### Members in Attendance:

<table>
<thead>
<tr>
<th>Name</th>
<th>Department/Position</th>
</tr>
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<tbody>
<tr>
<td>Juan Figueroa-Casas, M.D.</td>
<td>President, Internal Medicine</td>
</tr>
<tr>
<td>Heidi Lyn, M.D.</td>
<td>President-Elect, OB/GYN</td>
</tr>
<tr>
<td>Dale Quest, Ph.D.</td>
<td>Immediate Past-President, Medical Education</td>
</tr>
<tr>
<td>Marc Orlandi, M.D.</td>
<td>Anesthesiology</td>
</tr>
<tr>
<td>Laxman Gangwani, Ph.D.</td>
<td>Biomedical Science</td>
</tr>
<tr>
<td>Susan Watts, Ph.D.</td>
<td>Emergency Medicine</td>
</tr>
<tr>
<td>Jennifer Molokwu, M.D.</td>
<td>Family Medicine</td>
</tr>
<tr>
<td>Rona Fagan, R.N.</td>
<td>Orthopaedic Surgery &amp; Rehabilitation</td>
</tr>
<tr>
<td>Dale Quest, Ph.D.</td>
<td>Medical Education</td>
</tr>
<tr>
<td>Amelia Leony-Carrete, L.C.S.W.</td>
<td>Psychiatry</td>
</tr>
<tr>
<td>Nassim Akle, M.D.</td>
<td>Radiology</td>
</tr>
<tr>
<td>Trent Filler, D.D.S.</td>
<td>Surgery</td>
</tr>
<tr>
<td>Hoi Ho, M.D.</td>
<td>Associate Dean for Faculty Affairs &amp; Development, ex-officio, non-voting</td>
</tr>
<tr>
<td>Sanja Kupesic, M.D., Ph.D.</td>
<td>Faculty Development, non-voting</td>
</tr>
<tr>
<td>Richard A. Lange, M.D., M.B.A.</td>
<td>Founding President TTUHSC El Paso, Dean PLFSOM, ex-officio, non-voting</td>
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### Members Not in Attendance:

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<thead>
<tr>
<th>Name</th>
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<tr>
<td>Darine Kassar, M.D.</td>
<td>Neurology</td>
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<tr>
<td>Alireza Torabi, M.D., Ph.D.</td>
<td>Pathology</td>
</tr>
<tr>
<td>Rajendra Marwah, M.D.</td>
<td>Community Representative, EPCMS, non-voting</td>
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### Guests:

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<th>Name</th>
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<tr>
<td>Sue Fuciarelli, VP for Finance and Administration, CFO</td>
<td>Miranda Alvarez, Faculty Affairs</td>
</tr>
<tr>
<td>Frank Stout, Associate Dean for Finance and Administration, AVP Fiscal Affairs</td>
<td>Cindy Camarillo, Faculty Affairs</td>
</tr>
<tr>
<td>Kathryn Horn, M.D.</td>
<td>Committee on Student Affairs</td>
</tr>
<tr>
<td>Alok Dwivedi, Ph.D.</td>
<td>Biomedical Sciences</td>
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## I. CALL TO ORDER

Dr. Figueroa-Casas, President of the Faculty Council, called the meeting to order at 12:03 PM.

## II. REVIEW AND APPROVAL OF MINUTES

Having met quorum, the Faculty Council members unanimously agreed to approve the meeting minutes from September 21, 2015 with no changes.

## III. DEAN’S REPORT

Dr. Lange Reported the following:

- El Paso Children’s Hospital Update: The Children’s hospital and UMC have completed their mediation. Dr. Lange plans to meet with the Pediatric faculty to go over the details of the mediation. Children’s hospital owes the university about $9.8 million; this money will be paid back with a $2 million lump sum, then the
rest paid over a 3-year period with interest. All contracts in place will be maintained. There will be a separate CEO of Children’s and UMC with two separate boards. The current board of the Children’s will help to transition over the next 90 days. Come spring 2016, there will be a new UMC CEO since Jim Valenti’s contract ends in May.

