



Alberta College of  
Speech-Language Pathologists  
and Audiologists

# Bylaws

**Adopted by ACSLPA Council on July 27, 2002**

**Amended Sep 13, 2003; Sep 19, 2009;  
Jan 21, 2012; Sep 20, 2014; Sep 12, 2015;  
June 3, 2017; Nov 18, 2017; Jun 9, 2018;  
Jan 19, 2019; Sep 21, 2019; Nov 23, 2019;  
Mar 14, 2020; Sep 12, 2020; Nov 21, 2020**

## A NOTE ON AMENDMENTS

Where the bylaws have been amended, whether through addition, revision, or repeal, this is noted in the affected area.

- If the note pertains to addition of a new item, the adoption and effective date(s) will be noted.
- If the note pertains to a revision to an existing item, it will include the original adoption date as well as any subsequent revision date(s), and the effective date of the most current revision.
- If the note pertains to deletion of an existing item, it will include the original adoption date, any subsequent revision date(s), as well as the repeal and effective date(s). For consistency, the affected Part, Section, or subsection number(s) will not be deleted in the case of a repeal, and subsequent Parts, Sections, or subsections will not be renumbered.

Where an entire Part or Section has been amended, the note will be left justified and located immediately below the affected Part or Section heading.

Where a subsection has been amended, the note will be right justified and located immediately below the affected subsection.

In all cases, the date used in the amendment note will be the month and year of the Council meeting at which the amendment was approved.

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# PART DEFINITIONS AND APPLICATION

I

## 1.1 **Bylaws in Force**

These Bylaws are enacted by the Council of the Alberta College of Speech-Language Pathologists and Audiologists pursuant to section 132 of the *Health Professions Act*.

## 1.2 **Definitions**

The following definitions shall apply to all parts of these Bylaws:

- 1.2.1 “Act” means the *Health Professions Act* as amended, or any statute substituted for it;
- 1.2.2 “Audiologist” means a person who is registered as an Audiologist under the Act and Regulation;
- 1.2.3 “Bylaws” means the Bylaws of the Alberta College of Speech-Language Pathologists and Audiologists;
- 1.2.4 “College” means the Alberta College of Speech-Language Pathologists and Audiologists;
- 1.2.5 “Council” means the Council of the College;
- 1.2.6 “Member of Council” means an elected or appointed member to Council;
- 1.2.7 “Fiscal Year” means the period between January 1 and December 31;
- 1.2.8 “In Camera” means a meeting or portion of a meeting closed to Persons specified at the discretion of Council or the committee holding the meeting;
- 1.2.9 “Member” means a Person who is a member of one of the categories of members described in Part II of these Bylaws;
- 1.2.10 “Non-Regulated Member” means a Person who is a member of the College in a non-regulated category of membership;
- 1.2.11 “Officers” means the Officers of the College pursuant to these Bylaws who are Members of Council of the College that fill the offices of President and Vice President;
- 1.2.12 “Policy” means a formal statement of a principle or rule that applies to the College Council, employees, committees and/or Members;
- 1.2.13 “Practice Permit” means the permit that is issued by the College to a Regulated Member that is a requirement under the Act and Regulation for practice as a speech-language pathologist or audiologist in Alberta;
- 1.2.14 “Public Member” means a person appointed by the Lieutenant Governor in Council in the Alberta Legislature to be an active member of Council or on a committee or tribunal pursuant to the Act;

- 1.2.15 “Register” means the register of member information established by Council and maintained by the Registrar;
- 1.2.16 “Registrar” means the Registrar hired by Council;
- 1.2.17 “Regulated Member” means a person who is a registered member of ACSLPA in a regulated category of membership;
- 1.2.18 “Regulation” means the *Speech-Language Pathologists and Audiologists Profession Regulation*, as amended, or any Regulation substituted for it;
- 1.2.19 “Special General Meeting” means any General Meeting of the College other than an Annual General Meeting;
- 1.2.20 “Special Resolution” means a resolution passed at a properly convened General Meeting of the College by more than 2/3 of the votes cast on that resolution;
- 1.2.21 “Speech-Language Pathologist” means a person who is registered as a Speech-Language Pathologist under the Act and Regulation.

### 1.3 **Interpretation**

Words indicating the singular number also include the plural, and vice-versa.

### 1.4 **Headings for Reference Only**

The headings of these Bylaws are for ease of reference only and shall not affect in any way the meaning or interpretation of the Bylaws.

### 1.5 **Bylaws Subject to Act and Regulation**

All provisions of these Bylaws are subject to the provision of the Act and Regulation, whether or not any provision of this Bylaw is expressly stated to be so subject. All terms which are contained in the Bylaws and which are defined in the Act or the Regulation shall have the meanings given to such terms in the Act or the Regulation.

### 1.6 **Objectives of the College**

The objectives of the College are to regulate the professions of speech-language pathology and audiology in Alberta pursuant to the Act and the Regulation and to administer and manage the affairs of the College in accordance with the Bylaws, Policies, Standards of Practice and Code of Ethics.



## **PART II**

### **REGISTRATION AND MEMBERSHIP**

#### **2.1 Categories**

Registration shall consist of all members of the College in a regulated member category. Membership shall consist of all members in a non-regulated member category.

#### **2.2 Regulated Member Categories**

The following Regulated Member categories are established in the College:

- 2.2.1 General Register Member;
- 2.2.2 Courtesy Member; and
- 2.2.3 Non-Practicing Member.

#### **2.3 General Register Member**

The category of registration in the College designated as General Register Member may be granted to a person who meets the following criteria:

- 2.3.1 the Member must have met the requirements for registration as a speech-language pathologist or audiologist as set out in the Act and Regulation;
- 2.3.2 the Member's fees, dues or levies in the College must be paid in full; and
- 2.3.3 the Member must complete the prescribed forms.

