

**THE ARIZONA PSYCHOLOGY TRAINING CONSORTIUM:
POLICIES & PROCEDURES FOR SUPERVISEE
EVALUATION, REMEDIATION, PROBATION, DISMISSAL,
AND GRIEVANCE**

This document sets forth the policies and procedures of the Arizona Psychology Training Consortium for evaluating the performance of supervisees, both psychology interns and psychology residents, participating in Consortium training programs. It also specifies the policies and procedures for managing problematic performance or problematic conduct, including probation and dismissal, and the procedures for challenging such procedures and decisions. Procedures for supervisees to file grievances against supervisors or the Consortium are also presented. These policies and procedures are intended to be consistent with those of the Association of Psychology Postdoctoral and Internship Centers, the accreditation standards of the American Psychological Association, and the Arizona Revised Statutes § 32-2061 *et seq.* regarding the practice of psychology in Arizona. They emphasize due process and assure fairness in the Consortium's decisions about supervisees.

THE EVALUATION PROCESS

The Consortium's training program continually assesses each supervisee's performance and conduct with reference to the written Training Agreement established between the supervisee and supervisor at the beginning of each internship or residency and approved by the Director of Training. Feedback from formal and informal assessments facilitates professional growth by acknowledging strengths and identifying performance or conduct areas that need improvement.

A formal written evaluation of the supervisee will be completed by the supervisor twice each training year, whether the supervisee is participating in a full or half time training program. The formal written evaluation will be completed at the mid-point and end of each training year and will include written plans for remediation as appropriate. Supervisees will sign and have an opportunity to comment on each formal written evaluation. Copies of formal written evaluations and any remediation plans will be placed in the supervision record and provided promptly to the Director of Training.

The format of the formal written evaluations will include, among other things as determined by the Director of Training, the following:

1. The number of hours devoted to specified supervision activities.
2. The number of hours devoted to identified psychological services.
3. The number of each type of service provided to identified client populations.
4. The sample of results or outcomes of the psychological services provided.
5. The extent of the psychology resident's opportunities to interact with other psychology residents.
6. A statement by the supervisor that the psychology resident's performance was either satisfactory or unsatisfactory. Additional comments describing the psychology resident's performance are also appropriate.

In addition to the formal written evaluations, the supervisor will prepare additional written evaluations of the supervisee's skills and progress toward identified goals and objectives, including strengths and weaknesses, as often as needed. Such additional written evaluations will include plans for remediating weaknesses and provide for the continued professional development of the supervisee. The supervisee will sign and have an opportunity to comment on each additional written evaluation. Copies of these additional written evaluations and remediation plans will be placed in the supervision record and provided promptly to the Director of Training.

The Director of Training also consults with supervisors by phone or in person and also with other professionals who have significant contact with supervisees. It is the task of the supervisor at each affiliated training site to summarize and combine evaluations if more than one professional is involved in providing supervision or training. The supervisor provides written evaluations of progress in the program to the supervisee and the Director of Training. Based on the evaluations, the supervisor and the supervisee, with the approval of the Director of Training, may modify the Training Agreement to better meet the supervisee's training needs and the program's requirements. Written records of the Training Agreement, formal written evaluations, and all subsequent modifications will be maintained in the supervision record by the supervisor and also by the Director of Training. Each supervisee's supervision record will also be available to the Board of Directors of the Arizona Psychology Training Consortium consistent with Consortium policy.

Twice during the training year, the supervisee will prepare a formal written evaluation of the overall training experience and the supervision provided by each supervisor. This will be prepared on the *Resident's or Intern's Evaluation of*

Training Program form. The first of these evaluations will be given directly to the Director of Training and will not be reviewed by the supervisor until after the supervisee's first formal evaluation has been completed. The same procedure will be followed for the second evaluation.

INTERNS: COMMUNICATION WITH THE SPONSORING GRADUATE SCHOOL

The Director of Training is responsible for communicating with each intern's sponsoring graduate program about the intern's activities and progress. Early in the training year, the sponsoring graduate school will be sent information about the intern's planned training activities as set forth in the Training Agreement. A progress report derived from the supervisor's formal written evaluation will be sent at approximately the mid-point of the training year. At the end of the internship year, the sponsoring graduate school will be sent copies of the supervisor's final formal evaluation of the intern's skills, accomplishments, professionalism, and performance, along with a brief summary statement indicating whether the intern successfully completed the internship.