- Dr. Lange recently met with a government relations committee that was hired by the TTU system. They have been hired at the institutional and federal level to help secure grants and funding for research, education, and clinical efforts.

- UMC Update: Dr. Lange has begun to coordinate with Jim Valenti to discuss what Texas Tech’s needs are, and what the plans are for recruitment so UMC may begin to establish their budget.

- Transmountain Campus: A topping off ceremony took place last week, where the last beam was placed on the top of the structure. The one hundred and forty bed hospital is on schedule. Texas Tech plans for this hospital to be a teaching hospital with 75-90 residents and 46 new faculty. This allows for Texas Tech to increase its educational footprint across the city, meet the educational goals for the students that were established by UMC, and perhaps offer services that UMC does not want to offer.

IV. STANDING COMMITTEES

Kathryn Horn, M.D.
Chair, Committee on Student Affairs

Dr. Horn reported the following:

Student Affairs Committee Report
October 19, 2015
Kathryn Horn, M.D.
Associate Dean for Student Affairs

*See attached report

V. OLD BUSINESS

A. Mediation and Ombudsman Policy Feedback
- Juan Figueroa-Casa, M.D.
  Faculty Council President

A. At the last Faculty Council meeting in September, the Faculty Council was tasked with reviewing and providing feedback for the Mediation and Ombudsman Policy draft. Dr. Figueroa briefly summarized what he was able to gather from his review:

  a. The Ad-Hoc Committee on Professionalism was originally tasked with developing a Declaration of Professional Responsibility back in 2010. It was created, approved, and adopted in 2010. Following that document’s creation, a mechanism for addressing faculty who are not professional, was needed. The Ombudsman and Mediation Policy has been developed. This policy addresses the needs for faculty to have a place to report conflict between faculty, other than going directly to their Department Chair. It provides a path for mediation, before a conflict or report of unprofessionalism gets officially documented.

  b. This policy will be distributed to the Faculty Council once again for review along with the PLFSOM Faculty Declaration of Professional Responsibility and the AAMC Compact between Teachers and Learners of Medicine
Mediation and Ombudsman Policy
Feedback Continued….

(learning environment document in effect and recommended for distribution by Dr. Horn for the Faculty Council’s reference as it also addresses elements of professionalism).

c. Dr. Figueroa is asking Faculty Council representatives to be prepared to recommend one of three options at the November meeting after considering whether the draft policy provides effective mechanisms to address faculty professionalism issues while safeguarding faculty against complaints without merit. The options include:
   - Option 1: Support adoption of the policy as presented, with no revisions
   - Option 2: Suggest minor revisions to the policy and vote to send the policy back to Ad Hoc Committee on Professionalism for editing with suggested revisions (send suggested revisions to one of the officers or by replying to this email)
   - Option 3: Return to the committee for a rewrite in a new direction

B. I.T. Faculty Issues
- Dale Quest, Ph.D.
  Faculty Council Past President

B. Dr. Quest Reported the following:

Information Technology
An idea to promote relevance and responsiveness of IT to faculty:

*See attached report

VI. FACULTY SENATE UPDATE
Dale Quest, Ph.D.
  Faculty Senate Representative

Dr. Quest Reported the Following:

Faculty Senate

*See attached report

VII. EPCMS UPDATE
Jennifer Molokwu, M.D.
  EPCMS Representative

Dr. Molokwu reported the following:

- The last EPCMS meeting was on October 13th.
- The EPCMS is continuing to encourage Texas Tech faculty to join the EPCMS. They continue to advocate for all El Paso providers and are not getting much support from Texas Tech faculty.
- The communication director from the office of attorney general presented a report to the EPCMS about an office that has been open in El Paso to address physician needs. They want to educate physicians so they
EPCMS Continued...

are not investigated for simple coding errors and they can focus their efforts on tracking down instances of fraud.

