

BYLAWS
OF
THE UTAH SCHOOLS FOR THE DEAF AND THE BLIND
ADVISORY COUNCIL

ARTICLE I
STATUTORY AUTHORITY

This Advisory Council is established by the Utah State Board of Education as provided in Board Policy 4002.

ARTICLE II
PURPOSE

1. The purpose of the Council is to advise the Utah State Board of Education and the USDB Superintendent and associate superintendents.
2. The Council shall advise and make recommendations to the Board, superintendent, and associate superintendents regarding;
 - 2.1. staff positions;
 - 2.2. policy;
 - 2.3. budgets; and,
 - 2.4. operations.
3. The Council shall review and make recommendations concerning the budget for USDB Trust Land funds.
4. The Council shall advise the Board, superintendent, and associate superintendents as to:
 - 4.1. the needs of those children who are deaf, blind, and deafblind; and,
 - 4.2. the appropriate programs and services to address individual needs consistent with:
 - 4.2.1. state and federal laws;
 - 4.2.2. rules; and,
 - 4.2.3. regulations.
5. The Council shall also advise and make recommendations to the State Board regarding the performance of the USDB Superintendent and associate superintendents.

The Council may assume advisory duties, responsibilities and functions as authorized and delegated to the Council by the State Board of Education.

ARTICLE III MEMBERSHIP

1. The Council is composed of at least eight, but not more than eleven voting members who are appointed by the State Board of Education. Voting members identified by the bylaws may change as recommended by the Council and approved by the State Board of Education.
2. Advisory Council membership shall include:
 - 2.1. two members who are blind;
 - 2.2. two members who are deaf;
 - 2.3. two members who are deafblind or parents of a deafblind child;
 - 2.4. one parent of a blind student; and
 - 2.5. one parent of a deaf student.
 - 2.6. Two members who have children receiving USDB outreach services;
3. The Board may appoint other Advisory Council members who have an interest in and knowledge of the needs and education of students who are deaf, blind, or deafblind.
4. The board may appoint members, representing each campus program, to serve as subcommittee members with a specific focus on developing the School Land Trust Plan and supporting the Advisory Council in their capacity as the School Community Council for the USDB.
 - 4.1. Up to 8 non-voting members, that have children enrolled in any of the USDB campus programs, including at a minimum;
 - 4.2. Two parents of children that are blind
 - 4.3. ~~Two~~ Three parents of children that are deaf
 - 4.4. ~~Two~~ One parents of children that are deaf-blind
5. The Council may recommend that the State Board of Education create non-voting Council positions and/or appoint non-voting members to fill those positions. Examples of non-voting membership include:
 - 5.1. a person with expertise in school finance;
 - 5.2. a representative of the USDB educators.
6. The Superintendent of the Utah Schools for the Deaf and the Blind shall be an ex-officio, non-voting member of the Council. Associate superintendents assist the Superintendent as staff to the Council.
7. Subcommittees may be created as needed.
8. The term of appointment for each member shall be two years. ~~and members may serve no more than three consecutive terms.~~
 - 8.1. In order to provide for staggered terms, the board shall appoint at least one council member in June of each year with the term of office to begin on July 1 of the year of appointment.

- 8.2. Current members of the council shall continue in office until expiration of their terms and until their successors are appointed.
- 8.3. The Council shall seek nominations to fill vacant positions and make recommendations to the State Board for filling vacant positions.
 - 8.3.1. Nominations may come from any individual or group interested in the operations of the Utah Schools for the Deaf and Blind.
 - 8.3.1.1. Where applicable, nominations will be for specific Council positions as outlined in Article III above.
 - 8.3.1.2. Nominations will not be considered without the consent of the individual being nominated.
- 8.4. The Council may recommend that the State Board dismiss a Council member.
 - 8.4.1. Causes for dismissal include:
 - 8.4.1.1. violation(s) of these bylaws;
 - 8.4.1.2. violation(s) of the Ethical Standards listed in Section VI;
 - 8.4.1.3. inconsistent attendance at Council Meetings (attendance at 80% of scheduled meetings is expected); and,
 - 8.4.1.4. other causes as determined by the Council.
 - 8.4.2. Consideration of recommended dismissal may be discussed in an executive session.
 - 8.4.3. Action to recommend dismissal of a Council members must be approved by at least a 2/3 majority (8 of 11) of all voting members of the Council.
 - 8.4.4. The State Board of Education may also remove Council members independent of a recommendation by the Council.
9. A member appointed to fill a vacancy occurring prior to the expiration of a predecessor's term is to be appointed for the remainder of that term.
10. As per State Board Rule 277-800, Advisory Council members ~~may~~ also serve as School Community Council members.
11. Liaisons shall be appointed representing the State Superintendent of Public Instruction and the Special Education unit of the State Office of Education.