At any time, if problematic performance or problematic conduct arises that seems serious enough to cast doubt on an intern's ability to successfully complete the internship program, the Director of Training will inform the sponsoring graduate school. The graduate school will be encouraged to provide input to assist in resolving the problems.

EVALUATION AND REMEDIATION

The Arizona Psychology Training Consortium follows due process guidelines to ensure that decisions about supervisees are not arbitrary or personally based. It uses the same procedures to evaluate all supervisees, and has appeal procedures that permit challenging Consortium decisions. The due process guidelines include the following.

1. All supervisees receive a written statement of program expectations for professional functioning at the outset of the Training Year.
2. Evaluation procedures are clearly stipulated, including when and how evaluations will be conducted.
3. The procedures and actions for making decisions about problematic performance or problematic conduct are outlined in written statements given to all supervisees.
4. For interns, sponsoring graduate schools are informed about any suspected difficulty that casts doubt on the intern's ability to successfully complete the internship. The graduate school's input and suggestions are requested.

5. Remediation plans are instituted for identified inadequacies, and they include time frames for remediation and specify consequences for failure to rectify the inadequacies.
6. All supervisees receive a written description of procedures they may use to appeal the program's actions.
7. Supervisees are given sufficient time to respond to any action taken by the supervisor and the Consortium.
9. Program actions and their rationale are documented in writing and made available to all relevant parties.

DEFINITION OF PROBLEMATIC PERFORMANCE AND/OR CONDUCT

Problem behaviors are defined as less serious than problematic performance or problematic conduct. Problem behaviors are said to be present when a supervisor perceives that a supervisee's behaviors, attitudes, or characteristics are compromising the quality of his or her psychological services; or, interfering with his or her relationship with peers, supervisors, or other staff; or, limiting compliance with appropriate standards of professional practice or behavior. Among professionals in training, many problem behaviors are expected. It is a matter of professional judgment as to when a supervisee's problem behaviors are determined to be sufficiently serious to fit the definition of problematic performance or problematic conduct, rather than being typical problem behaviors often found among supervisees that can be remedied during the course of regular supervision.

The Consortium defines problematic performance and problematic conduct as occurring when there is interference in professional functioning that renders the supervisee: unable and/or unwilling to acquire and integrate professional standards into his/her repertoire of professional behavior; or, unable and/or unwilling to acquire professional skills that reach an acceptable level of competency; or, unable and/or unwilling to control personal distress that leads to dysfunctional emotional reactions or behaviors that disrupt professional functioning. More specifically, problem behaviors typically become identified as problematic performance and/or problematic conduct when they include one or more of the following characteristics.

1. The supervisee does not, for whatever reason, acknowledge, understand, or address a problem behavior when it is identified.
2. The problem behavior is not merely a reflection of a skill deficit that can be rectified by academic or didactic training.
3. The quality of services delivered by the supervisee is significantly negatively affected.
4. The problem behavior is not restricted to one area of professional functioning.

5. A disproportionate amount of attention by training personnel is required.
6. The supervisee's problem behavior does not change as a function of feedback, remediation efforts, and/or time.

PROCEDURES FOR RESPONDING TO PROBLEMATIC PERFORMANCE AND/OR PROBLEMATIC CONDUCT

The Arizona Psychology Training Consortium adheres to the following procedures to guide its response to supervisees with problematic performance or problematic conduct. The following steps outline these procedures:

1. When a supervisor determines that a supervisee is manifesting problematic performance or problematic conduct, the supervisor will notify the Director of Training in writing of this conclusion, explaining and summarizing the bases for that decision.
2. The Director of Training will establish an *ad hoc* Review Committee, consisting of the Director of Training as Chair and two supervisors from other training sites within the Consortium who are not involved in the supervision of the supervisee in question.
3. The *ad hoc* Review Committee will meet and review the report from the supervisor contending that the supervisee is engaging in problematic performance or problematic conduct. The Review Committee then writes a detailed summary of its concerns about the supervisee.
4. The Review Committee then notifies the supervisee in writing that a review is occurring, provides a detailed written summary of the Review Committee's concerns, and requests that the supervisee provide the Review Committee with a written statement addressing these concerns within five working days.
5. Following the receipt of the supervisee's written response, the Review Committee will schedule a meeting to include the supervisor and supervisee. The supervisee will be provided at least five days advance notification of the meeting that will include the issues to be addressed in order to allow for adequate preparation. The meeting will be chaired by the Director of Training and will review the concerns as set forth in the notice to the supervisee.
6. Since due process requires that the supervisee be given advance notice of the concerns of the Review Committee, issues arising during the meeting which were not noticed to the supervisee may be discussed but are not actionable unless the supervisee explicitly waives his or her right to notification. Such issues may be carried over to another meeting to allow time for appropriate written notification to the supervisee of these concerns.
7. Minutes of the Review Committee meetings will be maintained documenting

