I. CALL TO ORDER
Dale Quest, Ph.D. - Faculty Council President
Dr. Quest, President of the Faculty Council, called the meeting to order at 12:06 PM

II. REVIEW AND APPROVAL OF MINUTES
Dale Quest, Ph.D. - Faculty Council President
Having met quorum, the Faculty Council members unanimously agreed to approve the meeting minutes from August 17, 2015 with no changes.
III. OLD BUSINESS

A. Department Representative Elections

Dale Quest, Ph.D.
- Faculty Council President

Dr. Quest reported the following:

- The Department of Emergency Medicine’s and Department of Biomedical Science’s seats on the Faculty Council were up for election/re-election. Dr. Susan Watts has been re-elected to serve another a two-year term as the representative for Emergency Medicine. Dr. Laxman Gangwani has been re-elected to serve another a two-year term as the representative for Biomedical Sciences.

IV. NEW BUSINESS

A. Faculty of the Year Award Process

Dale Quest, Ph.D.
- Faculty Council President

Faculty of the Year Award Process:

- Dr. Quest urged faculty to motivate their departments to nominate a colleague from their department for the Faculty of the Year Award. The deadline to submit nominations is Friday, October 12th. Each department can submit one nomination. After October 12th, Faculty Council members will receive notice when the nominations will be available for review on SharePoint. Then council members will be asked to submit an e-vote by ranking their choices 1st, 2nd, and 3rd. The award will be presented to the winner at the Faculty Recognition Banquet.

B. Emeritus Appointment Nomination

Dale Quest, Ph.D.
- Faculty Council President

Emeritus Appointment Nomination:

- Dr. Brian Nelson has been nominated by Dr. McKay the interim chair for the Department of Emergency Medicine for an Emeritus Appointment. The nomination letter and Dr. Nelson’s C.V. were sent out prior to the meeting by email, and were made available on iPads during the meeting. A motion was made to approve the recommendation for Dr. Nelson to receive an Emeritus Appointment after his retirement. The motion was seconded, and approved. The recommendation for Dr. Nelson’s Emeritus Appointment will be forwarded to Dr. Lange to be presented at the Board of Regents meeting in October.

DEAN’S REPORT

No Report

PRESIDENT’S REPORT

Dale Quest, Ph.D.
- Faculty Council President

Dr. Quest reported the following:

- Faculty are reminded to nominate a colleague for the Dean’s Awards. The nomination deadline is October 14th.
- The annual Faculty Recognition Banquet will be on October 29, 2015 at the El Paso Convention Center. All faculty from TTUHSC El Paso are invited.

A. PROVOST’S REPORT

J Manuel de la Rosa, M.D.
- Provost, and Vice President for Academic Affairs

Provost’s Report Continued....
process for joint governance. Dr. Watts and Dr. Aragon are the representatives from PLFSOM.

VIII. FACULTY AFFAIRS AND DEVELOPMENT UPDATE

Hoi Ho, M.D.
- Associate Dean for Faculty Affairs and Development

Dr. Ho reported the following:

*See attached report

IX. STANDING COMMITTEE REPORT

A. Clinical Affairs Committee
   Michael Romano, M.D.
   - Committee Chair

Dr. Romano reported the following:

*See attached report

Q: To whom do clinicians refer questions, comments, suggestions, or concerns regarding clinical care?
A: Each clinical department has a representative. You may also forward inquiries to Dr. Romano. All feedback is welcome.

Q: What about accessibility, particularly off campus?
A: The Clinical Affairs committee is trying to define what needs to be improved for the patient experience.

Q: Do you have any of your patients on the committee?
A: Not yet, but it is a good idea.
A. Ad-Hoc Committee on Professionalism  
Herb Janssen, Ph.D.  
- Committee Chair  

Dr. Janssen reported the following:  

- Dr. Janssen presented a draft of the Ad Hoc Committee on Professionalism’s Mediation and Ombudsman policy. Dr. Quest and members of the Faculty Council decided to circulate a copy of the draft policy to Faculty Council members for review and comment. The policy will be presented at a subsequent Faculty Council meeting for approval.

