**SAN JOSE JOB CORPS: THE IDENTIFICATION**

**AND MANAGEMENT OF PRACTICUM STUDENT PROBLEMS/CONCERNS**

This document provides mental health interns (third and fourth year practicum students) and staff an overview of the identification and management of mental health intern problems and concerns, a listing of possible consequences and actions and an explicit discussion of the due process procedures. Also included are important considerations in the remediation of problems.

For the purpose of this document, the terms “practicum student”, “mental health intern” and “intern” are all interchangeable as third and fourth year practicum students are referred to as “interns” at the San Jose Job Corps.

**I. 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 an intern'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:

1. the practicum student does not acknowledge, understand, or address the problem when it is identified;

2. the problem is not merely a reflection of a skill deficit which can be rectified by academic

or didactic training;

3. the quality of services delivered by the practicum student is sufficiently negatively affected;

4. the problem is not restricted to one area of professional functioning;

5. a disproportionate amount of attention by training personnel is required; and/or

6. the mental health intern’s behavior does not change as a function of feedback, remediation efforts, and/or time.

**II. Remediation and Sanction Alternatives**

It is important to have meaningful ways to address problematic behavior once it has been identified. In implementing remediation or sanction interventions, the supervisor must be mindful and balance the needs of the mental health intern, the clients involved, members of the intern training group, the Job Corps program, and other agency personnel.

1. Verbal Warning to the intern emphasizes the need to discontinue the inappropriate behavior under discussion. There may also be a verbal warning in those situations where action that is required has failed to occur. No record of this action is kept.

2. Written Acknowledgment to the intern formally acknowledges:

a) that the supervisor is aware of and concerned with aspects of intern’s performance,

b) that the concern has been brought to the attention of the intern,

c) that the supervisor will work with the intern to rectify the problem or skill deficits, and

d) that the behaviors of concern are not significant enough to warrant more

serious action.

The written acknowledgment will be removed from the intern's file when the intern responds to the concerns and successfully completes the internship.

3. Written Warning to the intern indicates the need to discontinue an inappropriate action or behavior. This letter will contain:

a) a description of the intern's unsatisfactory performance;

b) actions needed by the intern to correct the unsatisfactory behavior;

c) the time line for correcting the problem;

d) what action will be taken if the problem is not corrected; and

e) notification that the intern has the right to request a review of this action.

A copy of this letter will be kept in the intern's file on site and another copy will be sent to the training director at the student’s graduate school. Consideration may be given to removing this letter at the end of the practicum placement in consultation with the intern's supervisor and graduate school training director. If the letter is to remain in the file, documentation should contain the position statements of the parties involved in the dispute.

4. Schedule Modification is a time-limited, remediation-oriented and closely supervised period of training designed to return the intern to a more fully functioning state. Modifying an intern's schedule is an accommodation made to assist the intern in responding to personal reactions to environmental stress, with the full expectation that the intern will complete the placement. This period will include more closely scrutinized supervision conducted by the regular supervisor in consultation with the student’s practicum advisor. Several possible and perhaps concurrent courses of action may be included in modifying a schedule. These include:

a) increasing the amount of supervision

b) change in the format, emphasis, and/or focus of supervision;

c) recommending personal therapy (a list of community practitioners is available at the graduate school).

d) reducing the intern's clinical or other workload;

e) requiring specific academic coursework.

The length of a schedule modification period will be determined by the MHC and the student’s training director. The termination of the schedule modification period will be determined, after discussions with the intern, by the MHC and the student’s training director.

5. Probation is also a time limited, remediation-oriented, more closely supervised training period. It's purpose is to assess the ability of the intern to complete the practicum placement and to return the intern to a more fully functioning state. Probation defines a relationship that the supervisor systematically monitors for a specific length of time the degree to which the intern addresses, changes and/or otherwise improves the behavior associated with the inadequate rating. The intern is informed of the probation in a written statement which 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, and

d) the procedures to ascertain whether the problem has been appropriately rectified.

If the Job Corps MHC determines that there has not been sufficient improvement in the intern's behavior to remove the Probation or modified schedule, then they will discuss possible courses of action to be taken. It will be communicated in writing to the intern that the conditions for revoking the probation or modified schedule have not been met. This notice will include the course of action the Job Corps site has decided to implement. These may include continuation of the remediation efforts for a specified time period or implementation of another alternative. Additionally, the training director of that student’s school will be notified and given a copy of the above letter.

6. Suspension of Direct Service Activities requires a determination that the welfare of the intern's client has been jeopardized. Therefore, direct service activities will be suspended for a specified period as determined by the MHC in consultation with the graduate school training director. At the end of the suspension period, the intern's supervisor will assess the intern's capacity for effective functioning and determine when direct service can be resumed.

7. Administrative Leave involves the temporary withdrawal of all responsibilities and privileges in the agency

8. Dismissal from the Practicum Placement involves the permanent withdrawal of all agency responsibilities and privileges. When specific interventions do not, after a reasonable time period, rectify the problem behavior or concerns and the trainee seems unable or unwilling to alter her/his behavior, the MHC will discuss with the Director of Training of that student’s graduate school the possibility of termination from the program or dismissal from the agency. 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 the intern is unable to complete the internship due to physical, mental or emotional illness.

