

## **Texas SART Bylaws Template**

*(This template was developed by the Texas Association Against Sexual Assault. It is offered for guidance purposes only and is not a substitute for legal review or advice. Please review for conformity with your team's needs and organizational structures. Released February 2022.)*

### **ARTICLE I. NAME AND MISSION**

Section 1.        Name  
\_\_\_\_\_ is the name of this team.

Section 2.        Mission & Values  
The purpose of the \_\_\_\_ *(name of team)* \_\_\_\_\_ responding as the adult Sexual Assault Response Team (SART) as directed by Senate Bill 476 of the 87<sup>th</sup> Texas Regular Legislative Session for *(list county/counties)* is \_\_\_\_\_. The SART's values are described below. *(list and define group values and objectives)*

*Values could include attributes the team will need in order to be successful in their mission such as Respect, Honesty, Victim Centered Decision Making, Collaboration, etc.*

*Objectives can include what is mandated in the law or expand to be more comprehensive. For instance, to enhance victim safety, increase offender accountability, improve access to healthcare for survivors, etc.*

### **ARTICLE II. MEMBERSHIP**

Section 1.        Members & Counties  
As appointed by \_\_\_\_ *(County or Counties)* \_\_\_\_\_ Commissioner's Court, the regular members of the SART shall be composed of; *(Name and list organizations/agencies/individuals below)*

- (1) the chief administrator, or the chief administrator's designee, of a sexual assault program that provides services for the county;
- (2) a prosecutor with jurisdiction in the county over cases involving sexual assault committed against adults;
- (3) the chief, or the chief's designee, of the municipal police department with the largest population in the county, provided a municipality in the county has a municipal police department;
- (4) the sheriff or the sheriff's designee;
- (5) either:
  - (A) a sexual assault nurse examiner or forensic examiner from a facility that conducts sexual assault forensic exams for the county; or
  - (B) a representative from the largest health care provider operating in the county if the county does not have a professional described by Paragraph (A);
- (6) a behavioral health services provider operating in the county or, if the county does not have a behavioral health services provider, a representative from the county health department; and
- (7) other persons the presiding officer of the response team considers necessary for the operation of the response team or as recommended by the response team<sup>1</sup>.

Section 2.        Resignations, Termination and Absences  
Resignation from the SART by an individual shall be in writing and received by the Presiding Officer.

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<sup>1</sup> Texas Local Government Code 351.252

SART members are required to attend meetings but may be excused from attendance upon notification to the Presiding Officer prior to the scheduled meeting and by sending a designee to attend on their behalf.<sup>2</sup>

SART members may be removed from the team due to.....(*excess absences, more than XXX unexcused absences from meetings in a year. Other reasons for removal, such as unwillingness to actively participate in SART discussions and protocol development, may happen by a vote of the remaining members*)

Section 3. Vacancies

Vacancies occurring within the team's required members shall be communicated by the Presiding Officer to the County Commissioner's Court within X days of receiving notice.

Section 4. Attendance by Non-members

Additional individuals or agencies who are not regular members may be permitted to attend SART meetings<sup>3</sup>..... (*at any time, by notice to the team, for special events, etc*).

Section 5. Survivor Engagement

(*While not required by law, teams should strive to include survivors of sexual assault on their team. This could be through individual membership, as a subject matter expert, and/or by survivor request*)

**ARTICLE III. PRESIDING OFFICER(S)**

Section 1. Duties of Presiding Officer(s)

(*Expectations for the Presiding Officer will vary by community. Detail those here as well as any additional leadership infrastructure. These may include scheduling meetings, setting agendas, etc. Optional additional leadership infrastructure includes a Steering Committee, Co-Presiding Officer, Coordinator etc.*)

Section 2. Terms

Presiding Officer(s) shall be elected to a X-year term and is eligible for election for up to X consecutive terms.

Section 3. Elections

The Presiding Officer elections shall be held every X years, and determined by a X vote of members present, so long as there is a quorum. Any member may nominate or be nominated to be the Presiding Officer.

**ARTICLE IV. MEETINGS**

Section 1. Quorum

A quorum will consist of at least X members of the SART. A quorum of members of the SART must be present or have sent a designee in order to conduct any business that requires a vote of the SART.

Section 2. Meetings

Regular meetings of the SART shall be held (*at least quarterly*) and at the call of the Presiding Officer<sup>4</sup>. Special meetings of the SART may be held at any time upon X written notice to the team.

Section 3. Notice of Meetings

Written notice stating the place, date and hour of any regular meeting of the SART shall be sent out electronically with a minimum notice of X days. Agendas shall be sent out electronically in advance at least X ahead of time by (Coordinator, Presiding Officer, etc).

<sup>2</sup> Texas Local Government Code 351.254 (b)(c)

<sup>3</sup> Texas Local Government Code 351.258(b)

<sup>4</sup> Texas Local Government Code 351.254(a)

Section 4. Virtual Meetings

Members of the SART or any committee developed by the SART may participate in a meeting by means of conference telephone, virtual platform or similar communications equipment by which all persons participating in the meeting can communicate with each other. Participation in a meeting pursuant to this section shall constitute presence at such meetings.

**ARTICLE V. SART PROTOCOL**

Section 1. Protocol Development

Per Section 351.256 Texas Local Government Code, the team shall work together to develop an inaugural SART protocol no later than December 1, 2022. Team members shall contribute to protocol development as a requisite of their membership. The protocol shall be reviewed no later than 90 days after each regular legislative session and included in the biennial report.

**ARTICLE VI. BIENNIAL REPORT**

Section 1. Data Sharing

SART members in law enforcement and/or prosecution responsible for the data described by Local Government Code 351.257(3)(A) shall collect, maintain and share this information for publication in the biennial report. Data shall be used to inform improvement of community response.

Section 2. Biennial Report

SART members are responsible for the biennial report due to the County Commissioners Court every odd numbered year. By accepting membership onto the team, members agree to contribute to the biennial report.

**ARTICLE VII. CONFLICT RESOLUTION**

Section 1. Process

Members of the SART shall convene to develop and vote on an inaugural framework for a conflict resolution process no later than   X  . Following the initial adoption, a framework for this process shall be reviewed and updated as necessary in conjunction with the SART Protocol<sup>5</sup>.

Section 2. Commitment

Agreement to actively engage in resolving conflict using the team's established process is an expectation of each team member. Effective conflict resolution practices contribute to a higher level of team functioning and success. SART members shall look to their stated mission, values and statutory mandates to *prioritize survivor safety and wellbeing* in order to address conflicts.

**ARTICLE VIII. COMMUNICATION**

Section 1. Privacy, Confidentiality & Privilege

As required by SB476, the team shall develop communication processes in order to *facilitate the timely exchange of relevant information*. In any scenario involving protected victim information, the SART will honor all member and team privacy obligations under Texas law, HIPAA, 42CFR and other state and federal regulations.

**ARTICLE VIII. AMENDMENTS**

Section 1. Amendments

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<sup>5</sup> Texas Local Government Code 351.256 (a)(11)

The team shall review the Bylaws every X years. In order to amend the Bylaws, notice of the proposed amendment shall be delivered personally, electronically or by mail to each member of the SART at least two weeks prior to the time of the vote on the proposed amendment. The Bylaws shall be amended only by a X vote of the Team.

Dated: \_\_\_\_\_

\_\_\_\_\_*Signed by all members*\_\_\_\_\_

DRAFT