*See attached policy

Q: How does a faculty member who has a professionalism issue, know to go to the ombudsman?  
A: One of the ombudsman’s jobs would be to make sure everyone knows the process and who to talk to in the event of a professionalism issue.

Q: Has this model been implemented in other health center institutions?  
A: There are some versions of this model. However, the mediation part was added by Dr. Janssen because he is a trained mediator.

Q: Will there be an ombudsman for each department?  
A: There will be one ombudsman for the institution who will serve as a source of information for next steps.

Q: What happens if a staff member has a professionalism problem with a faculty member?  
A: Right now that type of issue would go to Dr. Lange. The committee hopes that this policy can expand to all faculty, staff, and all schools.

Dr. Ho congratulated Dr. Janssen for his and the committee’s hard work over the last two years to put together this policy. Dr. Ho recommended that the committee consider closely involving the Office of Faculty Affairs with the Mediation and Ombudsman Policy.
X. TTUHSC FACULTY SENATE UPDATE

Jesus Peinado, M.D.
- Department of Pediatrics

Dr. Peinado reported the following:

*See attached report

XI. EPCMS UPDATE

No Report

XII. 2015-2016 OFFICER INDUCIONS

Hoi Ho, M.D.
- Associate Dean for Faculty Affairs and Development

INDUCTION OF 2015-2016 FACULTY COUNCIL OFFICERS

Dr. Ho recognized the Faculty Council Officers for their service. He thanked Dr. Watts for her 3 years of service as a Faculty Council Officer, now completing her term as Immediate Past-President. Dr. de la Rosa presented Dr. Watts with a gift.

Dr. Ho then introduced Dr. Quest and recognized him for his service as President of the Faculty Council. He will continue as an officer in the role of Immediate Past President. Dr. de la Rosa presented Dr. Quest with a plaque.

Dr. Quest passed the gavel to Dr. Juan Figueroa-Casas as the new Faculty Council President for 2015-2016. Dr. Figueroa-Casas promised to do his best to keep all meetings adjourned on time. He thanked the staff of Faculty Affairs and asked for their continued support. Dr. Figueroa-Casas also wanted to remind the faculty that they should bring their issues that affect the school or their department to the Faculty Council officers. He wants faculty to feel free to be able to talk to the officers prior to Faculty Council meetings, so they can arrange to get their issues put on the agenda.

Dr. Figueroa introduced Dr. Heidi Lyn as the recently elected President Elect. She was also presented with a gift.

NEW FACULTY COUNCIL OFFICERS:
President: Juan Figueroa-Casa, M.D.
President-Elect: Heidi Lyn, M.D.
Immediate Past President: Dale Quest, Ph.D.

XIII. ADJOURNMENT
Juan Figueroa-Casas, M.D.
- Faculty Council President

With no further business to discuss, Dr. Figueroa-Casas, Faculty Council President, adjourned the meeting at 12:58 P.M.

FOLLOW UP:

<table>
<thead>
<tr>
<th>ITEM</th>
<th>PERSON/DEPARTMENT RESPONSIBLE</th>
<th>TASK COMPLETED Y/N</th>
</tr>
</thead>
</table>

Juan Figueroa-Casas, M.D.
Faculty Council President
MEMO

To: Richard Lange, M.D., Founding President, TTUHSC EL PASO

From: John MacKay, M.D., Assistant Professor & Vice Chair, Dept. of EM

Cc: Ruben Paredes, Senior Department Clinical Administrator
    Miranda Alvarez, Unit Coordinator, Faculty Affairs & Recruitment
    Vanessa Solis, Assistant to the President

Date: August 17, 2015

Re: Request for Emeritus Position

Please accept my formal request to grant Dr. Brian K. Nelson Emeritus status at the rank of Professor in the Department of Emergency Medicine. Dr. Nelson has served TTUHSC EL PASO and the Department of Emergency Medicine for over thirty years as an Emergency Medicine Physician as well as an educator for both Residents, and Medical Students. His continued knowledge and expertise in the area of Emergency Medicine will be a great asset to our department. Thank you for your consideration.
CURRICULUM VITAE

