

UTAH SEXUAL VIOLENCE COUNCIL

BYLAWS

Adopted 09/24/2003

ARTICLE I: NAME

The name of this body shall be the Utah Sexual Violence Council (USVC), hereinafter referred to in these bylaws as the "Council."

ARTICLE II: PLACE OF BUSINESS

The place of business shall be determined by the Council and shall be determined on an annual basis; however it will remain in the state of Utah.

ARTICLE III: PURPOSES

1. The Utah Sexual Violence Council will promote a climate where sexual violence is addressed as a priority issue that impacts all Utah communities.
2. The Council shall support, advise, participate in, and develop policies and procedures, legal and legislative action, initiatives and training, and quality research about the causes and impacts of sexual violence. The purpose, duties, power, responsibilities, authority and organization to the Utah Sexual Violence Council shall be in accordance with Utah Code 63(C) and other applicable Utah law. This code defines a council as one that: "(a) provides advice and makes recommendations to another person or entity who makes policy for the benefit of the general public; (b) is created by and whose duties are provided by statute or by executive order; and (c) performs its duties only under the supervision of another person as provided by statute."¹
3. The Council shall foster cooperation and coordination with other Utah state agencies, including, but not limited to, the Office of the Attorney General, Utah Department of Corrections, the Chiefs and Sheriffs Associations, Commission on Criminal & Juvenile Justice, Utah State Office of Education, Utah Department of Health, Utah Department of Human Services, Utah Department of Public Safety, Treatment Providers, Utah Sentencing Commission, Utah Prosecution Council, Office of Crime Victims Reparations, Utah Board of Regents, Legislative Branches of Utah Government, Utah Court Systems, Utah Association of Criminal Defense Lawyers, and the Office of the Lieutenant Governor. In addition to State agencies, the Council shall invite individuals and organizations in the community who provide or contribute to services for individuals affected by sexual violence; including, but not limited to: school counselors, advocates, sexual assault nurse examiners, faith leaders, social workers, treatment providers, attorneys, and the community at large.
4. These bylaws supplement applicable law and where inconsistent with Utah law, Utah law shall take precedence.

ARTICLE IV: MEMBERSHIP

1. The Council shall be composed of not more than **28** members representing the various agencies and community groups with expertise or concern about issues of sexual violence.
2. The Council shall have a nominating committee to manage nominations, elections, and resignations of Council members.
 - a. At any regular meeting, any present member may nominate an individual for membership.
 - b. Any person may apply directly to the nominating committee for membership on the Council

- without being first nominated by a Council member.
- c. The Nominating Chair shall then submit the applicants name along with recommendations to the Council at its next regularly scheduled meeting.
 3. The Council positions are occupied by agencies who designate employees, officers, or representatives to serve on the Council indefinitely. The Council is comprised of individuals and representatives of organizations and agencies outlined in Article 2.
 4. Three concurrent absences from regular and committee meetings during the fiscal year is considered voluntary termination of Council membership. After the second absence, notice will be sent to inform the member that three absences from regular and committee meetings per year constitutes voluntary termination of Council membership. Following an additional absence, after such notice is mailed, the Chair will announce voluntary termination of the individual's Council membership.
 5. In order for any Council member to be removed involuntarily, a 2/3 vote of those Council Members present and voting shall be required. The chair may not entertain a motion for involuntary removal of any member when less than a majority of all Council members are present.
 6. A member may resign from the Council by submitting a letter of resignation to the Nominating Chair. The resignation notice should include the effective date of the resignation.

ARTICLE V: EXECUTIVE OFFICERS

1. The executive officers of the Council shall be the chair, vice chair, and nominating chair. Executive officer positions are chosen by and from the membership of the Council.
2. A staff member of the Utah Coalition Against Sexual Assault shall also participate as an executive officer of the Council.
3. The chair is a member of the community at large and serves as an executive officer of the Council for two years. The individual serving as the community at large member of the Council may serve for more then two years, if approved by a majority of Council members.
4. Elections are held at the annual Council meeting in September.

