

VI.2.2. The Faculty of the University Library may elect a Vice-Chair to preside in the absence of or at the request of the Dean of Library Services.

VI.2.3. The Faculty of the University Library may elect a Secretary who shall keep a record of its meetings.

VI.2.4. The Faculty of the University Library shall hold at least one regular meeting each term to act on matters of concern to the University Library. A special meeting may be called by the Dean of Library Services and shall be called upon the request of three members of the faculty or ten percent of the faculty, whichever is greater. At regular and special meetings, a majority of the faculty shall constitute a quorum.

Section 3. The Faculty of the University Library shall adopt Bylaws to govern its proceedings.

Section 4. Committees

VI.4.1 The university library faculty shall elect a Dean of Library Services Advisory Committee, a Collegial Review Committee and may also establish a Strategic Planning Committee, and such other committees as are deemed necessary or desirable.

Section 5 Dean of Library Services

VI.5.1 The chief administrative officer of the University Library shall be the Dean of Library Services.

VI.5.2 Nominations for appointment to this office shall be made to the Chancellor by the Provost after consultation with the university library faculty and a Search Committee appointed by the Provost. If the Chancellor agrees, he or she will appoint the Dean of Library Services. Periodic review of the work of this office shall be conducted, and the time between reviews shall in no case be more than five years.

VI.5.3 The duties of the Dean of Library Services shall be delegated and defined by the Chancellor and shall appear in the official documents of the University.

3.03 Bylaws of the General Faculty of Western Carolina University

These Bylaws are written under the provisions of the Constitution of the General Faculty and, where the Bylaws 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-elect and Secretary of the Faculty as ex officio members.

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/School Directors 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 Bylaws of the Faculty Senate (II.2.3), 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 ensure 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.1.1 Delegates to the Faculty Assembly of The University of North Carolina shall represent the General Faculty and shall serve according to the Charter and Bylaws 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/School Directors may serve on the Faculty Assembly Delegation.

III.1.2 Delegates 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.2.1 The 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.2.2 The senior-elected Faculty Assembly delegate shall serve as an ex-officio member of the Faculty Senate and of the Senate Planning Team.

III.2.3 The 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.2.4 If 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, Department Heads, and School Directors. 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.2.3 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.]

Section 3. Principle Procedures

IV.3.1 See Section 4.10.B of the WCU Faculty Handbook for grievance procedures.

IV.3.2 Changes to the Grievance Procedures shall be made in the following manner:

IV.3.2.1 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 Bylaws of the General Faculty.

IV.3.2.2 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.3.2.3 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.

ARTICLE V The Faculty Hearing Committee

Section 1. Committee Responsibilities

V.1.1 The Faculty Hearing Committee ("FHC") is authorized to: (i) hear petitions for the review of negative reappointment and tenure/promotion decisions in accordance with Sections 602 and 604 of the Code of The Board of Governors of The University of North Carolina (the "Code"); (ii) to hear requests for review of intended discharge of or the imposition of a serious sanction on a tenured faculty member (or a faculty member serving a stated term) in accordance with Section 603 of the Code; and (iii) to hear requests for reconsideration of termination due to financial exigency or the major curtailment or elimination of a program in accordance with Section 605 of the Code. The central role of the FHC is to gather and preserve evidence, make findings of fact, and provide recommendations and advice to the Chancellor on the merits of the faculty member's allegations. [UNC Policy 101.3, Section II.C]

Section 2. Membership and Terms

V.2.1 The FHC shall consist of twelve (12) tenured associate or full professors elected by the General Faculty in accordance with the Bylaws and procedural regulations of the General Faculty. At least one (1) tenured faculty member from each College of the University shall be elected and serve.

V.2.2 No administrative officer may serve on the FHC. For purposes of this Section V.2.2, the term “administrative officer” means the Provost, Assistant or Associate Provost, Dean, Assistant or Associate Dean or Department Head/School Director.