Brian K. Nelson MD MS FACEP

Present Position:
Professor (tenured) and Chair
Department of Emergency Medicine
Paul L Foster School of Medicine
Texas Tech University Health Sciences Center

Address: 3107 Zion Lane
El Paso, TX 79904

Work:
4801 Alberta Ave., Ste. B3200
El Paso, TX 79905
Phone: 915 545 7333
Fax: 915 545 7338
e-mail: Brian.Nelson@ttuhsc.edu

Date of birth: October 16, 1950
Citizenship: USA

Education:

B.S. in Biophysics, Trinity University, San Antonio, Texas, 1972.

M.D., Baylor College of Medicine, Houston, Texas, 1975.


Graduate Medical Education:


Residency in Emergency Medicine, Johns Hopkins Medical Institutions, Baltimore, Maryland, 1977-79.
c. v. of Brian K. Nelson M.D.

Professional Employment:

1983-present: Texas Tech University Health Sciences Center
   Assistant Professor 1983-1989
   Associate Professor 1989-1998
   Professor 1998

Administrative positions held have included:
   Clinical Chief, Emergency Medicine, Thomason General Hospital 1984-1996, 2008-present
   Director, Division of Emergency Medicine 1986-1990,
   **Chairman, Department of Emergency Medicine 1990-1996.**
      Administration of a budget in excess of $3.5 million.
      Supervision of 7 full time, 10 part-time faculty, 24 residents, 2 Physician
      Assistants, and 12 support personnel.
      Clinical Chief of 54,000 visit, inner city, Level 1 Trauma, university teaching,
      emergency department.
   Research Director, Department of Emergency Medicine 1993-2007
   Professor and Chair Paul L Foster School of Medicine 2008 - present.

U.S. Air Force Reserve
   Commissioned a Second Lieutenant and retired (honorary) as Major.
   1972-1983: Active Duty assignments as:
      Medical Student, Surgical Resident, Flight Surgeon, Emergency Resident, and
      Chief, Emergency Medicine, Eglin Regional USAF Hospital (1980-1983).
   1983-1996 Standby Reserve
   1996 Honorary Retirement

Licensure and Certifications:

State: Texas
   License: E-4564
   Issued: August 1975

State: Florida
   License: ME0038904
   Issued: July 1981
   Elapsed 1984 after leaving state

DEA Number: AN1246695
C. V. of Brian K. Nelson M.D.

Texas DPS Number: V0053997

Certified by: American Board of Emergency Medicine
   No. 800823, December 1981
   Recertified: 1991, 1999
   Senior Oral Examiner 2000-2003

Certified by the American College of Cardiology in ECG interpretation 1998

Fellow of the American College of Emergency Physicians 1981 to present.

Advanced Cardiac Life Support, Provider 1978, Instructor 1979-present.


Advanced Pediatric Life Support Course Director 2007.

Professional Organizations:

   Councillor 1990-2001

Texas College of Emergency Physicians 1983-present
   Directors 1991- present.
   Chairman, Academic Affairs committee 1990-1991
   Secretary 1995-1996.
   President 1998-1999

Society for Academic Emergency Medicine 1983-present

Texas Medical Association 1983-present.

El Paso County Medical Society 1983-present.


Editorial Review Boards:
c. v. of Brian K. Nelson M.D.

1. Texas Emergency bulletin, 1986-90
2. Annals of Emergency Medicine, Reviewer, 1989-present
3. Academic Emergency Medicine, Reviewer, 1993-present

Graduate Course Taught:
Clinical Research for Faculty GHPM5301 A 42 lecture hour, 3 credit course covering Statistics, Research Designs, and Analysis. Fall 1998

Committee Appointments:

Hospital Committees:
    Ambulatory Care, 1983-85
    Utilization Review, 1982-85
    Medical Records, 1983-85
    Executive Committee, 1985-1996
    Ethics 1990-1994

University Committees:
    Ambulatory Care, 1985-1996
    Regional Chairs, 1985-1996
    Professional Liability, 1989-1996
    Ad Hoc Committee on Tenure and Promotion Policy, 1987
    Admissions, 1987-1989
    Tenure and Promotion 1998-2002
    Hearing 1998-2001
    Faculty Research 1998
        Chair 2000
    Research Implementation 1998
    Faculty Development 1998

Search Committees:
    Associate Dean, 1987-88
    Chairman, Dept. Of Psychiatry, 1989
    Associate Chairman, Dept. of Internal Medicine, 1990
    Chairman, Dept of Psychiatry 2009.

