



AMANI CLINICAL SERVICES DUE PROCESS & GRIEVANCE PROCEDURE

WE HAVE IDENTIFIED A PROBLEM IN THE FUNCTIONING OF THE POST-DOCTORAL FELLOW THAT NEEDS TO BE RECTIFIED: DUE PROCESS PROCEDURES

Due Process Procedures

Due Process Procedures are implemented in situations in which a supervisor or member of the team brings a concern to the attention of the Supervisory Team about the functioning of a trainee. AMANI Clinical Training's response is **pre-planned and stepwise**, which means that levels of intervention increase as a problem increases in constancy, level of disruption to the training program, or complexity.

A **minimum score of 3: Intermediate Skill Level** is required for all domains listed in our evaluation form at all times during the training year. If, at any point during the training year, the Post-Doctoral Fellow **receives a score of 1 (Significant Development Needed) or 2 (Developing Skill Level) on a formal or informal evaluation in any area of competency**, Due Process procedures will be initiated.

Rights & Responsibilities

Our procedures protect the rights of both the doctoral Post-Doctoral Fellow and AMANI Clinical Services Doctoral Internship Program while also delineating the responsibilities of both parties.

Post-Doctoral Fellow

The **Post-Doctoral Fellow has the right** to every reasonable opportunity to remediate problems and grow from struggle. These procedures are not intended to punish but to provide a structured opportunity for the Post-Doctoral Fellow to receive support and guidance in order to adequately address the concerns of the team and ultimately grow and develop. The Post-Doctoral Fellow has the right to be treated respectfully, professionally, and ethically. The Post-Doctoral Fellow has the right to participate in the Due Process procedures. We will listen to the Post-Doctoral Fellow's perspective at each step in the process. The Post-Doctoral Fellow has the right to appeal decisions with which the Post-Doctoral Fellow disagrees, within the limits of our policies and procedures.

The **Post-Doctoral Fellow is responsible** to engage with the training program and AMANI Clinical Services in a manner that is respectful, professional, and ethical. The Post-Doctoral Fellow is responsible to make every reasonable attempt to remediate behavioral and competency concerns. The Post-Doctoral Fellow is responsible to pursue to fulfill the objectives and goals of the program.

AMANI Clinical Services Training Program

AMANI Clinical Services has the right to initiate Due Process procedures when a problem arises, as noted later in this document. AMANI Clinical Services staff have the right to be treated respectfully, professionally, and ethically. AMANI Clinical Services maintains the right to make decisions related to remediation for an Post-Doctoral Fellow, including probation, suspension and termination.

AMANI Clinical Services is responsible to 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.



PROBLEM, DEFINED

For the purposes of the AMANI Clinical Services Clinical Training Program, a **problem is defined as an interference in professional functioning and this interference in professional functioning** is observed in one or more of the following ways:

1. *an inability and/or unwillingness to achieve, master and integrate professional standards into one's professional behavior and/or attitudes*
2. *an inability and/or unwillingness to acquire clinical and/or professional skills in order to reach an acceptable level of competency*
3. *an inability and/or unwillingness to manage personal stress, personal responsibilities and obligations, psychological dysfunctions, and/or excessive emotional reactions which interfere with professional functioning*

The professional judgment of staff determines 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 attributes:

1. *a disproportionate amount of attention, support, and/or warnings by the supervisor team or other members of the team is required*
2. *the Post-Doctoral Fellow's behavior does not change as a function of feedback, time invested by supervisor team or other members of the team, support, and/or direction*
3. *the problematic behavior may result in ethical or legal ramifications if not addressed*
4. *the problematic behavior negatively impacts any team member or other trainee*
5. *the problematic behavior interferes with the ability of other team members to complete their professional duties and responsibilities*
6. *the Post-Doctoral Fellow's behavior negatively impacts the public view of AMANI Clinical Services*
7. *the problem is not restricted to one area of professional functioning*
8. *the Post-Doctoral Fellow does not acknowledge, understand, or independently address the problem when it is identified*
9. *the problem is not simply related to a skill deficit which can be properly remedied by the scheduled sequence of clinical training and planned learning experiences*
10. *the quality of services delivered by the Post-Doctoral Fellow is negatively affected*
11. *the problematic behavior potentially causes harm to a patient or the patient's family*
12. *the problematic behavior disrupts appropriate and professional interpersonal communication with any member of the team.*