#### **2.4 Courtesy Register Member**

- 2.4.1 The Registrar may only approve registration on the appropriate courtesy register for the time necessary to complete the purpose for which courtesy registration is approved.
- 2.4.2 The Registrar must establish written guidelines establishing the purposed for which the Registrar would approve registration on the courtesy register.
- 2.4.3 The Registrar must publish the guidelines so that they are available to Council, members, and the public.
- 2.4.4 In order to publish or amend the guidelines, the Registrar must:
  - 2.4.4.1 provide the Council with a written copy of the intended guidelines at least one month before they are intended to take effect;
  - 2.4.4.2 take into consideration input from the Council before adopting a change; and
  - 2.4.4.3 when directed to do so, solicit feedback from the membership in any manner that the Council sees fit.

*(adopted and effective 11/2017)*

## 2.5 **Non-Practicing Member**

The category of registration in the College designated as Non-Practicing Member may be granted to a person who is not currently engaged in active professional practice and meets the following criteria:

- 2.5.1 the Member must have previously been registered as a speech-language pathologist or audiologist under the Act and Regulation;
- 2.5.2 the Member must not hold a current practice permit;
- 2.5.3 the Member's fees, dues or levies in the College must be paid in full; and
- 2.5.4 the Member must complete the prescribed forms.

## 2.6 **Non-Regulated Membership Categories**

Council may establish non-regulated membership categories. Council shall determine the conditions, terms and rights of these membership categories by Policy.

## 2.7 **Consideration and Decision-making Authority of the Registrar and Registration Committee**

On receipt of a complete application for registration and a practice permit, the Registrar shall:

- 2.7.1 Consider the application, make a decision under section 30 and section 40(2) of the Health Professions Act, and notify the applicant of the decision as soon as reasonably possible; or
- 2.7.2 Refer the application to the Registration Committee for further consideration and a decision as required by the Regulations or by discretion of the Registrar.

*(adopted and effective 09/2019)*

## 2.8 **Practice Permit Renewal**

- 2.8.1 A Regulated Member must submit a completed renewal application and fees for a Practice Permit for the coming year on or before December 1 of each year.
- 2.8.2 Upon receipt of a renewal application for a Practice Permit, the Registrar or designate must consider the application, make a decision and notify the applicant of the decision, unless the application has atypical characteristics. In this event, or if a decision has been made and the applicant wishes to have it re-considered, the application will be forwarded to the Registration Committee for their decision. The Registration Committee will be called together to review the decision in a timely manner, as reasonable circumstances will allow.

*(adopted and effective 01/2019)*

- 2.8.3 Persons who have not renewed their Practice Permit shall hold none of the privileges of a Regulated Member on the General or Courtesy Registers.

## 2.9 **Request to Transfer Membership Categories**

- 2.9.1 Transfer from the General Register to any other category of registration or membership may occur at any time during the membership year. A Member who wishes to transfer from the General Register to any other category of registration or membership must send such a request to the Registrar.
- 2.9.2 To transfer to the General Register from another registration or membership category, the Member shall make written application to the Registrar, pay the appropriate fees, dues or levies and must meet the current registration requirements. The Registrar may approve, deny or defer the request until the applicant meets the necessary requirements for transfer to the General Register.

## 2.10 **Cancellation of Registration and Practice Permit**

Registration or membership in the College may be cancelled:

- 2.10.1 The Registration Committee may direct the Registrar to cancel a regulated member's practice permit and registration on being satisfied that the member has not complied with conditions imposed in accordance with the *Health Professions Act* within the time specified.
- 2.10.2 The Competence Committee may direct the Registrar to cancel a regulated member's practice permit and registration on being satisfied that the member has not complied with conditions imposed for the completion of continuing competence program requirements within the time specified.

*(adopted and effective 06/2017)*

## 2.11 **Suspension of Registration or Membership**

Registration or membership in the College may be suspended:

- 2.11.1 upon the recommendation of the Hearing Tribunal pending the outcome of proceedings by the Hearing Tribunal with respect to the member's conduct;
- 2.11.2 as a result of disciplinary action;
- 2.11.3 as a result of nonpayment of fees; or
- 2.11.4 as a result of failure or refusal to comply with the requirements for registration or membership as stated in sections 2.3, 2.4, 2.5 or 2.6.

## **PART III**

### **REINSTATEMENT**

#### **3.1 Reinstatement of Registration – Regulated Members**

A former Regulated Member whose registration was cancelled under the Act, except for under Part 4 of the Act, may make application for reinstatement of registration, practice permit, or both, to the Registrar by submitting:

- 3.1.1 the prescribed form(s) required by Council;
- 3.1.2 reinstatement fees, dues or levies, as set by Council;
- 3.1.3 evidence of meeting the requirements for current qualifications, as stated in the Regulation;
- 3.1.4 any other required information or documents as determined by Council;
- 3.1.5 evidence of meeting the requirements for professional liability insurance and good character and reputation, as stated in the Regulation; and  
*(adopted and effective 06/2017)*
- 3.1.6 if the former member has a prior decision of the Hearing Tribunal on their record with the College, evidence satisfactory to the Registration Committee that all Orders of the Hearing Tribunal have been complied with or satisfied, or  
*(adopted and effective 06/2017)*
- 3.1.7 if the former member had conditions on their registration or practice permit when it was cancelled, evidence that they have complied with the conditions, or if they have not yet complied, acknowledgement that they will comply with the conditions within a specified time upon reinstatement.  
*(adopted and effective 06/2017)*

#### **3.2 Reinstatement Decision – Regulated Members**

As soon as reasonably possible, the Registrar or, at his/her discretion, the Registration Committee, shall consider an application for reinstatement and must:

- 3.2.1 approve the application; or
  - 3.2.1.1 defer approval of the application until the applicant has successfully completed any requirements prescribed by the Registrar or the Registration Committee; or
- 3.2.2 refuse the application.