Contracts and Grants:
c. v. of Brian K. Nelson M.D.

Principal Investigator (El Paso) for phase III trial Fosphenytoin for Acute Stroke. Sponsored by Parke-Davis pharmaceuticals. $5000 per patient enrolled.

Emergency Medicine Work Force Study@ proposal submitted to American College of Emergency Physicians, in excess of $335, 000.

Publications:

Articles:


c. v. of Brian K. Nelson M.D.


Book Chapters:

1. Nelson BK. Staffing@ in Facility Design for Emergency Departments. Riggs LM (Ed); American College of Emergency Physicians, Dallas, 1993.

c. v. of Brian K. Nelson M.D.


Editorial:


Research Abstracts:


c. v. of Brian K. Nelson M.D.


c. v. of Brian K. Nelson M.D.


22. Watts S, Nelson BK. Cytokines Predict Organ Failure in Trauma Patients At Presentation (#593), AEM April 2009, 16(4), Suppl. 1: S238


Communication:
c. v. of Brian K. Nelson M.D.


**Invited Presentations:**


c. v. of Brian K. Nelson M.D.


Rev 12/12/11
FACULTY DEVELOPMENT COURSE 14

- Deadline for Chair nomination: October 16, 2015
- FDC 14 opening date: November 4th, 2015
TENURE PROMOTION CYCLE 2015-2016

• Deadline of application: September 15
• Total participants: 9

GENDER OF PARTICIPANTS IN T-P 2015-16

5; 56%

4; 44%

Female
Male
APPLICANTS OF TENURE-PROMOTION 2015-16

Professor, 5
Associate Prof, 2
Associate Prof+Tenure, 1
Res Professor, 1

PREPARATION FOR TENURE-PROMOTION

- Average time from Appointment to Application
  - Associate Professor: 6 years (5-9)
  - Professor: 6 years (5-9)
- Participation in Faculty Development Course (FDC)
  - Associate Professor: 3/3 (100%)
  - Professor: 3/6 (50%)
- Participation in Pre-Tenure-Promotion
  - Associate Professor: 3/3 (100%)
  - Professor: 4/6 (66%)
Faculty Council Clinical Affairs Committee

An advisory council to the Dean, whose charge is to provide recommendations on how to ensure that every patient encounter results in an exceptional patient experience.
Faculty Council Clinical Affairs Committee

- What is an exceptional patient experience?
  - Elements
  - Measuring
  - Data Collection
  - Feedback

- Patient satisfaction vs. Provider satisfaction

Faculty Council Clinical Affairs Committee

- Next Steps
  - Each member to bring one item that should be included as a measure of patient experience
  - Develop consensus on a dashboard of elements that define the patient experience
Faculty Senate Report

Jesus Peinado M.D. FAAP

Reports

- Awards Committee: The link was just opened, the only point to define was the number of people nominated for each one of the awards

- TTU Intellectual Property Policy: Revisions were approved by Faculty Senate RR10, IP 74.04

- Leave Policy: For global health initiatives involving faculty on non-tenure track, students or staff is still on review
Campus Open Carry Policy

- Board of Reagents will meet to discuss development of policy and will create a survey to send to all faculty for feedback

- Secure storage areas and proper signs all across campus are going to be needed

- No concealed weapons on clinical areas, open carry becomes effective August 1, 2016

- Can’t prohibit guns on classrooms or offices

- Departments mostly affected Psychiatry, Pediatrics and Emergency Medicine
Ombudsman and Mediation Policy

Purpose:
The purpose of this Paul L Foster School of Medicine Operating Policy and Procedure is to establish a model procedure that will permit fair, consistent consideration of faculty professionalism issues within the institution, and provide a process for their resolution. The intent of this policy is to facilitate the harmonious function of the institution by allowing each faculty member an equal opportunity to express his or her concern regarding issues of unprofessional behavior that may influence activities of the school. The policy governs activities between faculty members, faculty and students, faculty and staff, faculty and volunteers, faculty and administrators, and faculty and members of the community and society.