- The ongoing legal suit in New Mexico was discussed again at EPCMS. The EPCMS is encouraging physicians to stay updated on the issue as the decision from the Supreme Court will set a precedent for physicians from El Paso seeing patients from New Mexico.
  - Frank Stout wanted to make faculty aware of insurance coverage at Texas Tech. Faculty covered by Texas Tech's malpractice insurance are described as M.D., D.O., or D.D.S., and podiatrists. Optometrists, NP, PA, LCSW should stop treating New Mexico residents because they are not covered by the malpractice insurance for the institution.
  - The EPCMS is doing all it can to try to get more information to see what local physicians can do because so many physicians see many New Mexico patients.
  - Q: In the operating room where we see many New Mexico patients, there are many CRNAs who have their own personal malpractice insurance in Texas. Do they need to get coverage?
  - A: Tell them to talk to billing. They will be able to give them answers.

VIII. PRESIDENT'S REPORT
Juan Figueroa-Casas, M.D.
- Faculty Council President

Dr. Figueroa-Casas reported the following:
- Forum for Faculty Issues: Dr. Figueroa wants to open the floor to faculty to present issues they are experiencing in their departments. Please contact the Faculty Council officers to be placed on the agenda. Dr. Figueroa will be working with the Office of Faculty Affairs to reach out to faculty for feedback with surveys where faculty can respond anonymously.
- Faculty Recognition Banquet:
  - All faculty are invited. Please RSVP to the Office of Faculty Affairs
  - Thursday, October 29, 2015 6 PM at the El Paso Convention Center

Dr. Lange introduced Sue M. Fuciarelli, BA, CPA the new Chief Financial Officer and Vice President for Finance and Administration.

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 12:49 P.M.

FOLLOW UP:

<table>
<thead>
<tr>
<th>ITEM: Ombudsman and Mediation Policy</th>
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<tbody>
<tr>
<td>PERSON/DEPARTMENT RESPONSIBLE: To be emailed to Faculty Council for review</td>
</tr>
<tr>
<td>TASK COMPLETED Y/N: Y</td>
</tr>
</tbody>
</table>

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

About the diminishing relevance of the Lubbock-centered Faculty Senate to TTUHSC El Paso Faculty Council

- TTUHSC El Paso could have up to 5 votes on Faculty Senate (GGHSON—2 and PLFSOM—3), but is it still important to maintain that voice?
- Our faculty are no longer eligible for nomination for the faculty awards, yet up to five TTUHSC El Paso reps. Have a voice in the discussions and can vote on awards committee issues.
- Our faculty are no longer eligible for rotating Faculty Senate office, yet up to five TTUHSC El Paso reps. can vote on nominations.
- Issues such as safe crosswalks policies on Lubbock campus, childcare, fitness facilities and such are likewise of remote concern for TTUHSC—El Paso faculty, but we attend the discussions and can vote.

Transitional Confusion

Federal Department of Education perspective: Dr. dela Rosa has been clear that we have to maintain appearance that we are not prematurely operating as a separate degree-conferring academic institution until Southern Association of Colleges and Schools (SACS) accreditation is secured.

State Legislature perspective: The Texas legislature has recognized TTUHSC El Paso as a free-standing university since Governor Perry signed Senate Bill 112 in May 2013, and as such, Provost Dr. dela Rosa is working with TTUHSC stakeholders to prepare for the implementation of Senate Bill 11. Because Senate Bill 11 "Campus Carry" is a Texas State Legislation, and Texas State Legislature recognizes TTUHSC El Paso as a free-standing institution, Bill 11 is not a SACS issue, and TTUHSC El Paso ought to be responding to Texas State Legislation, e.g., Bill 11 as such. While Faculty Senate is dealing with implementation of Bill 11 at all TTUHSC campuses, TTUHSC El Paso is dealing with implementation here. TTUHSC El Paso senators are voting on Bill 11 implementation issues that pertain to a separate institution as Texas State Legislature would see it. TTUHSC El Paso could separately also have a voice on Bill 11 issues at this institution. Having a vote on the same issue at a separate institution doesn't seem rational.
Bottom line:
The relevance of our voice on Faculty Senate has diminished substantially, and probably insufficient to justify sending three representatives to attend monthly 1.5-hour TechLink meetings and two semi-annual General Faculty meetings, but the current Faculty Senate Bylaw requires regular attendance of Senators or designates.
If Faculty Council will support a motion, the President of Faculty Senate will entertain a motion to have one TTUHSC—El Paso rep attend as our voice and to report on Faculty Senate proceedings to our Faculty Council.
Information Technology