the procedures, discussions, rationales, and decisions of the Review Committee. Copies of the minutes and the report of the Review Committee will be made available to all relevant parties. A copy of the minutes and report will be placed in the supervisee's training record and a copy will be forwarded to the Secretary of the Consortium Board of Directors.

After reviewing all available information and meeting with the supervisor and supervisee, the *ad hoc* Review Committee will take one or more of the following steps:

1. The Review Committee may decide to take no further action in the event it finds no evidence of problematic performance or problematic conduct or determines that these have been corrected.
2. The Review Committee may issue an *Acknowledgement Notice* that formally states the following:
 - a. The Review Committee finds that the supervisee has engaged in problematic performance and/or problematic conduct and is concerned about this.
 - b. These concerns have been brought to the supervisee's attention and the supervisor or another supervisor will work with the supervisee to rectify the problem within a specified time frame.
 - c. The behaviors associated with the negative evaluation are not significant enough to warrant more serious action at the time.
 - d. The Review Committee believes that the problematic performance or problematic conduct is likely to be rectified with the supervision planned in b. above.
3. The Review Committee may find that the supervisee has been engaging in problematic performance or problematic conduct and issue a *Probation Notice*. The *Probation Notice* specifies that the Review Committee, through the supervisor and Director of Training, will actively and systematically monitor, for a specified length of time, the degree to which the supervisee addresses, changes, and/or otherwise improves the problematic performance or problematic conduct. A *Probation Notice* may be issued either with or without remedial action required. The supervisee retains the right to appeal the provisions of probation by filing a grievance according to Consortium procedures. A grievance cannot be filed contesting the imposition of the probation itself, but may only contest its specific provisions. The *Probation Notice* is a written statement to the supervisee, with copies to the supervisor, Director of Training, and the Secretary of the Board, with a copy placed in the supervisee's record, which includes the following:
 - a. A finding of problematic performance or problematic conduct.
 - b. Specific recommendations for rectifying the problems.
 - c. A time frame for the probation during which the problem is expected to be ameliorated.

- d. Procedures to assess whether the problem has been appropriately rectified.
 - e. If the Review Committee deems that remedial action is required, the identified problems in performance or conduct must be systematically addressed. Possible remedial steps include (but are not limited to) the following:
 - 1) Increased supervision, either with the same or other supervisors.
 - 2) Change in the format, emphasis, and/or focus of supervision.
 - 3) A recommendation and/or requirement that personal therapy be undertaken with a clear statement about the manner in which such therapy contacts will be used in the supervisee's evaluation process.
 - 4) Recommendation of a leave of absence and/or a second internship or residency.
4. The *ad hoc* Review Committee may recommend dismissal of the supervisee from the Consortium when it determines that the supervisee's problematic performance and/or problematic conduct is so substantial that it endangers the health, safety, or welfare of a client or demonstrates a flagrant violation of professional standards, ethics, or the applicable Arizona statutes.
- a. In all cases in which the Review Committee recommends dismissal, the report of the Committee recommendation will be sent to the Consortium Board of Directors who will review and take action on the recommendation in a meeting to include the supervisee, supervisor, Director of Training, and others whom the Board may invite to participate.
 - b. If the supervisee in question is an intern, the graduate school will be informed and invited to participate.
 - c. Prior written notice of the Board meeting to take action on the recommendation to dismiss the supervisee will be sent to all relevant parties at least ten working days in advance of the meeting date.
 - d. At its meeting, the Board of Directors will review the findings and recommendations of the *ad hoc* Review Committee and may consider other sources of information at its discretion.
 - e. The Board, by majority vote, will decide among the three following options:
 - 1) It may concur with the recommendation for dismissal and dismiss the supervisee on the basis of the findings of the Review Committee or base dismissal on additional findings consistent with dismissal. These findings will be set forth in its written decision.