### 3.3 **Approval, Refusal or Deferral – Regulated Members**

If the Registrar or the Registration Committee approves, refuses or defers an application for reinstatement of a former Regulated Member's registration, practice permit, or both, the Registrar or the Registration Committee must advise the applicant of the decision in the manner required by Policy and provide reasons for the decision.

### 3.4 **Reinstatement of Membership – Non-Regulated Members**

A former Non-Regulated Member whose membership was cancelled may make application for reinstatement to the Registrar by submitting:

- 3.4.1 the prescribed form(s) required by Council;
- 3.4.2 reinstatement fees, dues or levies set by Council; and
- 3.4.3 any other required information or documents as determined by Council.

### 3.5 **Reinstatement Decision – Non-Regulated Members**

As soon as reasonably possible, the Registrar or, at his/her discretion, the Registration Committee, shall consider an application for reinstatement and must:

- 3.5.1 approve the application; or
- 3.5.2 defer approval of the application until the applicant has successfully completed any requirements prescribed by the Registrar or the Registration Committee; or
- 3.5.3 refuse the application.
- 3.5.4 Approval, Refusal or Deferral – Non-Regulated Member

If the Registrar or the Registration Committee approves, refuses or defers an application for reinstatement of a Non-Regulated Member's membership, the Registrar or the Registration Committee must advise the applicant of the decision in the manner required by Policy and provide reasons for the decision.

## **PART IV**

### **REGISTERS AND RECORDS**

#### **4.1 Registers**

The Registrar shall maintain Registers for each of the regulated categories of General Register, Courtesy Register and Non-Practicing Member for both speech-language pathologists and audiologists, and for non-regulated membership categories.

#### **4.2 Information on Register of Regulated Members**

Council shall establish by Policy all information that must be contained on the Register of regulated members. The Policy shall state all information required in accordance with the Act and Regulation, as well as all additional information required by the College.

#### **4.3 Information on Register of Non-Regulated Members**

Council shall establish by Policy all information that must be contained on the Register for each category of Non-Regulated Members.

#### **4.4 Form of Registers**

The Registers established under the Act, Regulation and Bylaws may be maintained in a written form or by means of an electronic record or otherwise.

#### **4.5 Amending Information**

No information on the Registers may be altered, amended, deleted or added to except in accordance with the direction of the Registrar or his/her designate.

#### **4.6 Copy of Information**

Upon written request, a Member shall be given a copy of the appropriate Register that relates to that Member.

## **PART V**

### **PRIVILEGES OF MEMBERS**

#### **5.1 Privileges of Regulated Members on the General Register**

Regulated Members on the General Register may:

- 5.1.1 use the profession-specific titles/abbreviations protected in the Act;
- 5.1.2 vote on matters affecting the College;
- 5.1.3 be elected to fill a voting position on Council;
- 5.1.4 be appointed as a member of statutory committees of the College (e.g., Registration Committee, Competence Committee);
- 5.1.5 be appointed as a member of a Hearing Tribunal or a Complaint Review Committee; and
- 5.1.6 exercise any other rights or privileges given to them, as stated in the *HPA*.

#### **5.2 Privileges of Regulated Members on the Non-Practicing Register**

Regulated Members on the Non-Practicing Register shall be entitled to all privileges and services of the College, including the right to:

- 5.2.1 use the profession-specific titles/abbreviations protected in the Act, followed by “Non-Practicing” in parentheses;
- 5.2.2 vote on matters affecting the College;
- 5.2.3 be elected to fill a voting position on Council;
- 5.2.4 be appointed as a member of statutory committees of the College (e.g., Registration Committee, Competence Committee);
- 5.2.5 be appointed as a member of a Hearing Tribunal or Complaint Review Committee; and
- 5.2.6 exercise any other rights or privileges given to them, as stated in the *HPA*.

#### **5.3 Privileges of Regulated Members on the Courtesy Register**

Regulated Members on the Courtesy Register may:

- 5.3.1 use the profession-specific titles/abbreviations protected in the Act; and
- 5.3.2 exercise any other rights or privileges given to them, as stated in the *HPA*.

#### 5.4 **Privileges of Non-Regulated Members**

Non-Regulated Members may:

5.4.1 access resources and services provided by the College, as permitted in policy; and

5.4.2 exercise any other rights or privileges given to them, as stated in the *HPA*.

*(adopted and effective 03/2020)*

## **PART VI**

### **OBLIGATIONS OF MEMBERS**

#### 6.1 **Comply with Legislated Acts, Regulation and Bylaws**

Each Member shall comply with Legislated Acts, including the *Health Professions Act*, the Regulation and these Bylaws.

#### 6.2 **Pay Fees**

Each Member shall pay to the College all fees, dues and levies assessed on the Member together with any penalties as may be approved or as established in these Bylaws.

#### 6.3 **Comply with Requirements of the Continuing Competence Program**

Each Member shall comply with the requirements of the Continuing Competence Program.

#### 6.4 **Provide Information for Register or Record**

Each Member shall provide to the Registrar any information identified in the Act, Regulation and Bylaws that is to be contained in the Register for that Member.

#### 6.5 **Maintain Information**

Each Member shall advise the Registrar of any changes to the information contained in the Register with respect to that Member within a reasonable time of such change.

#### 6.6 **Answer Practice or Discipline Inquiries**

Any Member that is required to appear before or reply to inquiries from any person or committee, tribunal or panel authorized under the Act shall appear when directed to do so and reply to all inquiries promptly and forthrightly and to the best of their knowledge.

#### 6.7 **Ethical and Professional Conduct**

Members shall at all times conduct themselves in accordance with the Code of Ethics, Standards of Practice and Advisory Statements of the College.



