

Counseling and Psychological Services (CAPS) Postdoctoral Fellowship Program

Due Process and Grievance Guidelines and Procedures

This document begins with an overview of our Postdoctoral Fellowship Training Program and the process for evaluation. This document is followed by an overview of the identification of a fellow's problems and concerns, a listing of possible sanctions and an explicit discussion of the due process procedures. Also included are important considerations in the remediation of problems and process of notice, hearing, and appeals.

Most problems that arise in the course of a fellowship are a normal part of the training process and will be handled informally during supervisory sessions. The discussion and resolution of these problems are seen as opportunities for each fellow's professional growth. Similarly, grievance procedures and due process are envisioned as opportunities to collaborate in the remediation and/or resolution of problems or concerns regarding a fellow's competence or progress.

The training program will provide all fellows with information relevant to professional standards, legal and ethical regulations, and guidelines, and offer opportunities to discuss the implementation of such standards.

Overview

The Fellowship Program at Counseling and Psychological Services at Vaden Health Center, Stanford University incorporates current psychological theory and science with experiential learning. It is intended to help fellows grow and develop as generalist psychologists in Health Service Psychology. At CAPS, fellows gain extensive clinical experience with a diverse range of students and presenting problems.

Throughout the training year, experiential learning is informed by the theory and science of psychology in supervision and case conference. The fellowship follows a sequential, developmental training process, building upon the knowledge and skills that each fellow already possesses and offers opportunities for developing and refining additional clinical skills and specific skills in their chosen specialty track. The goal for our fellows is to facilitate their professional development from postdoctoral fellow to early career psychologist.

Upon arrival, fellows begin to assess their professional goals for their training year with guidance from the Senior Psychology Training Director and Clinical Supervisors. Fellows have the opportunity to identify clinical interests and theoretical models as training foci and are given training and supervision opportunities in identified areas. The training year provides ample opportunities for fellows to apply theory to practice. Supervision is regarded as a supportive, mentoring relationship to enable fellows to develop professional autonomy and competence. The evaluation process thus plays an essential role in the professional development throughout the year. In addition, fellows are able to broaden their knowledge and skill base by exposure to the variety of theoretical perspectives and intervention approaches that our multidisciplinary staff bring to the program. Lastly, CAPS offers opportunities for fellows to gain experience with a diverse range of students within a multicultural and diverse organization.

It is expected that by the end of the training year, f will have developed advanced levels of competence with initial consultations, intake interviewing, clinical assessment, crisis intervention, on-call services, brief and long-term therapy, individual psychotherapy, workshops and/or groups, case management, conduct outreach programming, provide consultation, practice within professional ethics codes, and counsel a diverse and gifted student population.

Evaluation

The Fellowship Training Program follows a developmental model that supports and builds on the knowledge fellows bring, and it provides opportunities to gain experience and training in multiple professional capacities. This model supports fellows to build competencies, confidence, and skills throughout the year ready for entry-level positions. Ongoing evaluations with supervisors monitor the developmental progress and formal evaluations twice a year (January and July) monitors the readiness of fellows.

A minimum rating of:

4 Competence: The fellow demonstrates a level of competence appropriate for entry-level practice in health service psychology and is actively working to further enhance competence in the knowledge, awareness or skill area being evaluated. **This is a common rating at mid-year of the fellowship*

5 Strength: The fellow demonstrates a strength pertaining to the knowledge, awareness or skill being evaluated and is slightly above their developmental level. **This is the expected level of competence at completion of the fellowship.*

In supervision, supervisors provide ongoing feedback to fellows 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 fellows graduate with developed competencies to practice as professional psychologists.

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 fellow's behavior becomes problematic rather than of concern. Trainees 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:

- The fellow does not acknowledge, understand, or address the problem when it is identified.

- The problem is not merely a reflection of a skill deficit which can be rectified by the scheduled sequence of clinical or didactic training.
- The quality of services delivered by the fellow 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 fellow's behavior does not change as a function of feedback, and/or time.
- The problematic behavior has potential for ethical or legal ramifications if not addressed.
- The fellow's behavior negatively impacts the public view of the agency.
- The problematic behavior negatively impacts other trainees.
- The problematic behavior potentially causes harm to a patient.
- The problematic behavior violates appropriate interpersonal communication with agency staff.

