

3. Due Process Procedures for Responding to Problems in Trainee Performance

Occasionally, trainees encounter learning difficulties or problems in performance. The types of performance problems that trainees display fall into three sometimes overlapping categories. The first category, which will be referred to as “non-compliance,” reflects a student’s failure to behave in a manner that is consistent with ethical guidelines, UCS policies, and/or supervisors’ directives. The second type of problem arises when a student has difficulty mastering expected skills. The third type arises when a trainee’s performance slips from a level attained previously, because of a trainee’s inability to manage personal stress, emotional reactions, or psychological disorder.

a. Formal Notice.

Formal notice is tied to completion of the evaluation form appropriate to the training level. This could be triggered at any time during the semester, and at the earliest possible point, to enable sufficient time for the trainee to address concerns noted.

(1) Notice in Response to Non-Compliance or Ethical Concerns

The supervisor(s), UCS Practicum Coordinator (when the focus of attention is a practicum student), and the UCS TD will evaluate non-compliance or ethical issues immediately. The trainee is given written notice about the behavior(s) of concern, which will be shared with the appropriate representative of the program department (e.g., course instructor for practicum students, departmental director of clinical training for interns; UCS Director for UCS staff member). The program representative will be invited to share his/her/their input about best course of action. In the case of a serious breach, the UCS may suspend clinical privileges immediately. Depending on the outcome of the hearing described below, the trainee’s clinical privileges may not be reinstated. At the point at which the decision is made NOT to reinstate clinical privileges, the trainee will be terminated from the training position.

(2) Notice in Response to Problems in Skill Development for Interns

Supervisors provide all trainees with verbal feedback about their skill development throughout the course of the semester. When supervisor(s), in consultation with the UCS TD, note that the level of performance on one or more of the functional or foundational competencies of the internship is below expected levels, the intern is provided with written feedback describing the concern. The TD drafts the written notice, in consultation the supervisors who are charged with providing evaluative input as central raters of the intern's progress toward the exit criteria.

(3) Notice in Response for Difficulties Managing Personal Stress

Similarly, the TD, in consultation with or clinical supervisors who are charged with providing evaluative input as clinical supervisors/ central raters of progress toward minimum exit thresholds, provides written notice, should a trainee’s performance fall below expected levels because of inability to control personal stress, psychological disorder, and/or strong emotional reactions that interfere with professional functioning. When the trainee is a doctoral level employee, the Director is consulted and has input into the formal notice.

Notice of difficulty managing stress will be considered when the quality of the services delivered by the trainee is sufficiently negatively affected, the problem is not

restricted to one area of professional functioning, the trainee does not acknowledge, understand, or address the problem when it is identified, and/or a disproportionate amount of attention is required of training personnel.

b. Hearing.

Trainees are entitled to an informal hearing in which they present their response to descriptions of non-compliance or descriptions of otherwise inadequate performance. The trainee presents his/her/their response to the group of people who determine the UCS action; the group includes the supervisor(s), the UCS Practicum Coordinator (when focus of attention is a practicum student), the UCS TD. For practicum students, the course instructor is informed of the remediation plan and is invited to provide input as the plan is developed.

c. Remediation Plan.

Unless clinical privileges have been terminated in response to an ethical concern, the TD, in collaboration with the supervisor(s) and the trainee, will develop a remediation plan. A remediation plan will outline responsibilities of the student, the supervisor(s), and the for practicum students, the course instructor. It will include a plan for continued monitoring, and a deadline for further review, to be no later than the next evaluation period. Possible alterations of the curriculum include reduced caseload, increased supervision, additional reading assignments, and/or adjustment in the focus or process of supervision. Adjustments in caseload will be noted in any written evaluation. In cases in which client welfare is seriously in question, suspension of clinical privileges may be initiated or continued. A leave of absence and/or additional training experiences may be required. Personal counseling outside of the UCS may be recommended as a resource to help the trainee manage more effectively. However, counseling will not be mandated. The trainee will be evaluated based on his/her/their performance within the training environment.

d. Outcome.

At the next review period, the supervisor(s) complete an additional evaluation. The remediation plan is updated to include the decision that the supervisor(s) reach regarding the outcome. If the issue is resolved, the trainee either continues with the training experience or completes it successfully, if it has reached its planned termination.

If the issue is not resolved, the trainee may either 1) continue on remediation until the next specified review period, or 2) be terminated from the training experience. The TD must acquire permission from APPIC to release the UCS from the Match Agreement prior to a decision to terminate the internship.

The departmental representative is informed about the outcomes of the remediation plan(s); the TD sends the evaluation and written outcome of the remediation plan. During the communication, the departmental representative is invited and encouraged to arrange a telephone consultation with the TD.

e. Supervisee Appeal Process.

A supervisee may appeal the action taken by the TD, by informing the TD in writing, of such an appeal. The trainee may agree to the terms of the remediation plan, or he/she/they may appeal it. Similarly, he/she/they may accept the outcome of the remediation plan, or he/she/they may appeal it. The trainee has seven working days after receiving either the terms of a remediation plan or the outcome of the plan to appeal the decisions. In the case in which the TD serves as a clinical supervisor, the TD will identify a designee, a licensed psychologist and member of the

UCS training staff to chair the review panel described below. The trainee has seven working days after receiving either the terms of a remediation plan or the outcome of the plan to appeal the decisions. Upon receipt of an appeal, the following process will be implemented:

- (1) The TD will convene a Review Panel consisting of the ADT, a Training staff member selected by the TD and a Training staff member selected by the supervisee.
- (2) The Review Panel, chaired by the TD, will hear the supervisee's appeal and his/her/their supporting evidence.
- (3) The supervisee has the right to hear all facts presented with regard to his/her/their performance and has the opportunity to present his/her/their view. The Review Panel will submit a report to the Director of the UCS including any recommendations for further action. The supervisee will receive a copy of the report. The supervisee is informed of the recommendations.
- (4) The Director of the UCS may accept the Review Panel's action, reject the Review Panel's action and provide an alternative, or refer the matter back to the Review Panel for further deliberation. If the last option is chosen, the Review Panel will submit a report of the further deliberations back to the Director, with a copy to the supervisee. The Director will then make a final decision regarding the action to be taken.
- (5) The TD, evaluator, supervisee, sponsoring department, and other appropriate individuals are informed in writing of the action taken. The supervisee may submit a written response.

The UCS staff may be informed of the impending departure of a trainee upon the deadline for appeal, or if an appeal is received, upon the denial of an appeal.