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INTRODUCTION

FACULTY HANDBOOK POLICIES

This manual was prepared in response to many inquiries from clients and others seeking model faculty handbook policies. Model policies generally do not exist, with the exception of those promulgated by the AAUP. Policies that reflect good practice and essential elements, however, are available through various institutions.

This forms manual provides examples of policies that reflect good practices and policy options for use by colleges and universities.

Each sample policy contained in this manual includes analysis on key elements, as well as multiple policy options that can be modified to fit the unique needs of almost any college or university. Alternatives for each policy element are identified numerically. (i.e., Policy Option 1, Policy Option 2, etc.) A Selected Bibliography is provided at the end of each chapter.

Some policy requirements apply specifically to state institutions because of their public charter. In most cases, these requirements relate to due process and compliance with specific state laws. Other policies are required for all institutions because of federal law, such as those related to sexual harassment or disabilities.

Companion forms manuals on student policies and staff policies also are available. All manuals are available on computer disk. This manual will be supplemented periodically.

We welcome your suggestions, comments, and submissions of policies to review for inclusion in the manual. This is a beginning; we intent to improve constantly as we gain experience using the manual and receive comment from users of the manual.

For further information, please write to College Legal Information, Inc., P.O. Box 150541, Nashville, Tennessee 37215-0541, or call (615) 383-3332. Copies can be obtained by sending payment to College Legal Information, Inc., P.O. Box 150541, Nashville, Tennessee 37215-0541.

Copies are \$60.00 each, \$55.00 each for 2 or more, or \$95.00 for a manual and a computer disk. Computer disks contain the manual in pdf format. Supplements are available and may be ordered by using the Supplement Order form at the end of this manual.

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IF LEGAL ADVICE OR OTHER EXPERT
ASSISTANCE IS REQUIRED, THE SERVICES
OF A COMPETENT PROFESSIONAL SHOULD
BE SOUGHT.

THE AUTHOR

Kent M. Weeks, a practicing attorney with the law firm of Weeks, Anderson & Baker of Nashville, Tennessee has a distinguished professional career as a teacher, administrator, lawyer, and author. A Fulbright Scholar, Weeks earned degrees from The College of Wooster, University of New Zealand, Duke University, and a Ph.D. from Case Western Reserve University.

For many years, Weeks was a Professor of the Practice of Education at Vanderbilt University and has been invited by many colleges and their associations to present seminars on higher education and the law. He has written several books and more than 43 articles and papers for scholarly journals, and he currently edits *Lex Collegii*, a legal newsletter for independent colleges and universities. In addition to this book, Weeks has written or coauthored others, each addressing particular topics relevant to college personnel and policies including: *Institutional Advancement and the Law*; *The College and University Legal Audit*; *Managing Liability and Overseas Programs*; *Managing Campus Conflict*; *Implementing Student Policies*; *Managing Admissions, Records, and the Law*; *Complying with Federal Law*; *Faculty Decision Making and the Law*; *Student Affairs Decisions and the Law*; *Student Behavior: Policies, Programs and the Law*; *Record Retention and Disposal*; *Staff Employment Policies*; *Student Handbook Policies*; and *Managing Departments and the Law*.

Weeks has recently authored a book: *A Leaner America: Private Choices and Public Policies* that carefully examines the causes of the startling epidemic of overweight and obesity and zeros in on the efforts that are needed to address this private and public problem, including campus initiatives.

Weeks has consulted with colleges throughout the United States and serves as legal counsel to several national and international colleges and educational associations. He has participated in and directed more than 150 seminars and workshops for college administrators, faculty and trustees and has addressed many higher education organizations, associations, and legal groups. Weeks is a member of the National Association of Independent Colleges and Universities Legal Services Panel.

ACKNOWLEDGMENTS

This forms manual is a product of many years of thought and reflection on issues and laws facing college administrators and faculty who make significant employment decisions. It reflects numerous contacts with both college administrators and faculty regarding the legal terrain in which employment decisions are made.

Acknowledgment must be given to my many clients who often have caused me to think about these issues and how to draft good and usable policies and identify preventive ways to reduce or eliminate legal exposure.

Throughout the years, clients have requested model policies. Believing that policies should be developed for each institution based on its particular mission, I have never developed model policies. With this manual, several model policies are offered for each issue, allowing the institution to assess its unique situation and select policies based on its particular purpose.

I appreciate the cooperation of those academic administrators who responded to our request for policies. Their submissions were a valuable contribution to the development of this manual.

Finally, special acknowledgment must be given to my paralegal, Ernie Gilkes, who worked creatively and diligently with me on the development of this manual. I am also deeply grateful to my legal assistant, Sandy Crain, who worked diligently on the production of the manual.

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