INFORMAL REVIEW

When any supervisor or other team member believes that the Post-Doctoral Fellow's behavior is becoming problematic or that an Post-Doctoral Fellow is struggling to consistently demonstrate an expected level of competence, the following steps will be taken:

1. Our first step to address the issue will be to discuss the issue with the Post-Doctoral Fellow directly and as soon as possible in an attempt to informally resolve the issue. Steps to informally resolve the issue may include increased supervision, didactic training, scheduling time to address the issue, and/or structured readings. The supervisor team will then monitor the outcome of these interventions.



FORMAL REVIEW

If a Post-Doctoral Fellow's problematic behavior continues following an attempt to resolve the issue informally, or if an Post-Doctoral Fellow receives a **rating of 1 (Significant Development Needed) or 2 (Developing Skill Level)** on any competency-based or supervisory evaluation, the following process will be begin:

Notification

The Post-Doctoral Fellow will be notified in writing, within 10 days of an attempt to resolve the issue informally, that the problem has been raised to a formal level of review, and that a Hearing will be held.

Hearing

The supervisor will hold a Hearing with the Review Committee (RC) (consisting of the Supervisory Team, Director of Clinical Training, the Post-Doctoral Fellow's primary supervisor raising the issue, and the Post-Doctoral Fellow) within 10 working days of issuing a Notification of Formal Review to discuss the problem and decide what action needs to be taken to adequately remediate the problem. If the Post-Doctoral Fellow's primary supervisor initiates the formal review process, another Clinical Psychologist member of the Supervisory Team who works directly with the trainee will provide perspective at the Hearing and/or provide a written statement related to the problem.

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:
 - that the staff are aware of, and concerned with, the problem
 - that the problem has been formally brought to the attention of the Post-Doctoral Fellow
 - that staff will work with the Post-Doctoral Fellow to specify the steps required to remediate the problemor
 - address skill deficits noted in the inadequate evaluation rating
 - that the **problem is not significant enough** to warrant further remedial action at this time.
2. Place the Post-Doctoral Fellow on a "**Remediation Plan**" which indicates that the RC will actively and systematically monitor, for a specific length of time, the degree to which the Post-Doctoral Fellow 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 Post-Doctoral Fellow**. 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:
 - the actual behaviors or skills associated with the problem
 - the specific action plan to remediate the problem
 - the time frame during which the problem is expected to be ameliorated
 - the procedures designed to assess whether the problem has been appropriately remediated.



At the end of this remediation period as specified above, the RC will provide a written statement indicating whether or not the problem has been remediated. This statement will become part of the Post-Doctoral Fellow's permanent file and will be shared with the Post-Doctoral Fellow's academic doctoral program. If the problem has not been remediated, the **RC may choose to move to Suspension 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.

3. Place the trainee on **Suspension**. Suspension which includes removing the Post-Doctoral Fellow from delivery of all direct clinical services for a specified period of time, during which the program may support the Post-Doctoral Fellow in obtaining additional 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:

- the actual behaviors or skills associated with the problem
- the specific actions to be taken for rectifying the problem
- the time frame during which the problem is expected to adequately remediated
- the procedures designed to ascertain whether the problem has been adequately remediated.

At the end of this suspension period as specified above, the RC will provide the Post-Doctoral Fellow and the Post-Doctoral Fellow's academic doctoral program a written statement indicating whether the problem has been remediated to a degree that 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. If the RC determines that a Remediation Plan is the best course of action, the process labeled #2 above would be followed. This statement will become part of the Post-Doctoral Fellow's permanent file.