- 2) The Board may issue a decision setting forth findings of problematic performance and/or problematic conduct that occurred and direct that the supervisee remain in training but on probation. In this instance, the Board will issue a *Probation Notice* with specifics prescribed according to the probationary procedures of the Consortium with or without remedial action required. The supervisee may accept the *Probation Notice* or challenge its provisions. The supervisee retains the right to appeal the provisions of probation by filing a grievance according to Consortium procedures. A grievance cannot be filed contesting the imposition of the probation itself, but may only contest its specific provisions.
 - 3) The Board may issue a decision including findings that problematic performance and/or problematic conduct did not occur and direct that the supervisee continue in his or her training. The Board may, at its discretion, direct the Director of Training to implement specified modifications in the supervisee's Training Agreement or direct the Director of Training to develop and implement such changes as he or she believes are appropriate.
- f. The Board's written decision will be made available to all relevant parties within five working days. In the event that the supervisee is dismissed, the information that the supervisee was dismissed and the reasons for the dismissal will be made available to professional organizations and licensing boards requesting information from the Consortium about the supervisee. In instances in which the Consortium is required to initiate a report of this information with licensing boards, law enforcement officials, or professional organizations, this step will be taken in compliance with relevant statutory requirements.

Following the delivery to the supervisee of an *Acknowledgment Notice* or *Probation Notice*, the Director of Training will meet with the supervisee to review the Notice and discuss any required remedial steps. The supervisee may elect to accept the provisions of a *Probation Notice* or may challenge the *ad hoc* Review Committee's actions by filing a grievance. Only specific provisions of the *Probation Notice* may be challenged, not the imposition of probation itself. *Acknowledgement Notices* cannot be challenged as they are advisory only.

Once the *ad hoc* Review Committee has issued an *Acknowledgement Notice*, the supervisee's status will be reviewed by the Review Committee within three months, or the next formal evaluation, whichever comes first. In the case of a *Probation Notice*, the supervisee's status will be reviewed within the time frame set by the notice. These reviews will consist of a written evaluation by the supervisor provided to the Review Committee and other information the Review Committee requests.

In the event the supervisee is an intern, the Director of Training will inform the intern's sponsoring graduate school and provide information regarding the findings

and recommendations of the *ad hoc* Review Committee. The intern shall receive a copy of the letter to the sponsoring graduate school.

FAILURE TO CORRECT PROBLEMATIC BEHAVIOR OR CONDUCT

If a supervisee on probation has not improved sufficiently to rectify the problematic performance and/or problematic conduct according to the conditions of the *Probation Notice*, the *ad hoc* Review Committee will meet and conduct a review. This review will include gathering additional written information from the supervisor and supervisee, and scheduling a meeting with the supervisor and supervisee and other relevant parties with at least five days written notice. If the *ad hoc* Review Committee finds that the conditions for terminating the probation have been met, probation will be terminated. This decision will be contained in a written report provided to relevant parties, placed in the record of the supervisee, and provided to the Secretary of the Consortium Board of Directors. The report will be shared with the sponsoring graduate school if the supervisee is an intern.

If the Review Committee determines that the conditions for terminating probation have not been met, the Review Committee will inform the supervisee and will take any of the following steps:

1. It may continue the probation for a specified period of time.
2. It may suspend the supervisee, whereby the supervisee is not allowed to continue engaging in specified professional activities, or all professional activities, until the Review Committee determines that the problematic performance and/or problematic conduct in question have been rectified.
3. The Review Committee will inform the Consortium's Board of Directors and, if the supervisee is an intern, the sponsoring graduate school, that the supervisee will not successfully complete the internship if his or her behavior does not change.
4. If, by the end of the training year, the supervisee has not successfully completed the training requirements, then the *ad hoc* Review Committee may recommend that the Consortium may not award the supervisee a certificate of completion. The supervisee, and in the case of an intern the sponsoring graduate school as well, will be informed that the supervisee has not successfully completed the training program. All such reports and recommendations will be sent to the Secretary of the Consortium Board of Directors. The Consortium Board of Directors will make a final decision regarding the Review Committee's recommendation not to award any certificate.
5. The *ad hoc* Review Committee may conclude that a supervisee is not suited for a career in professional psychology. The Review Committee may recommend a career shift for the supervisee.

