**Draft #2**

**10-17-13**

Suggested revisions to the Bylaws of the General Faculty reflected in track changes below.

**3.03 By-laws of the General Faculty of Western Carolina University**

These By-laws are written under the provisions of the Constitution of the General Faculty and, where the By-laws are in conflict, the Constitution will govern.

**ARTICLE I Procedural questions shall be resolved in accordance with the most recent edition of Robert’s Rules of Order**

**ARTICLE II The Committee on Nominations, Elections, and Committees.**

Section 1. Membership and chair

II.1.1 The Committee on Nominations, Elections, and Committees (CONEC) shall consist of nine elected full-time faculty members, each of whom shall have been a full-time faculty member a minimum of three full years, and the Chair and Secretary of the Faculty ex officio.

II.1.2 At least one faculty member from each of the Colleges of the university, including the library, shall serve, but no more than one-half the members shall be from any one College. At least one member from each of the academic ranks of Professor, Associate Professor, and Assistant Professor shall serve on the committee. A member’s promotion in rank during a term of office shall not terminate membership. Department Heads may serve on the committee.

II.1.3 Each member shall serve a three-year term, the terms staggered so that three members are elected each year.

II.1.4 The Chair shall be elected by and from the membership of the committee and shall serve for two years.

Section 2. Duties and Responsibilities

II.2.1 In addition to the duties specified in the Faculty Constitution (I.7.1 and I 7.2) and in the By-laws of the Faculty Senate (II.2.4.), the committee shall promulgate its own rules of procedure, shall devise appropriate and uniform election procedures, shall provide assistance to the elections committees of the Colleges, and shall maintain a record of all elections for the previous five years.

II.2.2 The committee shall insure that all nominations for elections conducted under its supervision be open. Questions of eligibility for nominations shall be resolved by the committee. Committee decisions may be appealed to the Faculty Senate.

II.2.3 The Chair of the CONEC shall call the first meeting of each committee of the General Faculty for which a chair is to be elected.

**ARTICLE III Delegates to the Faculty Assembly of the University of North Carolina**

Section 1. Membership and Elections

III.1.1Delegates to the Faculty Assembly of The University of North Carolina shall represent the General Faculty and shall serve according to the Charter and By-laws of the Assembly. Nominations and elections shall be held in such a way as to assure that there will be no more than two delegates from any one undergraduate college of the university. Department Heads may serve on the Faculty Assembly Delegation.

III.1.2Delegates and alternates shall be elected to three-year terms, the terms staggered so that each of the two delegates and each of the two alternates are elected in different years.

III.1.3 Chair of the Faculty Senate shall be an ex-officio delegate to the Faculty Assembly.

Section 2. Duties and Responsibilities

III.2.1The Faculty Assembly Delegation shall prepare an annual report of the work of the faculty assembly to be presented by the senior-elected delegate to the General Faculty at its first fall meeting.

III.2.2The senior-elected faculty assembly delegate shall serve as an ex-officio member of the Faculty Senate and of the Senate Planning Team.

III 2.3The senior-elected faculty assembly delegate shall report matters of interest or concern to the Faculty Senate at its next scheduled meeting after each faculty assembly meeting.

III.2.4If the senior-elected faculty assembly delegate is unable to perform these duties, the next senior delegate will fulfill them.

**ARTICLE IV The Faculty Grievance Committee**

Section 1. Membership and chair

IV.1.1 The Faculty Grievance Committee (“Committee”) shall consist of twelve (12) elected full-time faculty members with representation from each professorial rank.. No officer of administration shall serve on the Committee. For purposes of this section, “officer of administration” shall be deemed to include Department Chairs and Department Heads. Appointment to department headship or to a higher level administrative position during a Committee member’s term of service shall force resignation from the Committee.

IV.1.2 At least one faculty member from each of the Colleges of the university shall serve, but no more than one-half the members shall be from any one College. A member’s promotion in rank during a term of office shall not terminate membership, unless such promotion causes a professorial rank to be unrepresented, in which case a faculty member at that rank must be elected or appointed.

IV.1.3 Each member shall serve a four-year term, the terms staggered so that one-fourth of the members are elected each year.

IV.1.4 The chair shall be elected by and from the membership of the Committee and shall serve for one year. The chair may be elected to successive terms.

Section 2. Duties and Responsibilities

IV.2.1 The Committee is authorized to hear and advise with respect to the adjustment of grievances of all faculty. The power of the Committee is solely to hear representations by the persons directly involved in grievances and to advise adjustment by the appropriate administrative official. Advice for adjustment in favor of an aggrieved Faculty member may be given to the Chancellor only after the Provost, Dean, Department Head, or other administrative official most directly empowered to adjust it has been given similar advice and has not acted upon it within a reasonable time.

IV.2.2 Grievances within the province of this Committee include all those matters related to the faculty member’s employment status (See Section VI of Tenure Policies and Regulations of Western Carolina University) and intra-university relationships. The Committee shall not consider matters involving formal proceedings for the suspension or dismissal of the faculty member since these matters will be considered by the Faculty Hearing Committee.

IV.2.Grievances may be filed by any faculty member during his/her employment at Western Carolina University. If the faculty member is separated from employment while his/her grievance is pending, the grievance must be dismissed unless the Chancellor decides it is in the university’s best interest to allow the grievance to continue. [UNC Policy 101.3.2, Section IV.i.]

IV.3 Changes to the Grievance Procedures shall be made in the following manner:

IV.3. 1 Substantive changes (as defined by the Rules Committee of the Faculty Senate) shall be approved by the General Faculty according to procedures in Article VII of the By-laws of the General Faculty.

IV.3. 2 Changes due to directives from the University of North Carolina General Administration shall be made automatically with the General Faculty being informed by the Chair of the Faculty.

IV.3. 3 Minor changes (as defined by the Rules Committee of the Faculty Senate) shall be made by the Faculty Senate with the General Faculty being informed by the Chair of the Faculty.