



Discrimination and Misconduct Grievance Procedure

In keeping with the Institute for Contemporary Psychotherapy's (ICP) mission and Code of Ethics & Professional Conduct (the "Code") we have made a commitment to the community to ensure an Environment of Trust, Transparency, Respect, Communication, and Collegiality, as well as Advancement of a Just and Inclusive Environment. As such, ICP has put into place a grievance process so that complaints of a person, division, or other community entity not meeting these standards can be brought forward.

All ICP candidates, employees, faculty, supervisors, clinicians, and interns are expected to adhere to the norms of a professional community and conduct themselves within the guidelines of ICP's Code of Ethics & Professional Conduct and their relevant field's Codes of Ethics. ICP takes any allegation of discrimination, professional misconduct, or failures seriously and is committed to protecting the rights of community members by carefully assessing and investigating all grievances thoroughly.

ICP prohibits discrimination based on race, color, religion, national orientation, sex, disability, military status (including veteran status), sexual orientation, gender identity, gender expression, age, marital status, pregnancy status, or genetic information. ICP also prohibits professional workplace misconduct, which includes, but is not limited to, theft, assault, harassment, creating a hostile environment, bullying, and academic dishonesty. Additionally, ICP forbids retaliation against a person because that person has filed a charge of discrimination, has complained about a conduct violation, and or participated in an investigation or lawsuit.

Acts of discrimination and professional workplace misconduct have far-reaching impact on the lives, careers, and overall educational experience of everyone involved. Submitting or providing false or misleading information with the goal of personal gain or the intentional harm of another is prohibited.

I. Scope

This procedure applies to all ICP candidates, employees, faculty, supervisors, clinicians, and interns.

II. Responsibilities and Jurisdiction of the ICP Grievance Resolution Committee

All grievances about discrimination and violations of appropriate professional workplace conduct are to be investigated by the ICP Grievance Resolution Committee (GRC) appointed by ICP's Executive Director. The GRC investigates such grievances, including discrimination based on race, color, religion, national orientation, sex, disability, military status (including veteran status), sexual orientation, gender identity, gender expression, age, marital status, pregnancy status or genetic information, economic and social class, and inappropriate professional workplace conduct, such as theft, assault, harassment, creating a hostile environment, bullying, and academic dishonesty. ICP's GRC renders a determination following such investigation.

The Grievance Resolution Committee is available to assist with a wide range of concerns. For matters related to ICP procedures or training program policies, we encourage you to reach out directly to your Program's Division Director, the Assistant Director of Clinical Operations, the Manager of Administrative Operations, or the Executive Director, as these issues are best handled through those channels. If you're unsure where to direct your grievance, the GRC will guide you to the appropriate person or department to ensure your concern is properly addressed. The GRC can be contacted via email: grievances@icpnyc.org.

III. Procedure Statement

The Grievance Procedure is the responsibility of ICP's GRC in consultation with ICP's Executive Director. Amendments to this procedure will be made as necessary and the Executive Director shall approve all such changes. Any candidate, employee, faculty, supervisor, clinician, or intern should follow the grievance procedure outlined below.

It is ICP's practice to take reasonable steps to ensure that individuals with disabilities and persons with Limited Language Proficiency (LEP) have meaningful access and equal opportunity to participate in our services, activities, programs and other benefits. To make certain all individuals can communicate fully with the Institute, either verbally or in writing, ICP will provide translation, interpretation and other services as needed.

IV. Retaliation

Retaliation is a negative action taken against any individual as a result of a grievance of discrimination or other acts of misconduct being filed, or because an individual has participated in or cooperated with the GRC's investigative process in some manner. It is against federal law and the Institute's policy for any candidate, employee, faculty, supervisor, clinician, or intern of the Institute to intimidate, harass, coerce, or discriminate against an individual for taking steps to stop discrimination or other acts of misconduct — even where the underlying grievance is not found to violate Institute policy. Charges of retaliation, filed pursuant to this policy, will be treated as separate and distinct from original charges and allegations, and may be reviewed by the GRC accordingly. Pursuant to this policy, those in a supervisory position must monitor the academic or work environment to ensure that it is free from retaliation.