6. The *ad hoc* Review Committee may recommend dismissal of the supervisee from the Consortium when it determines that the supervisee's problematic performance and/or problematic conduct is so substantial that it endangers the health, safety, or welfare of a client or demonstrates a flagrant violation of professional standards, ethics, or the applicable Arizona statutes.
 - a. In all cases in which the Review Committee recommends dismissal, the report of the Committee recommendation will be sent to the Consortium Board of Directors who will review and take action on the recommendation in a meeting to include the supervisee, supervisor, Director of Training, and others whom the Board may invite to participate.
 - b. If the supervisee in question is an intern, the graduate school will be informed and invited to participate.
 - c. Prior written notice of the Board meeting to take action on the recommendation to dismiss the supervisee will be sent to all relevant parties at least ten working days in advance of the meeting date.
 - d. At its meeting, the Board of Directors will review the findings and recommendations of the *ad hoc* Review Committee and may consider other sources of information at its discretion.
 - e. The Consortium Board, by majority vote, will decide among the three following options:
 - 1) It may concur with the recommendation for dismissal and dismiss the supervisee on the basis of the findings of the Review Committee or base dismissal on additional findings consistent with dismissal. These findings will be set forth in its written decision.
 - 2) The Board may issue a decision setting forth findings of problematic performance and/or problematic conduct that occurred and direct that the supervisee remain in training but on probation. In this instance, the Consortium Board will issue a *Probation Notice* with specifics prescribed according to the probationary procedures of the Consortium with or without remedial action required. The supervisee may accept the *Probation Notice* or challenge its provisions. The supervisee retains the right to appeal the provisions of probation by filing a grievance according to Consortium procedures. A grievance cannot be filed contesting the imposition of the probation itself, but may only contest its specific provisions.
 - 3) The Consortium Board may issue a decision including findings that problematic performance and/or problematic conduct did not occur and

direct that the supervisee continue in his or her training. The Consortium Board may, at its discretion, direct the Director of Training to implement specified modifications in the supervisee's Training Agreement or direct the Director of Training to develop and implement such changes as he or she believes are appropriate.

- f. The Consortium Board's written decision will be made available to all relevant parties within five working days. In the event that the supervisee is dismissed, the information that the supervisee was dismissed and the reasons for the dismissal will be made available to professional organizations and licensing boards requesting information from the Consortium about the supervisee. In instances in which the Consortium is required to initiate a report of this information with licensing boards, law enforcement officials, or professional organizations, such steps will be taken in compliance with relevant statutory requirements.
7. The supervisor shall be able to immediately suspend the supervisee from practicing in specified cases, or in all cases, when he or she determines that the supervisee is practicing in a manner that constitutes a danger to the health, safety, or welfare of any client or is practicing in disregard of supervisory directives. This suspension will be immediately communicated verbally and in writing to the Director of Training. The procedures will be the same as those above for supervisees failing to correct problematic behavior or problematic conduct

SUPERVISEE CHALLENGE AND GRIEVANCE PROCEDURES

A supervisee who disagrees with the *ad hoc* Review Committee's decision or recommendation to the Board of Directors regarding his or her participation in the Consortium training program is entitled to challenge the Review Committee's actions by initiating a grievance procedure. Within five working days of receiving the Review Committee's written decision, the supervisee must inform the Director of Training in writing that he or she is challenging the Review Committee's action. The supervisee then has five additional days to provide the Director of Training with written information explaining why he or she believes the Review Committee's action is unwarranted. Failure to provide such information within the five days allowed will constitute a withdrawal of the challenge.

A supervisee may also file a grievance if he or she believes any aspect of the training program is unfair, biased, unprofessional, or in violation of the Resident or Intern Training Agreement, or not consistent with other policies or procedures of the Arizona Psychology Training Consortium. The supervisee will present a written grievance to the Director of Training to initiate the grievance procedure.

Following the timely receipt of the supervisee's challenge and written explanation, the following actions will be taken.