V.2.3 Acceptance of an appointment to an administrative officer position during an FHC member’s term of service shall be deemed a voluntary resignation from the FHC.

V.2.4 FHC members are elected to an initial four (4) year term and will be eligible for immediate re-election to an additional four-year term. Terms shall be staggered so that approximately one-fourth of the FHC members are elected each year. After serving two consecutive four-year terms, a faculty member can become eligible to be elected to serve on the FHC after the passage of one (1) year.

Section 3. Chair and Vice Chair; Terms

V.3.1 The officers of the FHC shall be the Chair and the Vice Chair appointed from among and by the FHC membership. Each officer shall serve a one (1) year term and shall be eligible for re-election. In the event the Chair is unable to complete his/her duties or appointment, the Vice Chair may serve in his/her place.

Section 4. Review Panels

V.4.1 A Review Panel is a sub-committee comprised of members of the FHC selected by the Chair to review specific petitions. A Review Panel shall not include any faculty member who has participated in a reappointment, tenure or promotion decision that is the subject of review.

V.4.2 Upon receiving a written petition for review, the Chair of the FHC will select five (5) members of the FHC to serve on a Review Panel, and shall appoint one (1) member to serve as Chair of that Review Panel. When contacting potential Review Panel members, the Chair of the FHC shall inquire whether the proposed members have any conflicts of interest with any of the parties (i.e., the faculty member requesting the review or the administrators involved in the decision being reviewed) or prior knowledge about the contested matter such that the members cannot maintain objectivity.

Section 5. Training

V.5.1 In accordance with UNC Policy 101.3.1, Section II.C.i, members of the FHC shall be trained annually by the University Legal Counsel’s Office. A member of the FHC must have attended training as a prerequisite to serving on a Review Panel.

ARTICLE VI Duly-constituted Committees

Section 1. Duly-constituted committees, as specified in Articles III 8.2, IV 5.2, V 5.2, and VI 5.2 of the Constitution, are appointed by the Provost or the appropriate Dean for the purpose of reviewing and searching for academic administrators at the levels of Dean, Department Head/School Director, and Dean of Library Services.

Section 2. Membership, duties, and procedures shall be established by the respective colleges, departments/schools, and the library with the advice of the Faculty Senate.

ARTICLE VII Changes in Bylaws

Section 1. A recommendation to repeal or amend any or several of the provisions of the Bylaws shall be made at the regular meeting of the Faculty Senate preceding that at which the vote on such recommendation is taken.

Section 2. A two-thirds majority of the Senate present and voting shall be necessary in order to recommend the repeal or amendment of the Bylaws to the General Faculty.

Section 3. The faculty may amend or repeal, with the consent of the Chancellor, any part or all of the Bylaws of the General Faculty. Proposals to amend or repeal shall be discussed at an open forum called by the Chair of the Faculty during the regular academic year. The proposals and notice of the open forum shall be sent to the faculty at least ten days prior to the forum. The proposals shall be acted upon by the General Faculty, the vote to be conducted by electronic ballot within one week following the discussion. Actions to repeal or amend shall not be effective unless approved by two-thirds of the members voting.

3.04 Bylaws of the Faculty Senate

The Bylaws of the Faculty Senate are written by authority of Article II, Section 9.3 of the Faculty Constitution. For the purpose of this document, Senate Leadership is defined as the General Faculty Officers.

ARTICLE I Meetings of the Faculty Senate

Section 1.

- a. Potential faculty matters to be addressed by the Senate are developed (identified) in faculty caucuses and forums. Caucuses are called by the Past-chair of the Faculty at the beginning of each semester. Forums are called as needed by the Chair of the Faculty or the Chancellor or designee.
- b. Meetings of the Faculty Senate shall be conducted in accordance with the most recent edition of Robert's Rules of Order unless a 2/3 majority of senators agree to suspend the Rules.
- c. The number, dates, and announcement of meetings shall conform to the provisions of Article II, Section 7, of the Faculty Constitution.