

Resolution on Importance of Following the Handbook

Whereas, the Faculty Handbook contains many elements and provisions which have been negotiated between University of Alabama administrators and representatives of the Faculty; and

Whereas, the Faculty Handbook contains many rules, regulations, and procedures which must be followed by Faculty members, most importantly those concerning hiring, tenure, and promotion; and

Whereas, the Faculty Handbook is generally understood by the faculty to contain rules, regulations, and procedures which are agreed upon, fair, and binding in the situations in which they are applicable ; and

Whereas, the administration of The University of Alabama expects faculty to observe the rules, regulations, and procedures contained in the Faculty Handbook, and the faculty in turn expects the administration similarly to observe those rules, regulations, and processes in good faith; and

Whereas, the usual legal rule is that administrative regulations adopted in regular fashion by an agency which is part of a government, even if done so voluntarily, are binding upon the agency; and

Whereas, in at least four separate recent important instances, detailed in a separate attached memorandum, one or another administrator of The University of Alabama has failed to observe particular rules or processes specified in the Faculty Handbook, to the detriment of faculty in important ways; and

Whereas, in at least two of these instances, higher-ranking administrators have admitted that an error was made in failing to follow the Handbook, indicating a judgment that the Handbook is as binding upon administrators as it is upon faculty; and

Whereas, some of the administrators involved seem to have justified their failures to read and follow the Handbook provisions on grounds that they are new to the University and have not read or understood those provisions, or that the Handbook is advisory, not mandatory and binding upon them,

Therefore, be it resolved by the Faculty Senate of The University of Alabama, that the rules, regulations, and processes contained in the Faculty Handbook are not guidelines and not merely advisory, but are important, widely agreed-upon, and just as binding upon administrators as they are upon faculty members; and

Be it further resolved that the Faculty Senate requests President Witt to announce in writing to all university academic administrators from the Provost to Deans to Associate and Assistant Deans to Department Chairs that the rules, regulations, and processes contained in the Faculty Handbook are not merely advisory, but are just as binding upon administrators as they are upon faculty members, and that all administrators of the University are expected to know, understand, and follow applicable rules, regulations, and processes found in the Faculty Handbook.

Unanimously adopted by the Faculty Senate

The University of Alabama

February 17, 2004