



MEMORANDUM

TO: Carmen Scholz
President, Faculty Senate

FROM: Robert A. Altenkirch
President

Christine W. Curtis
Provost and Executive Vice President for Academic Affairs

SUBJECT: Response to Faculty Senate Resolution 17/18-05 On the Authority of the Faculty Handbook

DATE: October 18, 2017

Faculty Resolution 17/18-05 states that the “faculty handbook is the governing document for faculty life,” that “the faculty senate is engaged in reviewing and revising the faculty handbook,” and that “no more policies be produced or submitted, that mimic, duplicate, amend or replace any section(s) of the faculty handbook.”

It is important to remember the preface of the faculty handbook that states:

This handbook and the policies and procedures described herein do not in any way constitute, and shall not be construed to be, a contract of employment between The University of Alabama in Huntsville and any employee nor an offer to create an employment contract.

Although the handbook intends to reflect currently any policies or rules of The Board of Trustees of the University of Alabama referred to or incorporated herein, users are cautioned that changes or additions to such policies or rules may have become effective since the publication of this material. In the event of such a conflict the current statement of Board policy contained in the official minutes and manual of rules, bylaws, and guidelines shall prevail.

The University of Alabama in Huntsville reserves the right in its sole discretion and at any time, to modify any policy, procedure, or benefit set forth in this handbook and to make any other changes it deems necessary or appropriate.

Paragraph two above is required to be part of any handbooks compiled and published by the University and together with Board Rule 101, The Organic Law of the University, that

The governing and controlling law, rules, policies, procedures, practices, and customs of the University and the rights, privileges, and duties of its officials, officers, faculty, employees, students and alumni are found only in the Bylaws, Rules and Resolutions of The Board of Trustees; in the policies formally promulgated by officials of the University under an express delegation of authority from the Board; and, generally, in the constitutional and statutory provisions, governmental regulations and decisions, and judicial determinations applicable to and affecting the University.

must be interpreted, per University Counsel, that the authority of the Board of Trustees, or that of the President, to formulate policy deemed appropriate cannot be restricted.

The Faculty Handbook is an important governing document for the faculty of the University. However, as stated above, it does not have primacy or authority over Board policy and manual of rules, bylaws and guidelines nor over the University in its ability to develop and implement policy in compliance with Board policy and rules and in the best interest of the University. Therefore, we are unable to accept Faculty Senate Resolution 17/18-05 On the Authority of the Faculty Handbook.