consulting with the President of the Board of Directors of the Consortium; or
 - e. Requesting assistance from APPIC.
3. The resident will provide a letter to the Consortium Director of Residency Training within ten working days of the later of (a) the date of the event giving rise to the complaint or (b) the date the problem was raised with the Consortium Director of Training. The resident's letter will document the nature of the grievance and what attempts may already have been made to resolve the issue.
4. Within ten working days after receipt of the letter from the resident, the Consortium Director of Residency Training will send a letter to the resident outlining the grievance procedure. The letter will include provisions for the resident to hear all material facts and to appear before a Review Panel, and it will provide a reasonable timeline for the Consortium Training Committee to respond to the grievance.
5. The Director of Residency Training will convene a Review Panel of at least three persons, consisting of site supervisors and Consortium Training Committee members. Any persons directly involved in the grievance will be recused from the Review Panel.
6. The Review Panel will conduct a review hearing at which the resident's grievance is heard and the evidence presented. The resident may attend the hearing and respond to any concerns

raised. Within ten working days of the completion of the review hearing, the Review Panel will issue a report documenting its findings and recommended response to the grievance.

7. The Consortium's Director of Residency Training will provide the Review Panel's report to the President of the Consortium's Board of Directors. Within ten working days of receipt of the Review Panel's report, the President will issue a final decision regarding the grievance, which may include any of the following:
 - a. accepting the Review Panel's recommendation;
 - b. rejecting the Review Panel's recommendation and providing an alternative; or
 - c. remanding the matter back to the Review Panel for further deliberation.
3. If the resident or other object of a grievance desires to appeal the decision of the President of the Consortium's Board of Directors, that person may appeal that decision to the full Board of Directors of the Arizona Psychology Training Consortium. This appeal is to be filed with the Secretary of the Board of Directors within ten days of the issuance of the President's decision. The Appeal must include evidence and rationale which support the basis of the Appeal. The Appeal may include a proposed alternative resolution of the grievance under consideration.
4. Within ten days of the receipt of an Appeal, the President shall schedule a meeting of the full Board of Directors of the Consortium at which the Appeal will be considered. The decision of the full Board of Directors shall be final.
5. If the grievance involves the Director of Residency Training, or the President of the Consortium Board of Directors, then the Consortium Training Committee will appoint other members of the Consortium Board of Directors to convene and direct the Review Panel. The Consortium Training Committee would make the final decision if the grievance involves the President of the Consortium's Board of Directors.
6. Once the President of the Consortium Board of Directors issues a final decision, the resident the training site, and other appropriate individuals will be informed promptly and in writing of the action taken.

Flow Chart for Grievances



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