

**ASU Faculty Senate Resolution 2003-04
Resolution Calling the ASU Administration to Abide by the Legally Defined Faculty
Handbook in All Matters / Policies Relating to Faculty Employment.**

Whereas the faculty handbook is the legal contract between the faculty and Arkansas State University, and

Whereas all general and specific policies governing employment must be in the handbook, and

Whereas the current faculty handbook (1996) contains a “Creative Works Policy” (III-4) wherein it is stated that the university “expects” faculty to provide service to the public, and

Whereas to encourage creative works the aforementioned policy clearly sanctions the use of university facilities, regardless of whether or not income is generated, and

Whereas faculty and administrators alike have used university computer facilities for both creative and commercial endeavors, and

Whereas the aforementioned “Creative Works Policy” contains no reference to sanctions for a violation of said policy, and

Whereas the university is attempting to override the aforementioned policy through the implementation of an IT policy which is not in the faculty handbook, and

Whereas a tenure track faculty member having been notified of his reappointment in January, has subsequently been informed that he will NOT now be re-employed, it being alleged that he is in breach of the university’s IT policy, and

Whereas the said assistant professor, having been singled out by the university’s administration, had received no written warning from the university that he was in breach of the IT policy, and

Whereas all faculty at Arkansas State University should receive reasonable notice of any alleged Handbook or procedural violation/s, and

Whereas all faculty at Arkansas State University should be confident that any sanctions / disciplinary actions arising from alleged handbook or procedural violations will be reasonable and appropriate, and

Whereas termination of employment for an alleged infraction of a university policy that is not in the Handbook cannot be considered reasonable, therefore

Be it resolved that the Faculty Senate of Arkansas State University, representing the faculty of Arkansas State University, considers the current actions of the administration of this university to be arbitrary and capricious, and the Faculty Senate call upon the university’s administration to abide by the legally defined Handbook in this, and in all matters / policies relating to faculty employment.