**Annual Review Mediation Committee**

**Approved by College of Education Tenured/Tenure-Track Faculty Vote**

**(conducted via email; completed on 12.15.16)**

# Sources of Authority

# Related OPs: <http://www.depts.ttu.edu/opmanual/OP32.32.pdf>

# <http://www.depts.ttu.edu/opmanual/OP32.08.pdf>

# <http://www.depts.ttu.edu/opmanual/OP32.18.pdf>

# SACSCOC 2012 Principles of Accreditation 3.7.2:

# [http://www.sacscoc.org/pdf/2012PrinciplesOfAcreditation.pdf](http://www.sacscoc.org/pdf/2012PrinciplesOfAcreditation.pdf  )

**Purpose:  The purpose of this Operating Policy/Procedure (OP) is to establish uniform guidelines and procedures for performance evaluations of members of the faculty.**

**OP 32.32 3(f) states:**

**All units should have a procedure established whereby a committee of peers will be available to mediate disagreement between an individual faculty member and the Chairperson/coordinator regarding an annual review at the faculty member's request. If the mediation is not successful, a copy of the committee's recommendation shall become part of the annual evaluation. This procedure and/or the possibility of filing a grievance provide the non-binding alternative dispute-resolution processes described in Chapter 154 of the Civil Practice and Remedies Code.**

1.   To establish the Annual Review Mediation Committee the Faculty Council will develop a list of tenured faculty from the College of Education. The faculty member and administrator will have the option to omit three names each from the group. In order to avoid conflict of interest, these individuals may not be members of the Peer Review Committee from the faculty member's department, or members of the Promotion and Tenure Committee. The Faculty Council Chair (with the Chair-Elect as witness) will randomly draw five names from the remaining list, and these five names shall constitute the Annual Review Mediation Committee.

2.   Upon receipt of a request from the dean, the Annual Review Mediation Committee will schedule a mediation meeting. This mediation meeting must be held within 21 calendar days after receipt of the request from the dean. The Annual Review Mediation Committee will elect its own Chairperson. The Chairperson's notice scheduling a time and place for the hearing must be delivered to the parties involved seven calendar days prior to the hearing. These time limits are a guide and may be changed for university holidays and by mutual written agreement of the Annual Review Mediation Committee and the parties involved.

3.  The hearing will be conducted in accordance with procedures established by the Annual Review Hearing Committee. The faculty member or the faculty member's representative(s) will present the faculty member's case. The faculty member has the right to present information, written or oral, considered relevant or material to the annual review, including the calling of witnesses. This information may be presented in written or oral form.  After the presentation by the faculty member, the administrator's case will be presented under the same rules as those that were applied for the faculty member. The administrator may be represented in the process as well. The Annual Review Mediation Committee may call witnesses, as it considers appropriate. The faculty member and the administrator may question all witnesses.

4.   Evidence considered in the hearing must relate to the annual review. After all evidence is received, the Annual Review Mediation Committee will meet and consider the case. The opinion held by the majority of the members will constitute the committee's recommendations. The committee must provide its recommendations in writing to the Dean of the college, with copies to the faculty member and administrator(s), within 15 calendar days after the hearing is concluded. Minority opinions of the committee may also be submitted to the Dean. Recommendations to the Dean are advisory in nature.

5.   The dean will send a written decision to the faculty member within 15 calendar days of receipt of the Annual Review Mediation Committee’s recommendations. If the dean's decision differs from that recommended by the Annual Review Mediation Committee, the written reasons for such difference will be provided to the faculty member and the committee.

6.   The parties may agree to a resolution at any time until the Dean's decision.