Procedures for Responding to Inadequate Performance by a Fellow

If a fellow receives an "unacceptable rating" (**3 Emerging Competence:** While still a growth area, the fellow demonstrates a basic foundation in the knowledge, awareness, and skill and is approaching a developmentally appropriate level of competency.) from any of their supervisors in any of the major domains of evaluation, or if a staff member has concerns about a fellow's behavior (ethical or legal violations or professional incompetence) the following procedures may be initiated:

1. The staff member will consult with the Senior Psychology Training Director to determine how to proceed (for example provide feedback and discuss with fellow in supervision or consider if a remediation plan is necessary) and continue to assess behavior in question for improvement.
2. If the staff member who brings the concern to the Senior Psychology Training Director is not the fellow's clinical supervisor, the Senior Psychology Training Director and/or person with the concerns will discuss their concern with the fellow's clinical supervisor to determine how to proceed.
3. If the Senior Psychology Training Director and primary supervisor determine that the alleged behavior in the complaint, if proven, would constitute a serious ethical, legal, or clinical violation, the Senior Psychology Training Director will inform the person who initially brought the complaint.
4. The Senior Psychology Training Director 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 Senior Psychology Training Director, Training Committee, and clinical supervisor may meet to discuss possible course of actions.
6. Whenever a decision has been made by the Senior Psychology Training Director about a fellow's status at CAPS, the Senior Psychology Training Director will inform the fellow in writing and upon notice, will convene a hearing for the fellow to review the decision.
7. The fellow may choose to accept the conditions, or they may choose to appeal the decision.

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 fellow, the clients involved, and members of the training group, 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 the following actions may be taken.

1. **Verbal warning** to the fellow by the Clinical Supervisor or Senior Psychology Training Director emphasizes the need to improve the rating or discontinue the behavior under discussion. No record of this action is kept.
2. **Notice of Formal Review** The fellow will be notified in writing that an issue has been raised to a formal level of review, and a hearing will be held.
3. **Hearing** The supervisor or staff member will hold a hearing with the Senior Psychology Training Director and fellow 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 Senior Psychology Training Director is the supervisor who is raising the issue, an additional faculty member who works directly with the fellow will be included at the hearing. The fellow will have the opportunity to present their perspective at the hearing and/or to provide a written statement related to their response to the problem.

Hearing Outcome and Next Steps:

The result of the hearing will be any of the following options (listed below), to be determined by the Training Director and other faculty/staff member who was present at the hearing. This outcome will be communicated to the fellow in writing within 5 working days of the hearing:

1. Written acknowledgment to the fellow formally acknowledges:

- a) That the Senior Psychology Training Director is aware of and concerned with the performance rating or behavior concern,
- b) That the concern has been brought to the attention of the fellow,
- c) That the Senior Psychology Training Director will work with the fellow 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 fellow's file when the fellow responds to the concerns and successfully completes the fellowship.

2. Written warning to the fellow 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 fellow's unsatisfactory performance.
- b) Actions needed by the fellow to correct the unsatisfactory behavior.

- c) The timeline for correcting the problem.
- d) What action will be taken if the problem is not corrected.
- e) Notification that the fellow has the right to request an appeal of this action.

A copy of this letter will be kept in the fellow's file. Consideration may be given to removing this letter at the end of the fellowship by the Senior Psychology Training Director in consultation with the fellow's supervisor and training committee. If the letter is to remain in the file, documentation should contain the position statements of the parties involved in the dispute.

3. Schedule modification is a time-limited, remediation-oriented, closely supervised period of training designed to return the fellow to a more fully functioning state. Modifying a fellow's schedule is an accommodation made to assist the fellow in responding to personal reactions to environmental stress, with the full expectation that the will complete the fellowship. This period will include more closely scrutinized supervision conducted by the regular clinical supervisor in consultation with the Senior Psychology Training Director. 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.
- d) Reducing the fellow's clinical or other workload.
- e) Requiring specific academic course work.

The Senior Psychology Training Director 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 fellow, by the Senior Psychology Training Director in consultation with the primary supervisor.

4. Probation is also a time limited, remediation-oriented, more closely supervised training period. Its purpose is assessing the ability of the fellow to complete the fellowship and to return the fellow to a more fully functioning state. Probation defines a relationship that the Senior Psychology Training Director systematically monitors for a specific length of time the degree to which the fellow addresses, changes and/or otherwise improves the behavior associated with the inadequate rating. The fellow 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 ameliorated.
- d) The procedures to ascertain whether the problem has been appropriately rectified.

If the Senior Psychology Training Director determines there has not been sufficient improvement in the fellow's behavior to remove the probation or modified schedule, then the Senior Psychology Training Director will discuss with the clinical supervisor, and the training committee possible courses of action to be taken. The Senior Psychology

Training Director will communicate in writing to the fellow if the conditions for revoking the probation or modified schedule have not been met. This notice will include the course of action the Senior Psychology Training Director 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 fellowship. The Senior Psychology Training Director may discuss with the Management Team if it appears that the fellow will not successfully complete the fellowship.

5. Suspension of direct service activities requires a determination that the welfare of the fellow's clients has been jeopardized. Therefore, direct service activities will be suspended for a specified period as determined by the Senior Psychology Training Director in consultation with the training committee. At the end of the suspension period, the fellow's supervisor in consultation with the Senior Psychology Training Director will assess the fellow's capacity for effective functioning and determine when direct service can be resumed.

6. 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 fellowship, this will be noted in the fellow's file. The Senior Psychology Training Director will inform the fellow of the effects the administrative leave will have on the fellow's stipend and benefits.