ARTICLE IV MEETINGS

1. The Council shall generally meet monthly, except July and December, but ~~must~~ **may** meet ~~at least~~ **up to** ten times during a fiscal year.
 - 1.1. Special meetings may be called as needed. Members unable to attend in person may arrange to participate by electronic means if available.

2. A meeting held during the month of September shall be designated as the annual meeting.
3. A quorum shall consist of a majority of the voting Council members.
 - 3.1. In the event a quorum is not present, agenda items may be reviewed and recommendations confirmed at the next meeting.
4. Each voting member of the Council shall have one vote. Non-voting members can offer comments and recommendations but they have no vote, nor can they make motions or seconds to motions.
 - 4.1. No member may vote by proxy
 - 4.2. No member may vote in absentia.
 - 4.3. Members participating by electronic means may vote if their electronic participation is in real time.
 - 4.4. If the Council Chair is a non-voting member and a vote of the Council results in a tie vote, the Chair cannot vote to break the tie and the item being considered will be determined to have failed.
5. No member of the Council shall vote on any matter that would provide financial benefit to the member or otherwise give the appearance of a conflict of interest under State law.

ARTICLE V OFFICERS

1. The members of the Council shall elect a Chair and Vice Chair at its June meeting. Council officers may be non-voting members of the Council.
2. Chair: The chair shall:
 - 2.1. preside at meetings of the Council;
 - 2.2. assure that all recommendations of the Council are submitted to the State Board of Education;
 - 2.3. be the spokesperson for the Council in matters dealing with public and or press;
 - 2.4. appoint committee chair persons and members;
 - 2.5. give general direction to work of the Council; and,
 - 2.6. perform other duties as may be assigned by action of the Council, the State Board or as may be necessary.
 - 2.7. The term of the chair shall be for one year. In the event that a vacancy occurs prior to the end of term for the chair, the vice-chair shall take over the chairmanship for the unexpired portion of the term at the next meeting.
3. Vice Chair: The vice chair shall:
 - 3.1. Assist the chair

- 3.2. Perform the duties of the chair in his/her absence
- 3.3. The term on the vice-chair shall be for one year. In the event that a vacancy occurs prior to the end of the term of the vice-chair, the Council shall elect one of its members to fill the office for the unexpired term at the following meeting.
- 4. The Chair shall annually appoint a parliamentarian.
 - 4.1. The parliamentarian need not be a member of the Council but should be someone who attends Council meetings on a regular basis.

ARTICLE VI ETHICAL STANDARDS

- 1. The Council adopts the following Ethical Standards. Council members shall:
 - 1.1. Represent the USDB Advisory Council with dignity and integrity.
 - 1.2. Be at meetings on time, eager and prepared.
 - 1.3. Help focus meetings on important matters, remembering that the student is always our most important matter.
 - 1.4. Value and respect the diverse opinions of others and resolve conflict amicably with civility and responsibility.
 - 1.5. Listen closely to others, being careful about interrupting or dominating discussions.
 - 1.6. Have the courage to speak up.
 - 1.7. Collaborate and receive information from constituents and communicate in good faith with other members of the council, administration, and Board members.
 - 1.7.1. If a Council member is contacted by a legislator or the media, inform and invite the chairperson to participate if possible.
 - 1.8. Represent the needs of all USDB students and families in the state - -- as well as local interests --- without partisanship.
 - 1.9. Seek to understand the feelings and opinions of the citizens and constituents.
 - 1.10. Pursue accountability by appropriate evaluation and measurement.
 - 1.11. Achieve unity.

ARTICLE VII RESOURCES

- 1. The Council shall rely upon the Utah Schools for the Deaf and the Blind to provide resources necessary for conducting the affairs of the Council. The resources may include:

- 1.1. meeting space;
 - 1.2. clerical support;
 - 1.3. professional staff;
 - 1.4. materials and supplies;
 - 1.5. postage and mailing services;
 - 1.6. copying services; and,
 - 1.7. meeting expenses.
2. Reimbursement shall be based upon actual expenses incurred or shall be in accordance with established State of Utah Division of Finance reimbursement rates, rules and regulations.

ARTICLE VIII AMENDMENTS

These bylaws may be amended by a majority vote of the members of the State Board of Education. The Council may make recommendations concerning bylaw changes prior to Board action.

Adopted by the USDB Institutional Council November 18, 2004
Amended January 20, 2005
Amended April 21, 2005
Amended May 19, 2005
Amended and approved by the Advisory Council – December 10, 2009
Amended and approved by the Advisory Council – October 24, 2013
Amended and approved by the Utah State Board of Education –
October 7, 2016
Amended and approved by the Utah State Board of Education -
January 6, 2021, effective July 1, 2021, **January 9, 2026**