## **PART VII**

### **FEES, DUES AND LEVIES**

#### **7.1 Fees**

Council shall:

- 7.1.1 set amounts of the fees for Practice Permits and the different categories of registration and membership;
- 7.1.2 set initial registration application fees; and
- 7.1.3 create Policies establishing the time for a Member to pay the fees and set terms and conditions that Council deems appropriate.

#### **7.2 Changing Categories of Membership**

If the fee for the category of membership the Member is transferring to is higher than the fee for the category of membership the Member is transferring from, then the Member shall pay an additional fee for the category of membership the Member is transferring into. Notwithstanding the above, the total membership fees paid by a Member in a membership year shall not exceed the fees set for that year in the category of membership with the highest fees of all the categories of membership in which the Member was enrolled during the membership year in question.

#### **7.3 Failure to Make Assessment**

The omission, failure or inability of Council, before the expiration of any fiscal year, to fix the assessments for that or for the next year, shall not be deemed a waiver or modification in any respect of the provisions of these Bylaws, or release the Member or Members from their obligations to pay the fees for that or any subsequent year, but the fees fixed for the preceding year shall continue until new fees are fixed.

#### **7.4 Determine Fees**

Council shall determine the fees and publish any changes to fees sixty (60) days prior to the renewal date.

- 7.4.1 Registration Application Fees - A fee shall be assessed and charged for investigation and processing for every person that applies for registration. A fee may be charged each time that an individual applies for registration or requests a review of a refused application.
- 7.4.2 Registration and Practice Permit Renewal Fees – Registration and Practice Permit renewal fees shall be assessed annually.
- 7.4.3 Membership Fees – A fee shall be assessed annually for non-regulated membership categories.
- 7.4.4 Appeal Fees – Council may establish reasonable fees for initiating any appeal of a decision of the College. Council may choose to reimburse the Appeal Fee in the event that the appeal is determined to be valid.
- 7.4.5 Other Fees - Additional registration or Practice Permit fees for specific situations may be assessed if done so as established by Council in Policy.

7.4.6 Special Assessment – If the amounts estimated in the budget for the annual assessment prove inadequate for any reason, Council may levy a further fee or such further fees as required.

7.4.7 A fee structure to accommodate new graduates may be established by Council.

## 7.5 **Due Date**

7.5.1 Registration application fees are due upon application to the College.

7.5.2 Practice Permit renewal and membership fees for the coming year are due on or before December 1 of each year.

7.5.3 Special assessments are due when determined by Council.

7.5.4 Each Member shall receive (30) days notice before payment is due in the manner established in Policy.

## 7.6 **Failure to Pay Fees**

7.6.1 Members shall pay all fees, dues and levies.

7.6.2 The Registrar may refuse registration, may suspend or may cancel the registration and/or practice permit of any Regulated Member who does not pay their annual fees or special assessment when due.

7.6.3 Members who have not paid their annual assessment by December 1 in any year or who default on any other fees, dues or levies shall be given notice that their registration and practice permit shall be cancelled if the required fees are not paid within thirty (30) days of the notice being sent.

7.6.4 The Registrar may refuse membership of any Non-Regulated Member who does not pay their annual fees or special assessment when due. Non-Regulated Members who have not paid their annual assessment by December 1 in any year, or who default any other fees, dues or levies, shall be given notice that their membership shall be cancelled if the required fees are not paid within thirty days of the notice being sent.

## 7.7 **Refunds**

No Member is entitled to a refund of fees, dues or levies of any type for any reason, except as set out in the annual fee structure approved by Council.

## **PART XIII** **DUTIES AND POWERS OF THE COLLEGE**

The College is a corporation under the Act and shall carry out its activities pursuant to the Act in a manner that protects and serves the public interest.

## 8.1 **Governance**

The College shall be governed by Council in accordance with the Act, Regulation, Bylaws and Policies of the College.

## 8.2 **Collect Fees**

The College shall collect and receive all fees, dues and levies assessed and paid by Members in accordance with Part VII of these Bylaws.

## 8.3 **Deposit and Invest Funds**

The College shall deposit or invest all monies collected in any of the following, as established by Council in Policy.

- 8.3.1 A chartered bank, trust company, or province of Alberta Treasury Branch so long as all monies deposited or invested in each institution are insured against loss by the Canadian Deposit Insurance Corporation;
- 8.3.2 Securities, the payment of the principal and interest of which is guaranteed by the Government of Canada or the government of a province of Canada.

## 8.4 **Pay Accounts**

The College is entitled to make use of all revenues received from registration and membership fees and other sources to carry out the affairs and activities on behalf of the College.

## 8.5 **Borrowing**

The College may borrow, raise, or secure the payment of money in such manner as Council may think fit and grant such security as may be required.

## 8.6 **Retain Documents**

The College shall ensure proper retention and destruction of contracts, agreements, certificates, approvals and other valuable documents in the possession of the College in accordance with legislation and as established by Council in Policy.

## 8.7 **Charge Fees for Documents**

The College may charge a reasonable fee to the Person they provide any document to for the expense the College incurs in producing and providing any documents required under the Act, Regulation or these Bylaws.

## 8.8 **Maintain Insurance**

The College shall at all times keep and maintain in force:

- 8.8.1 physical damage insurance on assets of the College to the full replacement value thereof without deduction for depreciation;

8.8.2 general liability insurance, directors and officers insurance and all other forms of insurance as established by Council in Policy.

8.9 **Benefit Programs**

The College may provide awards and establish scholarships, fellowships or any other educational incentive or benefit program considered appropriate on behalf of the College.

8.10 **Seal of the College**

The College shall have a seal, which shall have inscribed thereon "Alberta College of Speech-Language Pathologists and Audiologists". The seal shall be kept in the custody of the Registrar of the College on behalf of the College.