V. Filing Procedure

Grievances

If a member of the ICP community believes that they have been the victim of discrimination or harmed by other acts of misconduct (the Aggrieved Party), or has information about discrimination or misconduct, they may report, without fear of retaliation, the facts of the incident and the name(s) of the individual(s) involved to any member of the GRC. Alternatively, a member of the ICP community may report the situation to their supervisor or anyone in a supervisory role who must immediately report any grievances they receive, incidents of alleged discrimination, or violations of conduct they have witnessed to the GRC.

The names and contact information of the GRC members will be posted at all times on ICP bulletin boards and identified by email notifications to all protected persons at the beginning of each academic year. Names of the current Committee members will also be included in training manuals issued each year to ICP candidates.

A grievance should ordinarily be filed within one hundred eighty (180) calendar days of the most recent incident. The Institute may extend this period where the Reporting Party can show they needed additional time due to circumstances beyond their control, or a pattern of ongoing discriminatory behavior. All grievances of discrimination will be treated in the strictest confidence possible under the particular circumstances.

Preliminary Counseling and Procedures

Prior to filing a grievance, a potential Reporting Party may reach out and contact a member of the GRC to discuss whether a violation of ICP's policies has been violated and whether or not to pursue an official grievance. The Committee member can review ICP's Code of Ethics & Professional Conduct with a potential Reporting Party with an aim to help them decide whether a violation has occurred and whether to file a grievance. In all cases the existence of a potential grievance will be documented but will not identify or provide identifying information about the

Reporting Party or Aggrieved Party without their permission. The GRC may at its discretion accept a decision not to file a grievance; however, in situations where the grievance on its face is a serious violation ICP standards, the Reporting Party will be told a grievance must be filed.

Where a Reporting Party has made a grievance that falls under the GRC's scope of responsibility, they will meet with a member of the GRC to discuss their concerns. Assuming the complete veracity of the allegation(s), the GRC will make a threshold determination as to whether the allegation(s) contained in the grievance constitute a violation of the Institute's ICP's Code . This threshold determination will be made within five (5) business days of the initial meeting with a Committee member. Where appropriate, the GRC may conduct a preliminary inquiry to determine whether an investigation is required. If the threshold determination indicates that the allegation(s) in the grievance do not constitute a violation of ICP's Code , either with or without a preliminary inquiry, the Reporting Party will be notified that no further action will be taken by the GRC with regard to the grievance. If the threshold determination indicates that an investigation is required, an investigator will be assigned by the GRC to the grievance and will simultaneously notify in writing, the Reporting Party and Responding Party (the individual accused of discrimination or violation of ethical standards) that said investigation shall begin. Written notification will contain sufficient details as to apprise the Responding Party of the facts/circumstances surrounding the grievance.

Informal Investigation

The GRC has adopted an informal investigative process through which grievances may be resolved promptly and discreetly, often through communication, education, and/or mutual agreement between the parties. A Committee member will meet with the parties individually to discuss the matter and alternatives for resolution, if possible. Options for informal resolution may include advising the Reporting Party about methods to resolve the concern, arranging educational programs for individuals or divisions, mediating between the parties, or intervening or arranging for a third party to intervene. The informal process is not a formal investigation. If informal resolution fails to resolve the matter either party may ask for a formal investigation, or seek further assistance from the GRC. The GRC reserves the right to pursue a formal investigation into any allegations brought forth during the informal process should those allegations be indicative of a serious or continuing violation of ICP's standards.

If after initial consultation with the GRC, the Reporting Party decides they do not wish to go forward with the grievance, no further action is required unless the behaviors reported are of sufficient gravity that further process is necessary. In such cases, the GRC will disclose the nature of the grievance to ICP's Executive Director who will decide whether or not a formal investigation is necessary.

Formal Investigation

An investigation is conducted by the GRC with interviews of the Reporting Party, the Aggrieved Party, the Responding Party, and any material witnesses identified, as well as a review of any relevant documentation. The Reporting and Responding parties will be given the opportunity to provide any additional relevant information to the investigator, including the names of additional witnesses to contact and/or additional documents to review before the investigation is concluded. At any time prior to the conclusion of the investigation, the relevant Division's Committee Chair, or in the case of administrative staff, the employee's supervisor, with the consent of the Executive Director and in consultation with the GRC pursuant to Institute policy, may take interim emergency action until the conclusion of the investigation.

At the conclusion of its investigation, the GRC will issue a final written determination, containing relevant details. The final written determination will state whether a violation of this policy occurred and recommended corrective actions, if any. The findings are to be submitted to the Executive Director and shared with the Reporting Party and the Responding Party.