1. Upon receipt of the supervisee's written challenge or grievance, the Director of Training will convene a Grievance Panel consisting of two supervisors who have not participated in the *ad hoc* Review Committee proceedings. One is to be selected by the Director of Training and the other by the supervisee. The Director of Training will chair the Grievance Panel. The supervisee retains the right to hear all facts and the opportunity to dispute or otherwise explain his or her position.
2. The Director of Training will chair a Grievance Hearing in which the supervisee's challenge or grievance will be considered and relevant evidence presented. Written minutes of the Grievance Panel's hearing will be kept. The Grievance Panel's findings and recommendations will be determined by majority vote. Within five days of completion of the Grievance Hearing, the Grievance Panel will distribute a report on its findings and recommendations that will be made available to all relevant parties and the Secretary of the Consortium Board of Directors.
3. Once the Grievance Panel has submitted its findings and recommendations to the supervisee, the supervisee has five working days within which to seek a further review of his or her challenge or grievance by submitting a written request for reconsideration to the President of the Consortium Board of Directors. The supervisee's request must contain brief explanations of the challenge or grievance, describe the desired settlement he or she is seeking, and specify which policies, rules, regulations, professional standards, or statutes have allegedly been violated, misinterpreted, or misapplied.
4. The President of the Consortium's Board of Directors will appoint a Board Grievance Review Committee consisting of three Board members not previously involved in the issues under consideration. The role of the Board Grievance Review Committee is to determine whether the Grievance Hearing was conducted in a fair and unbiased manner consistent with all Consortium policies and procedures established to ensure due process. The Board President will designate one member of the Board Grievance Review Committee to serve as chair. The Board Grievance Review Committee will review all documents considered by the Grievance Panel plus the minutes of the Grievance Hearing, the written findings and recommendations of the Panel, and the subsequent request for reconsideration by the supervisee. The Committee will review and consider no additional evidence or information, nor will any members of the Board Grievance Review Committee discuss or seek counsel from any other person participating in any aspect of the Consortium.

5. The Board Grievance Review Committee will arrive at one of three recommendations to be made in writing to the President of the Board of Directors within five days of the conclusion of its meeting:
 1. It may recommend against granting a Reconsideration Hearing by the Grievance Panel. If the majority of the Committee conclude that the Grievance Hearing was conducted in a fair and unbiased manner and that the procedures were in accordance with all Consortium policies and procedures for due process, the Board Grievance Review Committee will recommend against granting a Reconsideration Hearing. Recommending against granting a Reconsideration Hearing is also appropriate when the Committee identifies procedural errors or omissions but finds that they did not compromise the integrity of the Grievance Hearing. The written report of the Committee to the President of the Board will identify the issues considered, the process by which they were reviewed, the various rationales for all findings and recommendations, and other information the Board Grievance Review Committee determines is relevant.
 - a. The President of the Board will present the report of the Grievance Review Committee to the Board of Directors who will convene and decide by majority vote whether to concur with the Grievance Review Committee's recommendation denying a Reconsideration Hearing or to set aside the recommendation of the Board Grievance Review Committee and grant the request for a Reconsideration Hearing.
 - b. In the event the Board of Directors decides to grant a Reconsideration Hearing, it will provide guidance to the Grievance Panel regarding steps to take to avoid procedural or other errors that occurred in the initial Grievance Hearing.
 2. It may recommend that the request for a Reconsideration Hearing by the Grievance Panel be granted. In the event the Board Grievance Review Committee finds that procedural errors or omissions were made in the conduct of the Grievance Hearing, or if it determines that one or more policies or procedures of the Consortium was not followed and that these errors or omissions rendered the process unfair or biased or otherwise materially compromised the due process or integrity of the hearing, the Board Grievance Review Committee will recommend to the President of the Board that the request for a Reconsideration Hearing be granted. The Board Grievance Review Committee will identify in its report to the President what the errors or omissions were that were identified and demonstrate how each acted to compromise the supervisee's due process or the integrity of the

Grievance Hearing. This report to the President will specify procedural or other modifications to be made in the Reconsideration Hearing to ensure that the procedures are fair, unbiased, and in keeping with the supervisee's due process and will recommend that the President grant reconsideration by the Grievance Panel at a Reconsideration Hearing.