**III. Procedures for Responding to Inadequate Performance by an Intern**

If an intern receives an "unacceptable rating" from any of the evaluation sources in any of the major categories of evaluation, or if a staff member has concerns about an intern's behavior (ethical or legal violations, professional incompetence) the following procedures will be initiated:

1. The MHC will determine if there is reason to proceed and/or if the behavior in question is being rectified.

2. If the staff member who brings the concern to the MHC is not the intern's primary supervisor, the MHC will discuss the concern with the intern's primary supervisor.

3. If the primary supervisor determines that the alleged behavior in the complaint, if proven, would constitute a serious violation, the MHC will inform the staff member who initially brought the complaint.

5. Whenever a decision has been made by the MHC about an intern's status in the agency, the MHC will inform the intern in writing and will meet with the intern to review the decision. If the intern accepts the recommendation, any formal action taken by Job Corps may be communicated in writing to the intern's graduate school program. This notification indicates the nature of the concern and the specific alternatives implemented to address the concern.

6. The intern may choose to accept the conditions or may choose to challenge the action. The procedures for challenging the action are presented below.

**IV. Due Process: General Guidelines**

Due process ensures that decisions about interns are not arbitrary or personally based. It requires that there are specific evaluative procedures outlined which are applied to all practicum students/interns, and that there will be appropriate appeal procedures available to the intern. All steps need to be appropriately documented and implemented. General due process guidelines include:

1. During the orientation period, presenting to the interns, in writing, the program's expectations related to professional functioning. Discussing these expectations in both group and individual settings.

2. Stipulating the procedures for evaluation, including when and how evaluations will be conducted. Such evaluations should occur at meaningful intervals.

3. Articulating the various procedures and actions involved in making decisions regarding the problem behavior or concerns.

4. Communicating, early and often, with graduate programs about any suspected difficulties with interns and when necessary, seeking input from these academic programs about how to address such difficulties.

5. Instituting, when appropriate, a remediation plan for identified inadequacies, including a time frame for expected remediation and consequences of not rectifying the inadequacies.

6. Ensuring that interns have sufficient time to respond to any action taken by Job Corps.

8. Having a joint meeting with graduate school training directors or practicum coordinators before making decisions or recommendations regarding the intern's continued placement at Job Corps.

9. Documenting, in writing and to all relevant parties, the actions taken by Job Corps and its rationale.

**V. Due Process: Procedures**

The basic meaning of due process is to inform and to provide a framework to respond, act or dispute. When a matter cannot be resolved between the MHC and intern or staff, the steps to be taken are listed below.

**A. Grievance Procedure**

There are two situations in which grievance procedures can be initiated.

1. In the event an intern encounters any difficulties or problems (e.g. poor supervision, unavailability of supervisor, evaluations perceived as unfair, workload issues, personality clashes, other staff conflict) during his/her training experiences, an intern can:

a. Discuss the issue with the staff member(s) involved;

b. If the issue cannot be resolved informally, the intern should discuss the concern with the practicum coordinator or training director from their graduate school;

c. If that person or the intern would like a meeting, any party can plan one.

d. If the intern is challenging a formal evaluation, the intern must do so within 5 days of receipt of the evaluation.

2. If a Job Corps staff member has a specific concern about an intern, the staff member should:

a. Discuss the issue with the intern(s) involved.

b. Consult with the MHC.

c. If the issue is not resolved informally, the staff member may seek resolution of the concern by written request, with all supporting documents, to the MHC for a review of the situation.

d. It will be at the disgression of the MHC whether the practicum coordinator or graduate school training director will be informed

**B. Review Panel**

1. When needed, a review panel will be convened by the MHC. The panel will consist of three members; the MHC, the Training Director of the graduate school and an intern advocate to be chosen by the intern. The intern has the right to hear all facts with the opportunity to dispute or explain the behavior of concern.

2. Within two weeks, a hearing will be conducted in which the challenge is heard and relevant material presented. Within three (3) work days of the completion of the review, the Review Panel will make a written recommendations for any further action. Recommendations made by the Review Panel will be made by majority vote.

3. If the intern disputes the committee’s final decision, the intern has the right to contact the graduate school to discuss this situation.

**Due Process In Action:**

**Flow Chart**

Problem Identification

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Notification of MHC

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Meeting(s) with Relevant Staff

(intern(s), clinical supervisor, collateral health or counseling staff from Job Corps)

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Decision made by MHC whether to pursue the matter

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course of action/sanctions recommended decision that intern has

| rectified the situation

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meeting with intern to implement plan\*@

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sufficient positive change insufficient positive change

| (review by MHC)

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end of sanctions@ | |

continue sanctions or Dismissal from placement\*@

generate new plan\*@

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Sufficient positive change Dismissal from placement\*@ |

End of sanctions@

\*intern may challenge at this time.

@as appropriate, inform graduate program