Standard of Proof

The investigator's findings of fact will be made using the "preponderance" standard. Under this standard, individuals are presumed not to have engaged in the alleged conduct unless a "preponderance of the information" supports a finding that the conduct occurred. This "preponderance" standard requires that the information supporting each finding be more convincing than the information offered in opposition to it.

Appeal

A finding from a formal investigation may be appealed, in writing, to the Executive Director of ICP within ten (10) business days from receipt of a determination letter. A party's appeal must be based only on the discovery of new information that was not previously available, an irregularity in the procedural process that affected the outcome, or a misapplication of the standard of proof. Appellants should be as specific as possible in setting out a basis for appeal; general dissatisfaction with the outcome will not be sufficient.

Upon receipt of appeal, the Executive Director will thoroughly review the appeal, the investigative file, and any other relevant materials. Within 10 business days of receipt, they will issue an appeal determination to the appealing party. The Executive Director may affirm the determination of the investigation, reverse the determination, or remand the matter back to the investigator for further investigation. Determinations following an appeal to the Executive Director are final.

Following the conclusion of an appeal, or if no appeal is filed within the required time, a copy of the written determination will be provided to the Responding Party's Division Committee Chair, and in the case of administrative employees, to their supervisor, as necessary to ensure proper resolution and follow-up regarding the matter. GRC involvement in the matter concludes when a final determination is made.

Corrective Action and Sanctions

If the investigation finds that discrimination or a violation of ICP's Code of Ethics & Professional Conduct occurred, ICP's Executive Director will determine appropriate corrective action, up to and including dismissal and removal from a training program or staff position, according to ICP Policy. Corrective actions may include a directive to stop any ongoing discrimination, misconduct, or retaliation; mediation; mandatory training or coaching; disciplinary or other corrective action against the Responding Party or others; relief for the Reporting Party and/or Agrieved Party to remedy the effects of the discrimination, misconduct, or retaliation; and any other action considered necessary to ensure that this or similar conduct will not happen again. ICP's Executive Director shall promptly notify the GRC and any other relevant parties of any corrective action imposed, if any.

The Institute may also take corrective action if no discrimination is found, but the GRC's investigation reveals possible violations of ICP's standards and other policies. In those instances, the GRC will forward all pertinent information to ICP's Executive Director for appropriate follow up pursuant to its procedures.

At any time prior to filing a charge, or while a grievance proceeding is in progress, a Reporting Party or ICP administration may file their grievance with the appropriate external agencies, including but not limited to, the New York State Department of Education (NYSED) or other governmental entities, or the Equal Employment Opportunity Commission (EEOC), for employee grievances, within applicable time limits. In addition, any person who is dissatisfied with ICP's internal procedures utilized for handling grievances, or who is dissatisfied with the result of the investigation or the sanctions imposed, may seek redress through the NYSED or EEOC, to the extent allowed by law. The Reporting Party should be aware that filing a grievance with the GRC does not extend or postpone the deadline for filing with external agencies. In the event that a grievance is filed with an external agency or court, the Institute reserves the right to determine, at its discretion, whether the Institute's internal grievance resolution procedure should be discontinued or continued separately.

Timeline for Investigations

The GRC will complete its investigations as expeditiously as possible. The investigation will normally be completed within forty-five (45) business days (excluding holidays and Institute closings) from the determination that an investigation will ensue, including notification to the parties of the investigation outcome. Many factors can affect the desired forty-five-day timeline, including unavailability of witnesses or the complexity of the issues involved. In extraordinary circumstances, the GRC can reserve the right to extend this time to a reasonable period and all parties will be notified if such an extension is necessary. The GRC may notify principal parties upon nearing the conclusion of an investigation.

VI. Confidentiality

The GRC takes any allegation of discrimination, misconduct, and/or retaliation seriously and is committed to protecting the integrity of the investigation process including confidentiality and the due process rights of all individuals. Note that all those involved (the Responding Party, the Aggrieved Party, the Reporting Party, and the witnesses) have privacy interests. Therefore, outside the scope of the investigation, all parties are encouraged not to publicize or divulge the nature of the proceedings, or the identity of those involved. Failure to adhere to this requirement of confidentiality could, at the discretion of the Executive Director, result in filing of additional grievances against the person who has violated the requirement for privacy, unless the disclosure is, a matter of law, required by other adjudicating entities.