## **PART IX**

### **COUNCIL**

#### **9.1 Duties and Powers**

Council shall:

- 9.1.1 govern the College, exercising all of the powers and duties granted to a governing Council under the Act;
- 9.1.2 establish the governance Policies of the College; and
- 9.1.3 operate within the terms and conditions of the Act, Regulation, Bylaws and Policies.

#### **9.2 Composition of Council**

The number and manner of selection of the members of Council shall be as follows:

- 9.2.1 six (6) regulated members selected in accordance with these bylaws, at least one (1) of whom must be a member of each profession regulated by the College.
- 9.2.2 Six (6) public members appointed in accordance with the Act.
- 9.2.3 All members of Council shall be voting members.  
*(adopted and effective 01/2019, revised 11/2020 and effective 04/2021)*

#### **9.3 Procedure for the Selection of Members of Council**

- 9.3.1 When there is a deficiency in the number of regulated members on Council, the vacancy or vacancies shall be filled in accordance with these bylaws.
- 9.3.2 Where there is a deficiency in the number of appointed public members on Council, the vacancy or vacancies shall be identified to the Minister of Health at the earliest possible opportunity.  
*(adopted and effective 01/2019, revised and effective 11/2020)*

#### **9.4 Nominations Committee**

- 9.4.1 Council shall appoint a Nominations Committee composed of at least two Members who are on the General Register on or before July 1<sup>st</sup> of each year.  
*(adopted 07/2002, revised and effective 06/2017)*

## 9.5 **Nominations**

9.5.1 Nominations will be held in years when there is at least one vacancy or at least one vacancy is anticipated for the coming term among the regulated members of Council.

9.5.2 Each Member entitled to vote may send in nominations to the Chair of the Nominations Committee. Each nomination must be endorsed by at least three Members entitled to vote, together with the nominated person's consent to act if elected.

*(adopted 07/2002, revised and effective 11/2020)*

## 9.6 **Eligibility**

A Member is eligible for election to Council if that Member:

9.6.1 is in the General Register registration category;

9.6.2 is not currently subject to any proceedings under Part 4 of the ACT or a similar provision under a similar enactment in any other jurisdiction;

9.6.3 is not currently serving as a director, officer, or employee of a related professional association or labour union;

9.6.4 is a member in good standing, has paid all outstanding dues and fees, and has completed the requirements of the Continuing Competence Program;

9.6.5 is not currently the subject of any criminal or civil action that would harm the integrity or reputation of the Council, the College, or the professions; and

9.6.6 has not previously had a finding against them in any professional conduct, criminal, or civil action that would harm the integrity or reputation of the Council, the College, or the professions.

*(adopted and effective 01/2019)*

## 9.7 **Nominations for Members of Council**

The Nominations Committee will endeavor to ensure that a minimum of one Member of Council is a speech-language pathologist and one Member of Council is an audiologist whenever possible.

## 9.8 **Close of Nomination**

In years when nominations are held, the closing date shall be on or before September 15<sup>th</sup> of that year, after which no further nominations shall be received.

*(adopted 07/2002, revised and effective 06/2017, revised and effective 11/2020)*

## 9.9 **Lack of Nominations**

In years when nominations are held, if at the closing date of nominations there are fewer candidates nominated than vacancies to be filled, the Council may nominate one or more Regulated Members to be a candidate for election to Council at any time prior to the closing of the polls. Failure to advise Members of such a nomination shall not disqualify any candidate so nominated.

*(adopted 07/2002, revised and effective 06/2017, adopted and effective 01/2019, revised and effective 11/2020)*

## 9.10 **Acclamation**

- 9.10.1 If, on the date nominations close, there is only one candidate nominated for a vacancy on Council, the Chair of the Nominations Committee shall declare the nominee for that office or position elected by acclamation and no vote for these offices or positions is required to be held.
- 9.10.2 If a shortage of candidates for one profession would result in a violation of the profession-specific provisions of 9.2.1, and there is one candidate nominated from the underrepresented profession, the Chair of the Nominations Committee shall declare that candidate elected to fill one vacancy on Council such that 9.2.1 is satisfied.

*(adopted 07/2002, revised 09/2015, revised and effective 06/2017, revised and effective 01/2019, revised and effective 11/2020)*

## 9.11 **Voting Procedure**

- 9.11.1 Elections will be held in years when nominations have been held and there is at least one more candidate for Council than the number of vacancies or anticipated vacancies for the coming term among the regulated members of Council.
- 9.11.2 The Chair of the Nominations Committee must supervise and administer all Council elections and may establish procedures, consistent with these Bylaws for that purpose. In the event of any irregularity or dispute with respect to any nomination, ballot or election, the decision of the Chair of the Nominations Committee is final. The decision must be announced to the membership by means approved by Council.
- 9.11.3 In years when elections are held, the polls shall be open for a period of at least 30 calendar days and shall close by October 15 of that year.
- 9.11.4 Except as provided for in 9.11.5, the candidate who received the most votes will be declared the winner of the first vacancy on Council, the candidate who receives the second-most votes will be declared the winner of the second vacancy, and so on until all vacancies on Council are filled;
- 9.11.5 If following the process described in 9.11.4 would result in a violation of the profession-specific provisions of 9.2.1, the member of the underrepresented profession who received the most votes will be declared the winner of one of the vacant spots such that 9.2.1 is satisfied.

*(adopted 07/2002, revised 09/2015, revised and effective 06/2017, adopted and effective 01/2019, revised and effective 11/2020)*

## 9.12 **Tie Votes**

In the case of a tie vote, the Chair of the Nominations Committee must decide between the tied candidates by lottery.

## 9.13 **Ballots**

The Chair of the Nominations Committee shall destroy all of the ballots as soon as possible after the announcing the results of the election.

*(adopted 07/2002, revised 09/2015, revised and effective 06/2017)*

## 9.14 **Shortage of Members of Council**

If, at an election of Members of Council, all vacancies on Council are not filled, the Members elected to Council may appoint the additional Members of Council required to meet the minimum number of Members required under these Bylaws.