Review:
This policy will be reviewed by October 1st of every even-numbered year by the ombudsman, faculty council, Office of General Counsel, and the Dean of the School of Medicine, with recommendations for revision forwarded to the Dean by November 1st of that year.

Definitions:

Board of Regents: The Board of Regents of the Texas Tech University System.

Chair: The person(s) serving as the chairperson of the offended individual and/or the offender.

Coffee talk: Informal discussions scheduled by the ombudsman with the offender to informally and confidentially discuss concerns of professionalism.

Confidential: The attempt to keep the names of offended individual and the offender secret and prevent their name and their alleged offense from becoming public knowledge.

Dean: The Dean of the Paul L Foster School of Medicine.

Faculty member: Any individual hired by the University as a faculty associate, instructor, adjunct faculty, assistant professor, associate professor or professor. Administrators who hold a faculty rank will also be considered in this category.

Formal Mediation: A mediation process that will be conducted by trained mediator if the action is considered to be of significant concern or if it cannot be resolved by a discussion with the ombudsman or an informal mediation.

Good Faith: The honest sincere intention to deal fairly with others and having first-hand knowledge of the claim of unprofessional behavior that is being made. Filing a claim of unprofessional behavior that is not in good faith is unprofessional.
Grievance: The procedure that will be available to a faculty member who does not receive satisfaction by a formal mediation. This procedure is described in another University policy (OP 60.10).

Informal discussion: A discussion held between the ombudsman and a faculty member for the purpose of resolving a dispute.

Informal mediation: A mediation conducted by certified mediators at an informal level. This will not become part of the offended party’s personnel file or the person accused of being the offender.

Laws: Any law, local, state, or national.

Lead mediator: A state certified mediator chosen from the mediation team who serves the University as the head of a group of trained mediators who assist the school in resolving disputes.

Mediation team: A group of individuals who are state certified mediators. They will serve the University by helping resolve disputes between faculty members, faculty and students, faculty and staff, and faculty and society at large. The University will be responsible for providing the required training for each mediation team member.

Offender: Any faculty member who has offended another faculty member, student, staff person, or other member of society.

Offended faculty member: Any faculty member who has observed or has been affected by an unprofessional act committed by another faculty member.

Ombudsman: A person serving the University as an individual who helps faculty members attempt to resolve concerns at the lowest possible level while maintaining confidentiality. The ombudsman reports only to the President of TTUHSC El Paso. The ombudsman only reports trends and never reports names unless there is a perceived threat concern of personal harm or as required by law.

President: the President of Texas Tech University Health Sciences Center El Paso.

Personnel file: A faculty member’s permanent file that is maintained by the University.

Personal safety: The safety of an individual person or other individual that might be threatened by the offended individual or the person alleged to have committed the offense.

Professionalism: A code of conduct described by the University to which all individuals serving the institution must abide.

Society at large: Any individual in the society served by TTUHSC.

Staff: Any individual employed by TTUHSC who works part or full time but is not in a faculty position.
Student: Any individual enrolled in a course(s) of study at TTUHSC or other Institute of study affiliated with TTUHSC.

Volunteer: Any individual who volunteers at TTUHSC or an affiliated institution.

1. Policy/Procedure

Foreword-

TTUHSC operates under rules and policies set forth by the Texas Tech University System (TTUS) Board of Regents that ensures the rights of its faculty. This policy does not apply to tenure decisions or issues related to non-reappointment or termination. For such grievances, the faculty member is referred to HSC OP 60.01, Tenure and Promotion Policy.

It is the intent of this policy to create a process through which faculty members may express concerns of unprofessional activity in a nonthreatening manner to enhance working relationships within the University and between the University and members of society at large. The model created will supplement, but not supersede, the policies set forth by the TTUS. The procedure will allow faculty members to express their concerns informally with an ombudsman. These discussions will remain confidential so long as the laws of the state of Texas are not being violated and there are no perceived threats to the individual or concerns for personal safety.