An idea to promote relevance and responsiveness of IT to faculty:

• Several IT-related issues were identified when Faculty Council conducted a survey early last year.
• Some of the issues, particularly frustrations with implementation and refinement of EMR were raised at the 2nd Annual Faculty Retreat, and those issues were conveyed to Dr. Alozie Ogechika, the CMIO.
• We had Jerry Rodriguez and his IT team attend a couple of Faculty Council meetings during the last academic year to update faculty about the transition from Lubbock-based to El Paso-based IT operations, listen and respond to IT issues that affect our productivity, and inform faculty about solutions IT is currently pursuing.

Some of the ongoing issues

• Tradeoffs between network security and faculty being in control of their networked devices:
  • ActiveSync mobile email encryption was completed 10 August. Hopefully, nobody experienced any problems with their devices stemming from that process, or if they did, they had backed up their mobile devices prior to encryption as had been advised in the notice that went out to all TTUHSC El Paso employees with institutional email addresses.
  • The state-mandated Security Mentor training modules provide some useful information to avoid malicious attacks and malware. There have been a few phishing attempts, “update your TTUHSC email account password”, and Windows 10 scans to avoid.
• Timelines for ViewInfinity rollout to provide elevated privileges for faculty
• Although IT’s network security are concerned that employees’ use of virtual desktop providers such as Dropbox creates network vulnerability, finding an affordable alternative solution has been daunting: Chris FileShare had all the bells and whistles but was too-expensive, Box.com was more affordable but not a good-enough solution.
• IT security enhancements being made on TTUHSC network causing problems with iRIS probably related to needing to upgrade operating system and browser to maintain iRIS functionality.
• clarify whether El Paso Faculty will continue to request and access software through eRaider TTUHSC Lubbock IT, or will TTUHSC El Paso take over acquisition and distribution of disks, product keys for Adobe Creative Suite, SPSS, SAS, Windows 7, and other software apps.
• When Jerry was appointed Chief Information Officer, I sent him a list of suggested topics for discussion at an upcoming meeting of Faculty Council. Content of the first edition (01 September 2015) of his quarterly Raider TechBits newsletter looked a lot like that list, so it occurred to me that if representatives on Faculty Council could continue to inform the content of the Raider TechBits, the newsletter might provide a quarterly channel for communication between faculty and IT.

• At our Steering Committee’s request, I met with Jerry and his IT team last Friday morning, where we agreed to collaborate in helping to develop the content of the next quarterly issue of Raider TechBits in December to be as relevant and responsive to PLFSOM as we can make it.

• The CIO will invite input from Faculty Council, as well as Dr. Alozie Ogechika’s Medical Information Office (who also emails communiques from time to time, most recently on 12 August about performance on Meaningful Use metrics), and Staff Senate.

• Faculty Council is therefore asking it’s representatives to gather the IT concerns of their respective departments and convey those issues to any of the Faculty Council Officers before November 15th.

• The Faculty Council Officers will work with IT to ensure that the December edition of Raider TechBits will provide informed responses to those issues.
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 ombudsman 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:**

**Step 2 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.

**Step 2 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.
Student Affairs Committee Report

October 19, 2015
Kathryn Horn, M.D.
Associate Dean for Student Affairs

Membership

• Added a first year student and Medical Educator
• Codified three year terms

Actions

• Revision to policy on duty hours
  – consistent with GME
  – 10 hours between shifts
  – no more than 6 consecutive nights (night float)
• Student Wellness initiatives
  – Mindfulness groups – begun
  – January speaker on mental health for all classes
  – Peer support groups planned
• Accommodations for PLFSOM students