## 9.15 **Term of Office**

9.15.1 The term of office for an elected Member of Council is three (3) years.

9.15.2 A member of council is eligible for a maximum of two (2) consecutive terms.

9.15.3 The newly-elected, acclaimed, or appointed members of Council shall take office at the commencement of the next fiscal year and shall hold office until the expiry of their term.

9.15.4 The term limit described in subsection 9.15.3 does not apply to a member appointed by Council due to a shortage of council members in accordance with Section 9.14.

9.15.5 Elections shall be conducted so that as close as possible to 1/3 of the positions come up for election each year.

9.15.6 Nothing in this section shall apply to members of the public appointed to Council by the Lieutenant Governor in Council. The terms of office for public members are specified by Orders in Council and by applicable legislation.

Transitional

9.15.7 On the coming into force of Section 9.15, the sitting members of the Council

- a) who were elected to a two (2) year term may choose to extend their current term to three (3) years by providing notice to the chair of the Nominations Committee, and
- b) who were eligible to run for three (3) consecutive terms when they were first elected may be nominated for to a third term on Council, notwithstanding subsection 9.15.2.

*(adopted 07/2002, revised 09/2015, revised and effective 06/2018)*



## 9.16 **Vacancy**

Where a vacancy occurs on Council, the following shall apply:

- 9.16.1 If there are more than 18 months left in the vacated council member's term, the remainder of the term shall be filled during the next regularly scheduled election.
- 9.16.2 If there are less than 18 months left in the vacated Council member's term, the Council may fill the remainder of the term by appointment, or they may choose to leave that office vacant unless such vacancy results in less than six (6) regulated members on Council.
- 9.16.3 Notwithstanding subsection 9.15.3, a newly-elected, acclaimed, or appointed person shall start their term on Council at the earliest reasonable opportunity and shall continue to hold office until the expiry of their term.

*(adopted 07/2002, revised 09/2015, revised and effective 06/2018)*

## 9.17 **Resignation from Council or Deemed Vacancy**

- 9.17.1 The position of an elected Member of Council shall be resigned if the Member of Council resigns at any time by delivering a notice in writing to the President or designate; the resignation shall take effect immediately upon receipt of the notice.
- 9.17.2 The position of an elected Member of Council shall be deemed to be vacant if the Member:
  - 9.17.2.1 becomes insolvent or falls into arrears greater than thirty (30) days in payment of any fees, dues or levies assessed by the College;
  - 9.17.2.2 is found in contravention of the Act, the Regulation, or these Bylaws;
  - 9.17.2.3 becomes of unsound mind, mentally incompetent or dies;
  - 9.17.2.4 is convicted of an indictable offence;
  - 9.17.2.5 moves from a regulated to a non-regulated category of membership; or
  - 9.17.2.6 is absent from two (2) meetings of Council per fiscal year without permission of Council and it is resolved at a subsequent meeting of Council that the Member of Council's position be vacated.

## 9.18 **Removal from Council**

- 9.18.1 The members of the College may, by special resolution at a General Meeting, remove any Member of Council from Council. A vacancy created by the removal of a Member of Council may be filled at the General Meeting at which the Member is removed.
- 9.18.2 Members of the College who are entitled to vote may requisition a Special General Meeting of the College for the purpose of removing any Member of Council from Council in the manner prescribed for requisitioning meetings set out in these Bylaws.

## 9.19 **Election of Officers**

- 9.19.1 Council shall elect annually, from among the College's currently elected Members of Council, a President and a Vice President.
- 9.19.2 The election of Officers shall occur prior to announcing the results of the election.  
*(adopted 07/2002, revised 09/2015, revised and effective 06/2017)*
- 9.19.3 The term of office for an Officer shall be for the duration of one fiscal year.
- 9.19.4 An officer may be re-elected by Council as many times as is allowed by the term of office for a Member of Council, as defined in Bylaws.

## 9.20 **President**

The President shall:

- 9.20.1 be a Regulated Member of the College;
- 9.20.2 attend meetings of Council;
- 9.20.3 be the chief elected officer of the College and, as such, shall exercise general supervision and administration over the governance of the College;
- 9.20.4 preside over General Meetings and meetings of Council and shall be Chair of such meetings;
- 9.20.5 serve as or designate a Member of Council as a non-voting member of all committees of Council except for the Complaint Review Committee and Hearing Tribunals and panels thereof;
- 9.20.6 have a casting vote to decide any question before the College or Council where there is a tie vote other than the election of Members of Council; and
- 9.20.7 perform all other duties that may be prescribed by Council.

## 9.21 **Vice President**

The Vice President shall:

- 9.21.1 be a Regulated Member of the College;
- 9.21.2 attend meetings of Council;
- 9.21.3 in the absence or disability of the President, or if the President requests, perform the duties and exercise the powers of the President;
- 9.21.4 automatically succeed to the office of President in the event of the disqualification or resignation of the President;
- 9.21.5 oversee various committees designated by Council; and
- 9.21.6 perform all other duties as assigned by Council.

## 9.22 **Member of Council**

A Member of Council shall:

- 9.22.1 be a Regulated Member of the College;
- 9.22.2 attend meetings of Council; and
- 9.22.3 perform other duties as assigned by Council.

## 9.23 **Public Members on Council**

- 9.23.1 Council shall prescribe the duties of the Public Members on Council, subject to the Act; and
- 9.23.2 Public Members shall be entitled to vote on every matter before Council.