VII. Right to Advisor

The Reporting Party, the Aggrieved Party, and the Responding Party have the right to have an advisor or attorney accompany them to any meeting during the process, at their own expense. If any Party chooses to exercise this option, the GRC asks that the name and relationship of the advisor (e.g., legal counsel), be submitted in writing, at least 72 business hours prior to the meeting. The role of the advisor is to support the applicable Party and advise them on the process. The advisor may not speak on behalf of the applicable Party, such as answering questions during interviews. If you require assistance or accommodation based on a qualifying disability or condition in order to participate in this process, please notify the GRC via email (grievances@icpnyc.org). If ICP determines that the Institute needs consultation with an attorney, it may do so at its own expense.

VIII. Protection from Bad Faith Grievances

It is the responsibility of the Institute to balance the rights of all parties. Therefore, if the Institute's investigation reveals that any grievance is malicious or knowingly false, such allegations will be dismissed and the person who filed the grievance may be subject to disciplinary action according to the applicable policies and candidate or employee handbooks.

IX. Effective Date

These procedures will become effective upon the date of approval by the Executive Director and the ICP Board of Directors. The applicable substantive policy in effect at the time of the alleged conduct shall be used to determine whether the alleged conduct constitutes a violation of the policy. These investigative procedures shall apply to the investigation of all grievances made after the effective date of these procedures (until superseded by a future revision of these procedures), regardless of when the conduct occurred.

ICP Grievance Resolution Committee

Statement of Purpose and Responsibilities

The Board of Directors of the Institute for Contemporary Psychotherapy (ICP) has established a Grievance Resolution Committee (GRC) whose role and purpose is to resolve grievances in a matter that is in alignment with the core mission of the Institute, which is as follows:

The Institute for Contemporary Psychotherapy (ICP) is committed to fostering educational excellence and exceptional treatment standards in an inclusive environment. We are dedicated to actively addressing systemic biases, embracing diversity, and fostering personal growth for both clients and clinicians. We endeavor to continuously innovate to increase accessibility to high-quality, evidence-based, and culturally sensitive mental health training and care in New York City.

Statement of Purpose

While ethical issues and conflicts occur and must always be addressed directly, the ICP Board believes it is essential that there be a clear and transparent process by which issues are addressed in a spirit of openness, mutual respect, and a willingness to solve problems.

Because knowledge evolves and circumstances change, disagreements in perspectives and priorities—rather than being seen as unwelcome or disruptive—can be signs of vitality and growth. However, historically, ICP has addressed grievances informally on a case-by-case basis, with each Division following different standards and procedures.

To create a more transparent, consistent, and just grievance resolution process—one that eliminates fears of punitive retaliation—ICP established a community-wide task force. This task force developed a Code of Ethics and Professional Conduct and a Grievance Resolution Procedures Statement, both of which were approved by ICP's Board of Directors.

The Grievance Resolution Committee (GRC) now builds upon this foundation, ensuring that concerns are handled with fairness, clarity, and integrity, in alignment with ICP's commitment to ethical excellence and inclusivity.

Statement of Core Responsibilities:

1. Committee members will receive training in conflict resolution and mediation. As new members join over time they will receive same training.
2. Committee members will help resolve disputes in keeping with ICP's Code of Ethics and Professional Conduct and Grievance Procedures as stated on our website.
<https://icpnyc.org/about-icp/#code-of-ethics>

3. The GRC will assist the Executive Director or their designated representative(s) in creating training opportunities for community members as needed.
4. The GRC may choose to resolve a dispute by assigning training to those who would benefit from learning skills entailed in addressing situations that have created pain, anger and/or dissatisfaction. Where possible, the GRC is encouraged to regard divisive situations as opportunities for deeper understanding and growth.
5. The GRC will work collaboratively with the Executive Director, their designated representative(s) or the board if, over time, it finds that ICP's Code of Ethics and Professional Conduct and Grievance Procedures needs clarification. The GRC will also collaborate to share changes and updates with the community.
6. Committee members' responsibilities may grow and evolve over time as needs and circumstances change.
7. Committee members term limit—minimum 2 years—maximum 4 years. Maximum term may be extended at the Board of Directors' discretion.
8. Committee members will provide annual written feedback on their experience; and the Executive Director, or their designated representative, will provide an annual summary report on the activities of the GRC to the Board of Directors.