If the Problem is not Adequately Solved through processes defined above, or if the problem represents gross misconduct or ethical violations that have the potential to cause harm, the Post-Doctoral Fellow's placement at AMANI Clinical Services may result in **Termination**. The decision to terminate an Post-Doctoral Fellow's position would be made by the RC and would result in the Post-Doctoral Fellow ceasing participation in each and every aspect of the training program. The RC makes this determination during a meeting which occurs within 10 working days of the previous step completed in this process. The RC may decide to suspend an Post-Doctoral Fellow's clinical activities during this period prior to a final decision being made, if warranted. AMANI Clinical Services will notify APPIC and the Post-Doctoral Fellow's academic program of the decision.

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

PROCESS OF APPEAL

If the Post-Doctoral Fellow desires to challenge a decision made at any step in the Due Process procedures, they may request an Appeals Hearing before the Manager. This request must be made in writing within 5 working days of notification regarding the decision with which the Post-Doctoral Fellow is dissatisfied. If requested, the Appeals Hearing will be conducted by a panel consisting of the Supervisory Team without the Director of Training, the Practice Manager and 2 external contracted Clinical Psychologists who have both previously served as Directors of Training for APPIC Member Doctoral Internship Programs:



Dr. Amy Ray, PhD: Former Director of Training for the Correctional Psychology Training Program

Dr. Kati Wax, PsyD: Former Director of Training for the APPIC Member and APA Accredited Consortium:
Connections Internship Consortium

The Appeals Hearing will be held within 10 working days of the Post-Doctoral Fellow's request. The Manager will review all written materials, may interview the parties involved, or member of the team with relevant information. The Manager may uphold the decisions that have been made as part of the Due Process Procedures or may modify them and has final discretion regarding outcome. Decisions made by the Practice Manager will be shared with the Post-Doctoral Fellow.

THE POST-DOCTORAL FELLOW HAS A CONCERN: GRIEVANCE PROCEDURES

Grievance Procedures may be initiated when an Post-Doctoral Fellow identifies and communicates a concern regarding a member of the Supervisory Team, other team member, another supervisee, or any component of the AMANI Clinical Services training program. Interns who initiate grievances in good faith will not experience any adverse professional consequences. The steps outlined below are to be followed if an Post-Doctoral Fellow would like to initiate a grievance about any member of the Supervisory Team, other team member, other supervisee, or the training program:

INFORMAL REVIEW

In accordance with our strict adherence to the APA's Ethical Principles of Psychologists & Code of Conduct, as the first course of action, the doctoral Post-Doctoral Fellow is expected to identify and directly communicate their concern as soon as feasible with the involved member of the Supervisory Team, team member, other supervisee, or the Director of Clinical Training in an effort to resolve the problem informally.

FORMAL REVIEW

If the matter cannot be resolved using informal methods, the doctoral Post-Doctoral Fellow may:

Submit a Formal Grievance in Writing: Notification

The doctoral Post-Doctoral Fellow will submit a formal grievance, in writing, to the Director of Clinical Training (DCT).

If the DCT is the object of the grievance, the grievance should be submitted to the Practice Manager.

Next Steps

1. After receiving the formal grievance document, the **DCT or Practice Manager will meet with the Post-Doctoral Fellow and the individual being grieved within 10 working days**. In some cases, the DCT/Practice Manager may wish to meet with the doctoral Post-Doctoral Fellow and the individual being grieved separately first.

In cases where the doctoral Post-Doctoral Fellow's grievance is 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 Post-Doctoral Fellow. The expressly stated goal of the meeting is to develop a plan of action to resolve the matter.



The **plan of action for any type of grievance meeting** as outlined above will include:

- defining the behavior/issue associated with the grievance
- the specific steps to resolve the problem
- procedures designed to ascertain whether the problem has been appropriately remediated

2. The DCT/Practice Manager will **document the process and outcome of the meeting**. The Post-Doctoral Fellow and the individual being grieved, if applicable, will be asked to report back to the DCT/Practice Manager in writing within 10 working days and directly communicate whether the issue has been adequately and appropriately addressed.

If the Concern Is Not Adequately Remediated

If the concern is not adequately remediated, the DCT/Practice Manager will initiate a panel consisting of the DCT/Practice Manager and at least two other members of the staff within 10 working days. The panel will review all written materials and have an opportunity to interview the parties involved or any other individuals with relevant information. The 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 become the responsibility of the Owner of AMANI Clinical Services and the Practice Manager.