Anyone filing a claim of unprofessional behavior against the faculty member is required to do so in good faith. Filing a claim with malicious intent or intent to discredit another is, in itself, an act of unprofessional behavior. Any individual filing a claim of unprofessional activity against another without first-hand knowledge of the incident and/or disregard for facts that could or should have been known will be considered to have acted unprofessionally and will be dealt with accordingly.

It is expected that informal communication with the ombudsman or informal mediation will resolve most issues. However, when informal methods have failed, each member of the TTUHSC faculty has a right to a formal mediation and ultimately a grievance hearing and an appeal for redress of grievance through a procedure, that will follow the steps in the Paul L. Foster School of Medicine Grievance Procedure.( HSC OP: 60.10, Faculty Grievance Procedure).

a. A faculty member may discuss concerns of professionalism with the ombudsman with the assurance that the conversation and issues discussed will remain confidential to the extent possible so long as laws are not being violated and individuals’ well-being and personal safety are not in jeopardy. The ombudsmen will help direct the faculty member toward a solution with the intent of resolving the issue at the lowest possible level without implementation of formal procedures. This does not preclude the faculty member from pursuing a request for a formal mediation, a grievance procedure, or any other method to obtain a satisfactory solution to their concern.

b. The discussion of an issue with the ombudsman does not affect the ability of Paul L Foster School of Medicine and/or TTUHSC to pursue disciplinary action where appropriate.
c. A faculty member holding an administrative position will have access to the ombudsman with regard only to his or her faculty duties, and will not have access to these procedures with regard to administrative duties.

d. Every effort shall be made to follow the time periods suggested in the model procedures outlined below. However, the ability of the ombudsman to address concerns may take more time than anticipated; therefore, strict adherence to these guidelines may not be possible in all cases. If the time guidelines are not followed explicitly, the offended faculty member can request a written explanation of the delay and assurance that the issue will be addressed in a reasonable timeframe. Any appeal related to the time delay can be made to the University Dean.

e. All individuals will be expected to meet all their responsibilities while discussing their concerns with the ombudsman, awaiting mediation, or grievance.

f. Resignation from or filing a lawsuit against the institution before initiation of a discussion with the ombudsman, or while discussions are underway, shall limit access to the ombudsman, the mediation process, or filing a grievance.

2. Procedures:

Requesting a discussion with the ombudsman may be the initial step a faculty member takes when concerns with professionalism arise. The concern may involve another faculty member, a student, a volunteer, a staff member, the chairperson, or an administrator. The concern could also involve actions of a faculty member with a member of our community or society at large. Discussing an issue with the ombudsman in no way inhibits the individual from filing a grievance; however, all faculty members will have the right to use the ombudsman in an attempt to resolve issues at the lowest possible level. The grievance committee may request that a faculty member seek assistance of the ombudsman before proceeding with the grievance procedure.

The following steps should be followed when using the ombudsman.

Step 1:

As soon as feasibly possible following an incident of concern, a faculty member will be expected to request a discussion with the ombudsman. At this time, the ombudsman will attempt to advise the faculty member regarding the best course of action to follow to resolve the issue. There is no specific time limit on requesting the assistance of the ombudsman; however, failure to act in a timely fashion may limit access to the other policies and procedures set forth by the University.

Step 1A:
If the issue is of a minimal nature, the ombudsman, with the consent of the offended faculty member, may raise the concern with the offender. If this is the agreed-upon route to follow, the ombudsman will not disclose the name of the offended person to the offender. This "cup of coffee" discussion is intended to inform the offender that their actions are considered inappropriate by some with the hope that the offensive behavior will stop.

**Step 1B.**

If the offended faculty member so desires, the ombudsman may refer the case to a lead mediator. This individual, with the consent of the offended faculty, will schedule an informal mediation between the offended individual and the individual alleged to have committed the offense. Obviously, confidentiality cannot be strictly maintained since the two individuals will be required to meet face-to-face to discuss the issue of concern; however, an attempt will be made to keep this issue, the name of the offended individual, and the offender as confidential as possible.

