

**Texas Tech University**  
**WHITACRE COLLEGE OF**  
**ENGINEERING**  
**Operating Policy and Procedures**  
[Approved by Executive: 07-10-17]

**WCOE OP 10.06:** Mediation of Faculty Disputes

**Date:** July 2017

**Purpose:** Pursuant to TTU Op 32.32, "Performance Evaluations of Faculty," provisions 3f and 3g, the Whitacre College of Engineering establishes the following procedures for mediation of faculty performance evaluation and other disputes between a faculty member and the Chair. This document comprises the only process to resolve faculty disputes in the Whitacre College of Engineering. A faculty member may dispute only his/her evaluation.

**Review:** This OP will be reviewed summers of every odd-numbered year by the Dean's Office, with recommendations for revision presented to the faculty and Departmental Chairs by August 15.

University Ops related to Faculty Dispute Resolution:

- OP32.05 Faculty Grievance Procedures

**POLICY/PROCEDURES**

1. The faculty member and the Chair shall utilize any available university-provided mediation services for the first attempt to resolve any dispute. If no resolution satisfactory to both the faculty member and the Chair results, the dispute shall be submitted to a mediation committee for resolution. A faculty member disputing an evaluation shall initiate the mediation procedure by making a written request to the Dean within thirty (30) days of the date that the Chair presented the evaluation to him or her.
2. A mediation committee consisting of three tenured faculty members from the Whitacre College of Engineering Panel for Faculty Evaluation Dispute Resolution (Panel) shall be formed.
3. The committee shall be formed as follows:
  - A. All tenured faculty members in the Whitacre College of Engineering holding the ranks of Associate Professor and Professor at the beginning of each academic year shall comprise the Panel with the exception of those faculty members previously (within the past four 4 years) or currently serving in administrative positions as Department Chairs or higher at Texas Tech University.
  - B. A dispute over faculty evaluation that cannot be resolved by the faculty member involved and his/her Department Chair shall be submitted to a committee of three

members. The Dean shall select the three committee members from the Panel using a random process. The three committee members shall come from other departments than that where the dispute originated. The three committee members shall hold an academic rank no lower than that of the faculty member disputing his/her evaluation. Both the faculty member who is party to the evaluation dispute and the Chair who wrote the evaluation can each independently strike one of the three names; for those names removed in this process, the Dean will select replacement names; there will be no additional striking of names for the committee.

- C. Any faculty member who has served on one dispute resolution committee during an academic year will not be a candidate for serving on additional dispute resolution committees that same academic year unless at least 67% of the members of the Panel have served during that year; if 67% or more have served, then all members of the original Panel are eligible for random selection for other dispute resolutions.
- 4. The Dean or the Dean's appointed representative will select the three committee members within ten (10) working days following notification by a Chair that a dispute must be resolved. The faculty and the Chair who are parties to the dispute must perform any desired striking of names within three (3) working days following the Dean's appointment of the committee. The Dean or the Dean's appointed representative shall select replacement names within five (5) working days of notification of any stricken names. The committee shall select its own Chair. The committee shall submit its report on resolutions within six (6) weeks following formation of the committee.
- 5. The Department Chair shall provide the mediation committee with all the information that the faculty member submitted as the basis for the evaluation, any other documented information the Chair used in forming the evaluation, and the evaluation.
- 6. The faculty member shall prepare a document of not more than 5 pages describing reasons why he/she believes the evaluation was incorrect or unfair. This document shall be submitted to the Chair of the mediation committee by the date specified by the Dean or the Dean's appointed representative. The mediation committee may interview the Chair, the faculty member disputing his/her evaluation, and any other person as the committee deems necessary. No advisory personnel representing the Chair or the faculty member who are parties to the dispute shall be allowed to attend meetings of the committee, and the only non-committee member in any meeting shall be the faculty member, the Chair, or a person from whom the committee has requested information.
- 7. The mediation committee shall make recommendations in writing to the Dean. These recommendations will be either accepted by both the Department Chair and the faculty member disputing his/her evaluation or else the dispute remains unresolved. In either case the committee's written report becomes a part of the faculty member's evaluation as specified by OP 32.32.