- a. The President of the Board will decide either to abide by the recommendation of the Committee and grant the Reconsideration Hearing, or may present the Committee's report to the Board for deliberation and a decision, by majority vote, whether to grant or deny the Reconsideration Hearing. In the event the Board votes to grant a Reconsideration Hearing, it will instruct the Grievance Panel, identifying the procedural or other errors in the initial hearing, and direct the Grievance Panel to avoid the errors in the Reconsideration Hearing.
 - b. If the President decides to follow the recommendation of the Committee, he will notify the Grievance Panel and the supervisee in writing that the Grievance Panel will conduct a Reconsideration Hearing within ten days and convey to them the findings and recommendations of the Board Grievance Reconsideration Committee.
6. Upon the conclusion of a Reconsideration Hearing, if granted, or upon a decision to deny the request for a Reconsideration Hearing, copies of all meeting minutes, reports, and decisions will be sent to the Secretary of the Board, made available to relevant parties, and placed in the supervision record of the supervisee.

COMPLAINTS OF UNETHICAL OR UNPROFESSIONAL BEHAVIOR

Any staff member of a training site, recipient or family member of a recipient of services provided by the supervisee, the Director of Training, other affiliates or Board members of the Consortium may file a written complaint against a supervisee for alleged unethical or unprofessional conduct.

1. The Director of Training will review the complaint and determine if there is reason to proceed to convene an *ad hoc* Review Committee or to resolve the matter informally with the supervisee, the complaining party, and other relevant persons. If the Director of Training determines that the alleged behavior cited in the complaint, if proven, would not constitute an ethical, legal, or professional violation, the Director of Training shall inform the person filing the complaint in writing that the complaint will not be pursued further. The complaint may be filed again if additional information is provided. The review, rationale, and decision of the Director of Training will be summarized in writing, a copy provided to the supervisee and the

complainant, a copy placed in the supervision record, and a copy forwarded to the Board of Directors. If the supervisee is an intern, his or her graduate school will be informed of the action taken.

2. When the Director of Training determines that there is probable cause to believe a violation of ethical or professional standards may have occurred, the Director of Training shall notify the supervisee, the supervisee's supervisor, and the complainant in writing that he is convening an *ad hoc* Review Committee to investigate the complaint further. The *ad hoc* Review Committee will consist of the Director of Training as Chair, a supervisor selected by the complainant, and a supervisor from any Consortium training site selected by the supervisee. In the event the complainant is a client, the Director of Training shall appoint a supervisor of his or her choice from another training site.
3. The *ad hoc* Review Committee reviews the complaint and any additional information provided by the complainant. The Review Committee then notifies the supervisee in writing that a review is occurring, provides a written summary of the Review Committee's concerns, and requests that the supervisee provide the Review Committee with a written statement addressing these concerns. Following the receipt of the supervisee's response, and with at least five days written notification, the supervisee and the complainant are invited to meet with the Review Committee to provide information and answer questions regarding the issues in the complaint as noticed to the supervisee. Since due process requires that the supervisee be given advance notice of the concerns of the Review Committee, issues arising during the meeting which were not noticed in advance to the supervisee may be discussed but are not actionable unless the supervisee expressly waives his or her right to five days written notification. Such issues may be carried over to another meeting to allow time for appropriate written notification of the supervisee of these concerns and to invite the supervisee and complainant to another meeting.
4. In the event the complainant is a client, all reasonable efforts will be made to protect his or her confidentiality. A client appearing at the *ad hoc* Review Committee meeting will be addressed by initials or in another way that protects confidentiality.
5. Minutes of the *ad hoc* Review Committee meetings will be maintained documenting the procedures, discussions, rationales, and decisions of the Committee. Copies of the minutes will be made available to all relevant parties. A copy of the minutes will be placed in the supervisee's training record. A copy of minutes will be forwarded to the Board of Directors.
6. The *ad hoc* Review Committee, chaired by the Director of Training, will hold a review hearing in which the complaint is heard and evidence presented. The *ad hoc* Review Committee will receive relevant information from both

the supervisee and/or the person filing the complaint that bears on its deliberations. Information will be received in writing and verbally at the hearing. After reviewing all available information and meeting with the supervisor and supervisee, the *ad hoc* Review Committee will issue written findings and recommendations within five working days. The Committee will make one of the following conclusions and decisions:

1. No violation of ethical or professional standards occurred. This conclusion will be documented in a statement of findings to this effect, which will be made available to all relevant parties and placed in the supervisee's record. No further action is warranted.
2. The *ad hoc* Review Committee may issue an *Acknowledgement Notice* that formally states the following:
 - a. The Committee is aware of and concerned about the complaint but has concluded that the behavior of the supervisee does not rise to the level of unethical or unprofessional conduct.
 - b. The complaint has been brought to the supervisee's attention and the supervisor or another supervisor will work with the supervisee to modify the supervisee's practices to prevent a similar situation from occurring again. Such activities will be documented in supervisory records.
 - c. The behaviors associated with the complaint are not significant enough to warrant more serious action at the time.
3. The *ad hoc* Review Committee may find that the supervisee violated ethical or professional standards and issue a *Probation Notice*, with or without remedial action required, which specifies that the Committee, through the supervisor and Director of Training, will actively and systematically monitor, for a specified length of time, the degree to which the supervisee addresses, changes, and/or otherwise improves the problem behaviors. The *Probation Notice* is a written statement to the supervisee that includes the following:
 - a. A description of the unethical or unprofessional behavior.
 - b. Specific steps for rectifying the problems.
 - c. A time frame for the probation during which the problem is expected to be ameliorated.
 - d. Procedures to assess whether the problem has been appropriately rectified.

- e. If the *ad hoc* Review Committee deems that remedial action is required, the identified unethical or unprofessional behavior must be systematically addressed. Possible remedial steps include (but are not limited to) the following as specified in the *Probation Notice*.
 - 1) Increased supervision, either with the same or other supervisors.
 - 2) Change in the format, emphasis, and/or focus of supervision.
 - 3) A recommendation and/or requirement that personal therapy be undertaken with a clear statement about the manner in which such therapy contacts will be used in the supervisee's evaluation process.
 - 4) Recommendation of a leave of absence and/or a second internship or residency.
- 4. The *ad hoc* Review Committee may find that unethical or unprofessional behavior occurred and recommend dismissal of the supervisee from the Consortium. This option is appropriate when the Committee determines that the supervisee's violation of ethical and/or professional standards is flagrant or so substantial that it endangers the health, safety, or welfare of a client or is disruptive to the operation of the training site.
- 5. In all cases in which the *ad hoc* Review Committee recommends dismissal, its findings, rationale, and recommendations will be presented in writing to the Board of Directors which will convene a meeting to include the supervisee, supervisor, Director of Training, and others whom the Board may invite to participate. The findings and recommendations of the Review Committee will also be made available to the supervisee within five days. If the supervisee in question is an intern, his or her graduate school will be informed and invited to participate. Appropriate written notice of the meeting to review and consider the recommendation to dismiss the supervisee from the Consortium shall be provided to all relevant parties.
- 6. The Board of Directors will review the recommendation to dismiss a supervisee from the Consortium based on the findings of the *ad hoc* Review Committee and may consider other sources of information at its discretion. A majority vote of the Board is required to dismiss the supervisee or to order that he or she continue in training on probation, or that the matter be dismissed. The Board of Directors will issue a written decision including findings of facts regarding the

recommendation to dismiss presented by the *ad hoc* Review Committee.

7. The Board of Directors will issue one of three decisions:
 - a. It may concur with the recommendation for dismissal on the basis of the findings of the *ad hoc* Review Committee or base dismissal on additional findings set forth in its written decision.
 - b. The Board may issue a decision setting forth findings of ethical or professional violations that occurred and direct that the supervisee remain in training but on probation. In this instance, the Board will issue a *Probation Notice* with specifics prescribed according to the probationary procedures of the Consortium. The supervisee may accept the *Probation Notice* or challenge its provisions. The supervisee retains the right of appeal by filing a grievance according to Consortium procedures for the sole purpose of challenging the specific provisions of probation. A challenge cannot be filed contesting the imposition of the probation itself, but may only contest its specific provisions.
 - c. The Board may issue a decision including findings that no violation of ethics or professional standards occurred and direct that the supervisee continue in his or her training. The Board may, at its discretion, direct the Director of Training to implement modifications in the supervisee's Training Agreement or direct the Director of Training to develop and implement such changes as he or she believes would be helpful.
8. The Board's written findings and decision will be made available to all relevant parties within five working days. In the event that the supervisee is dismissed from the Consortium, the information that the supervisee was dismissed and the reasons for the dismissal will be made available to professional organizations and licensing boards requesting information from the Consortium about the supervisee. In instances in which the Consortium is required to initiate a report of this information, this step will be taken in compliance with relevant statutory requirements.