The offender cannot be required to attend mediation and will do so under free will. If the issue can be resolved at the level of an informal mediation, the incident will not be included in either faculty member’s personnel file.

**Step Two: Step2 A**

If the issue is more than a minimal concern, or if the offended faculty member is unable to achieve satisfaction through informal mediation, the offended individual may request a formal mediation. The formal mediation will be handled by the mediation team under the supervision of the lead mediator. A formal mediation will be reported to the Chair of each department and the Dean of the School of Medicine. The incident will also be recorded in the personnel file of the offended faculty member and the offender.

**Step2 B**

If the issue cannot be resolved with formal mediation, the offended faculty member may seek redress through the grievance procedure as outlined in the TTUHSC policy 60.10.

**Step Three:**

The offended individual retains the right to file a grievance if informal and formal mediation failed to provide satisfaction. The grievance procedures are outlined in TTUHSC OP 60.10.
Flow chart describing the steps an individual might follow when seeking the assistance of the ombudsman and the mediation system.

1. A dispute arises between two faculty members, “A” and “B”. Individual “A” is the offended person and individual “B” is the offender.

2. Faculty “A” may consult the ombudsman. The ombudsman listens to the concerns. This discussion remains confidential. The individual who was offended is not required to consult the ombudsman; however, this remains a possibly source of information and advice while still maintaining confidentiality.

3. If the ombudsman and “A” agree the dispute is of minimal concern, the ombudsman will schedule a “coffee talk” with “B”. The talk with “B” is confidential.

4. If the dispute is more than a minimal concern, the ombudsman, with the consent of “A” and “B” may refer the issue to the lead mediator of the mediation group.

5. An informal mediation between “A” and “B” will be conducted using one or more of the trained, state certified mediators. The informal mediation will not be reported to the Chair(s) or the Dean and will not be made part of either individual’s personnel file.

6. If the dispute is a significant concern or it is not resolved by the informal mediation, a formal mediation will be scheduled. The formal mediation will be reported to the Chair(s) or the Dean and will be made part of both individuals’ personnel file.

7. If the formal mediation is not successful, the dispute will be sent to the grievance committee. If the grievance is not successful, recourse may be sought through the legal system.

8. The ombudsman reports only to the President of TTUHSC El Paso. The ombudsman only reports trends and never reports names unless there is a concern of personal harm.
I. Duties of the ombudsman and mediator

The Ombudsman is tasked to resolve issues and must not be involved in reporting wrongdoing except as mandated by state or federal law or in dispensing disciplinary action. Mediators are also not involved in dispensing disciplinary action that may be taken against parties involved in mediation. In a manner similar to the ombudsman, what happens in mediation is privileged and cannot be used in legal matter except as mandated by state of federal law.

According to the TTUHSC system, mediators are required to submit a written description of the formal mediation proceeding to the Dean of the college and/or the President. This written description becomes part of the permanent record as required by the Board of Regents rules.

Issues brought to the attention of the ombudsman will be held in confidence except as mandated by law. Trends and concerns will be reported to the President but specific names will not be revealed. The reporting of such trends to the President is for the purpose of improving the system.
II. Disciplinary actions

Actions taken by the Dean or President related to unprofessional behavior may vary widely. In some cases, the issue may be resolved with a “cup of coffee talk.” Disciplinary actions taken for more serious offenses may involve a wide range of possibilities. This could include a formal reprimand and requirement for professionalism training. In more severe cases, dismissal and criminal charges may result.

Individuals who feel the action taken against them is inappropriate may appeal the decision to the grievance committee as outlined in the TTUHSC El Paso grievance policy.

III. Criminal wrongdoing

If the unprofessional behavior involves criminal behavior, the offence may be reported to the appropriate legal authority. Once alleged criminal wrongdoing has been referred to the legal system, the ombudsman, mediators and/or grievance policy of the university are no longer applicable. In such circumstances, legal representation for the individual accused of committing a criminal offense will not be provided by the University.