## 9.24 **Indemnification of Members, Employees and Others**

The College shall indemnify every Member of Council, Registrar, Committee member, officer or employee and their heirs, executors and administrators against all losses, costs and expenses, including solicitor and client fees, reasonably incurred by her/him for every act done in good faith, honestly and in the best interests of the College, in connection with any actions, suit or proceeding to which she/he may be made a party by reason of her/his being or having been a Member of Council, Registrar, officer or employee of the College except to the extent such losses, costs and expenses are attributable to the negligence or willful misconduct of the party in question. All liability, losses, damages, costs and expenses incurred or suffered by the College by reason of, or arising out of, or in connection with the foregoing indemnification provision shall be treated and handled by the College as an expense of the College.

## **PART X**

### **POWERS OF COUNCIL**

#### **10.1 Governing the College**

In accordance with the Act, Council shall manage and conduct the business and affairs of the College and exercise the rights, powers and privileges of the College in the name of and on behalf of the College.

#### **10.2 Employ Registrar**

Council shall appoint a Registrar for the purposes of the Act. The Registrar shall perform duties of the College, subject always to the control and direction of Council of the College in accordance with the Act, Regulation, Bylaws, and Policies.

10.2.1 Council may appoint an Interim Registrar to perform the duties, powers and functions of the Registrar when the Registrar is absent or unable to act, or when there is a vacancy in the office of the Registrar.

10.2.2 Council shall enter into a contract with the Registrar which shall specify terms and conditions of employment.

10.2.3 Council shall complete a performance review of the Registrar at least once annually. The Registrar's contract and remuneration shall also be reviewed at that time.

10.2.4 Council shall establish a position description for the position of Registrar.

#### **10.3 Delegate Powers**

Council may delegate to persons, committees or employees such of its powers and duties as it thinks fit, except the power to make Regulations or Bylaws and to adopt a Code of Ethics or Standards of Practice, and at any time revoke such delegation.

#### **10.4 Appoint Members to Committees or Boards**

Council shall appoint members to the committees and boards established under the Act, Regulation and these Bylaws and shall designate the Chair, Vice Chair and their alternates, if necessary, of all such committees and boards.

#### **10.5 Approve Programs**

Council shall establish and maintain, for the purposes of registration, a register of approved university programs.

## **PART XI**

### **DUTIES OF COUNCIL**

#### **11.1 Keep Minutes**

Council shall cause minutes to be kept of its proceedings and meetings which shall be kept in the office of the College.

#### **11.2 Determine Policies**

Council shall determine and approve Policies of the College. Copies of Policies will be provided to regulated members upon request.

#### **11.3 Signing Authority**

Signing authority for the College shall be established by Council in Policy.

#### **11.4 Financial Oversight**

11.4.1 Council shall exercise oversight of the financial affairs of the College.

11.4.2 Council shall cause proper books of accounts to be kept in respect of all sums of money received and expended by the College.

11.4.3 Council shall cause to be prepared proper accounts relating to all monies of the College for each Annual General Meeting.

11.4.4 The financial records and accounts of the College shall be audited at least once per year. Council shall make available copies of the report of the auditor to Members as part of the Annual Report. Council shall appoint an auditor by October of each year.

11.4.5 Council shall enact Policies to guide the financial operations of the College.

#### **11.5 Determine Fees**

Council shall determine the fees to be collected from the Members for the governance, management and conduct of the College affairs.

#### **11.6 Appointments**

Council must provide for the appointment of:

11.6.1 a Hearings Director;

11.6.2 a Complaints Director; and

11.6.3 members to a membership list consisting of no less than four (4) Members from the General Register to be used for appointing members to both Hearing Tribunals and Complaint Review Committees.

## 11.7 Hears Appeals

11.7.1 Council or a panel of Council hears appeals of the following:

- i) registration decisions;
- ii) practice permit renewal decisions;
- iii) decisions of hearing tribunals; and
- iv) directives with respect to assessing the potential incapacity of a Regulated Member.

11.7.2 Council may arrange for a panel comprised of Members of Council to hear appeals pursuant to Part 4 of the Act.

## 11.8 Conflict of Interest

Council shall establish a conflict of interest Policy for Members of Council.

## 11.9 Code of Ethics and Standards of Practice

11.9.1 Council shall approve and adopt a Code of Ethics and Standards of Practice for the professions of speech-language pathology and audiology following an internal and external stakeholder validation process<sup>1</sup>.

- Internal validation will be completed by regulated members entitled to vote (members on the general register and non-practicing members).
- Council will consider the feedback that has been obtained via internal and external validation prior to final approval of draft documents.

11.9.2 The Code of Ethics will undergo a review process at least every 7 years, or as required, based on new or revised legislation, and/or any new or impending changes in practice impacting professional ethics and conduct.

11.9.3 Individual Standards of Practice will be reviewed, as required, to address new or impending changes in professional practice. Other document/policy development work may also necessitate changes to Standards.

*(adopted and effective 03/2020)*

## 11.10 Compensation

Members of Council shall be eligible for compensation and reimbursement when conducting college business. Procedures for compensation and reimbursement are established by Council in Policy.

## 11.11 Enforcement

Council shall, without limitation of its other duties and powers, exercise and perform the powers and duties of the College for enforcement of the Bylaws as provided herein.

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<sup>1</sup>External validation will be completed by Alberta Health in accordance with the HPA.

## **PART XII**

### **GENERAL MEETINGS OF THE COLLEGE**

*(adopted 07/2002, revised 09/2015, repealed 06/2017)*

## **PART XIII**

### **MEETINGS OF COUNCIL**

#### **13.1 Regular Council Meetings**

A Regular Council Meeting is any meeting of Council for which two weeks notice is provided to Members of Council and to Members. Notice shall be provided in the manner required as established by Council in Policy.

- 13.1.1 Council may establish a regular time and place for its meetings. A copy of any resolution by which it is determined to hold such periodic meetings shall be sent to each Member of Council. No other notice is required for any such periodic meeting, except where these Bylaws require the purpose of the meeting or the business to be transacted at the meeting to be specified.
- 13.1.2 Council shall, at least three (3) times per year, conduct a Regular Council Meeting to transact the College's business.
- 13.1.3 If Council changes the date, time, or place of a regular Council meeting, it must provide at least 48 hours notice of the change.