ARTICLE VI: DUTIES OF OFFICERS

1. The Chair shall preside and conduct all meetings of the Council and of the executive committee at which he or she may be present and shall coordinate the work of the officers and committees of the Council in order that the purposes of the Council may be promoted. The Chair shall perform such other duties as are usually considered the duties of the chair, including those provided by the bylaws.
2. The Vice Chair shall act as assistant to the Chair and shall perform such duties as may be assigned to him or her by the Chair and shall possess all the powers and perform all the duties of the Chair in the absence or disability of the Chair and Past Chair to act.
3. The Nominating Chair shall serve as the primary intermediary and contact for the general Council

membership to the executive committee. He or she will oversee executive committee elections, recruit new Council members, and notify organizations of vacancies

4. The UCASA staff member will administrate, delegate, and manage the Utah Sexual Violence Council.

ARTICLE VII: ELECTIONS

1. Each May, the nominating chair shall request nominations from the Council for the upcoming election of officers. Based on nominations submitted both orally and in writing, the nominating chair will recommend a slate of candidates from the Council's current membership for the upcoming election of officers.
2. That slate shall be delivered to the Chair on or before June 30th of every year.
3. At the regularly scheduled July meeting the nominating chair will present the slate to the Council at which time any member present may nominate another member to be added to the recommended slate of candidates for office. Voting will take place at the Council's annual September meeting.
4. Absentee ballots shall be available to members at least 14 days prior to the September meeting. Absentee ballots presented on or before the September meeting will be counted.
5. Officers shall be elected by a majority of the votes. New officers shall assume their duties on October 1, of every year.
6. If a vacancy occurs in any office, the nominating chair shall request nominations from the Council. In the case of a vacancy in the nominating chair position, the vice chair shall assume the nominating chair responsibilities.
7. Any member present at the meeting where the slate is announced may nominate another member to be added to the recommended slate of candidates for that office. Voting on the slate shall occur at the subsequent regularly scheduled Council meeting. The vacancy shall be filled by the person elected by a majority of the Council members present at the next meeting.

ARTICLE VIII: MEETINGS

1. Regular Council meetings shall be held every other month at a regular time and place as determined by the Membership. Meetings shall be public and open meetings. Visitors are welcome and may participate in Council meetings as recognized by the chair.
2. Special meetings may be called by order of the Executive Committee and the same body may suspend a regular meeting. Thirty (30) days notice is required of all special meetings.
3. Written notice of the time and place of the next meeting of the Council shall be given to each Council member at least thirty (30) days in advance of said meeting, together with copies of the minutes of its prior meeting.
4. Sixteen members shall constitute a quorum for conducting business at any meeting of the

Council. Members shall be entitled to one vote each for the transaction of all Council business. Vote shall be decided based on a simple majority except as otherwise specified in these bylaws.

ARTICLE IX: COMMITTEES

1. The executive officers of the Council comprise the executive committee.
2. The duties of the Executive Committee are:
 - a. To resolve questions involving conflict of opinion among various committees;
 - b. To recommend Council action between regular meetings;
 - c. To submit reports on its activities to the Council's regular meetings for ratification or disapproval;
 - d. To suggest agenda items for Council meeting.
3. The following Committees shall be actively working to provide priority issues for the Council;
 - a. Community Collaboration Committee
 - b. Victim Advocacy Committee
 - c. Criminal Justice Committee
 - d. Prevention Committee
4. Other working and had hoc committees may be formed as deemed necessary by a majority of the Council membership.

ARTICLE X: AMENDMENTS

1. These bylaws will be reviewed, amended, and approved at each annual meeting in September.
2. These bylaws may be amended, providing one (1) month advance written notice of the proposed amendments is delivered to the members of the Council and providing amendments are approved by two-thirds (2/3) of Council members present. Quorum is required at a Council meeting in order to consider an amendment

ARTICLE XII: STANDARDS

1. Reasonably detailed minutes of the proceedings of each meeting of the general council and its subcommittees shall be kept and shall be made for public inspection. At each meeting, the minutes of the proceedings of previous meetings shall be reviewed and approved. Minutes of the meetings shall be kept and preserved for at least two years, or as otherwise required by the Government Records Access and Management Act.
2. All regularly scheduled meetings of the Council will be conducted in accordance with the Utah Open Public Meetings Act. Nevertheless, the Council Chairperson shall have discretion to permit or not to permit non-Council members to address the Council and the Chairperson shall be permitted to limit or close meetings to public participation where confidential information is to be discussed.

3. All meetings of the Council shall be conducted in accordance with “Robert’s Rules of Order” as revised. Nevertheless, the Chairperson shall not close discussion on any issue where any member present at such meeting has not had at least a brief opportunity to be heard. All voting shall be open and the minutes shall reflect the votes of each member if any member shall so request.

¹ <http://www.le.state.ut.us/~code/TITLE63C/htm/63C01003.htm>