7. Dismissal from the fellowship 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 trainee seems unable or unwilling to alter her/his behavior, the Senior Psychology Training Director will consult with Management Team about the possibility of termination from the training program. Either administrative leave or dismissal would be invoked in cases of severe violations of the APA code of ethics, or when imminent physical or psychological harm to a client is a major factor, or major disruption to other people in the training program or CAPS staff, or the fellow is unable to complete the fellowship due to physical, mental, or emotional illness.

Due Process: General Guidelines

Due process ensures that the training program's decisions about fellows are neither arbitrary nor personally based. Specific evaluative procedures apply to all fellows, and appeal procedures are available for fellows who wish to challenge the any program's actions. All steps need to be appropriately documented and implemented.

General guidelines are as follows:

1. The training program's expectations related to professional functioning are presented to fellows in writing and discussed both in group settings and with individual supervisors.
2. Formal evaluations occur with each supervisor at specified times. Evaluation is a mutual process (with fellow evaluating supervisor and supervisor evaluating fellow) 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. Fellows are informed of due process procedures and written policies for appealing actions of the program when warranted.
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 are clearly stated in writing.
6. The training program ensures that fellows have sufficient time to respond to any action taken by the program including requesting a hearing .
7. The training program considers multiple professional sources when making decisions or recommendations regarding a fellow'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.

Due Process and Appeal Procedures

The primary purpose of due process is to provide a mechanism by which all decisions made by the Senior Psychology Training Director and supervisors regarding remediation and the fellow's status at CAPS can be fairly reviewed. Due process is a mechanism by which a fellow may appeal any decisions made or bring a specific complaint against a staff member.

Appeals Process

If a fellow is dissatisfied with an evaluation or wishes to challenge any remediation actions taken by members of the training staff, they may request a review of the decision or actions.

1. If the fellow wishes to challenge a decision made at any step in the Due Process procedures, they may request an Appeals Hearing before the Training Committee. This request must be made in writing via email to the Senior Psychology Training Director within 5 working days of notification regarding the decision with which the fellow is dissatisfied.
2. If requested, the Appeals Hearing will be conducted by a review panel convened by the Senior Psychology Training Director and consisting of the Training Director (or another supervisor, if appropriate) and at least two other members of the training staff who work directly with the fellow.
3. The fellow may request a specific member of the training faculty to serve on the review panel. The Appeals Hearing will be held within 10 working days of the fellow's request.
4. The review panel will review all written materials and have an opportunity to interview the parties involved or any other individuals with relevant information.
5. The review panel may uphold the decisions made previously or may modify them. If the fellow is dissatisfied with the decision of the review panel, they may appeal the decision, in writing, to the Director.
6. If the fellow is dissatisfied with the decision, they may appeal the decision, in writing, to the Executive Director of Vaden Health Center.
7. Each of these levels of appeal must be submitted in writing within 5 working days of the decision being appealed. The Executive Director of Vaden Health Center has final discretion regarding outcome.

Grievance Procedures

A fellow may have a complaint against any element of the training program. This may include but is not limited to a CAPS staff member(s), peers in training, a supervisor, exploitation, harassment, arbitrary, capricious, or discriminatory treatment, unfair evaluation practices, inappropriate or inadequate supervision or training, and violations of due process.

1. Fellows should make every effort to resolve their complaints directly with the person who is the subject of the complaint. When such resolution is not practical due to power and authority differences or other factors, fellows are encouraged to seek consultation from a senior staff member to explore ways of reaching resolution.
2. If resolution is not possible directly with the person who is the subject of the complaint, fellows are then expected to discuss the situation with the Senior Psychology Training Director (or the Director if the Senior Psychology Training Director is the subject of the complaint).
3. Discussion with the Senior Psychology Training Director may result in conflict mediation processes being implemented as an initial course of action to assist in resolving the complaint. If the fellow wishes to lodge a formal complaint, then this will need to be submitted in writing to the Senior Psychology Training Director with sufficient details describing the nature of the alleged infractions. The Senior Psychology Training Director will then establish a fact-finding committee to investigate and review the complaint, and to recommend actions. The fact-finding committee will have 10 working days from receipt of the written complaint to issue its recommendations. A written response by the Senior Psychology Training Director shall be issued within 5 working days thereafter.
4. If a fellow is not satisfied with the Senior Psychology Training Director's response, an appeal can be made to the Director of CAPS within 5 working days of receiving the decision. The Director will then set up an Arbitration Committee at the request of the fellow (following the same procedures outlined above). The Committee will have up to 10 working days to respond.
5. If the fellow wishes to appeal the Committee's decision, they must file a letter addressed to the Director within 5 working days of receiving the decision. The Director will have the option of upholding the Committee's decision as being final; or the Director may then implement his or her own fact-finding procedures within an additional 5 working days, with up to 10 working days to respond with a decision. The Director's decision after this second fact finding will be final within the agency.