#### **13.2 Special Council Meetings**

A Special Council Meeting is any meeting of Council for which the notice requirement of a regular meeting set in section 13.1 of these Bylaws has not been met.

- 13.2.1 Special meetings of Council may be called by, or at the request of, the President or any three (3) Members of Council. The person or persons who call a special meeting may designate any place within the province of Alberta as the place for holding any special meeting of Council. At any Member of Council's request, that meeting may take the form of a conference call.
- 13.2.2 Notice of the time, date and place of a special meeting of Council shall be given to each Member of Council not less than forty-eight (48) hours before the time when the meeting is to be held.
- 13.2.3 A special meeting may be held with less than forty-eight (48) hours notice if 2/3 of the whole Council agrees to this in writing before the beginning of the meeting.
- 13.2.4 Special Council Meetings shall be considered an emergency provision to address specific matters which are time dependent, and cannot wait for a Regular Council Meeting. The matter or matters to be discussed shall be stated within the notice calling the Special Council Meeting.
- 13.2.5 No other matter other than that stated in the notice calling the Special Council Meeting may be transacted at the meeting.

### 13.3 **Procedural Policy**

Council shall establish a Procedural Policy which addresses:

- 13.3.1 parliamentary rules;
- 13.3.2 determining the meeting Chair;
- 13.3.3 voting procedures; and
- 13.3.4 rules governing distance attendance.

### 13.4 **Quorum**

- 13.4.1 No substantive business shall be transacted by the Council unless a quorum is present.
- 13.4.2 A quorum for a meeting of Council consists of one-half (1/2) of the current members of Council or, where one-half is not a whole number, the whole number which is closest to and greater than one-half.
- 13.4.3 A quorum for a Council committee consists of one-half (1/2) of the current members of the committee unless a different quorum is specified in the committee's terms of reference or other record specifying the committee's composition.
- 13.4.4 A quorum for hearing and deciding an appeal under Part 4 or a review under Part 2 of the Act is two Council members.
- 13.4.5 The ability of Council, Council committees, and Council panels to conduct substantive business shall not be affected by the absence of public members if there are no public members able or available to serve, except as provided for in section 12 or elsewhere in the Act.

*(adopted 07/2002, revised and effective 11/2020)*

### 13.5 **Written Resolutions**

A written resolution of Council signed by all Members of Council entitled to vote has the same effect as a resolution of Council adopted at a meeting of Council duly convened and held.

### 13.6 **Members May Attend Council Meetings**

Members are entitled to attend Council meetings, except for any part in a meeting that is held In Camera.

- 13.6.1 The College shall notify Members of Council meetings as established by Council in Policy.
- 13.6.2 Members shall be entitled to make brief scheduled submissions respecting relevant matters during the portion of the agenda when new business is dealt with or when Council solicits submissions.
- 13.6.3 Rules governing Member submissions shall be established by Council Policy.
- 13.6.4 Members are not entitled to vote.



## **PART XIV**

### **REGULATORY COMMITTEES AND TRIBUNALS**

Regulatory Committees and Tribunals are established pursuant to the Act.

#### **14.1 Terms of Reference**

14.1.1 Council shall establish a Terms of Reference for all Regulatory Committees and Tribunals which define:

- 14.1.1.1 Composition;
- 14.1.1.2 Roles and responsibilities;
- 14.1.1.3 Procedural guidelines; and
- 14.1.1.4 Reporting requirements.

#### **14.2 Removal from a Regulatory Committee or Tribunal**

Council may remove any committee Chair or member of a regulatory committee, with the exception of Public Members, as deemed necessary.

## **PART XV**

### **CONTINUING COMPETENCE**

#### **15.1 Mandate**

Council shall establish and operate a continuing competence program in accordance with the Act and Regulation. Participation in the continuing competence program is a requirement for all Regulated Members on the General Register and is a requirement for renewal or reinstatement of a Practice Permit.

## **PART XVI**

### **PUBLICATION OF INFORMATION**

#### **16.1 Publication of Information Respecting a Complaint or Ratified Settlement**

The Registrar (or delegate) may publish information concerning scheduled hearings of Hearing Tribunals or scheduled appeals to be heard by Council. The information may include the date and time of the hearing or appeal and may include the name of the registered member, the allegations, or a summary of the allegations.

*(adopted 07/2002, revised and effective 09/2020)*

## 16.2 **Publication of Information on Orders of Hearing Tribunals**

Subject to sections 119(1), 135.92, 135.93, the Registrar (or delegate) has authority to publish or distribute decisions by Hearing Tribunals and panels of Council (in whole or in part) in which there is a finding of unprofessional conduct as permitted or required by the *Health Professions Act* and shall include the investigated person's name.

If a decision of a Hearing Tribunal or panel of Council is under appeal, the Registrar (or delegate) has the discretion to either withhold publishing until all appeals are completed or, alternatively, to publish the decision but add a notation that the decision is under appeal. If a decision of a Council panel is appealed to the Court of Appeal, then a note on the outcome of the appeal shall be included with the publication of the Hearing Tribunal and panel of Council decision.

The publishing or distribution of decisions of Hearing Tribunals and Panels of Council come into effect on or after September 1, 2020.

*(adopted 07/2002, revised and effective 09/2020)*

## **PART XVII** **MISCELLANEOUS PROVISIONS**

### 17.1 **Severable**

The provisions hereof shall be deemed independent and severable, and the invalidity in whole or in part of any part of these Bylaws does not affect the validity of the remainder of the Bylaws, which shall continue in full force and effect as if such invalid portion had never been included herein.

### 17.2 **Amendment of Bylaws**

- 17.2.1 The Bylaws will be reviewed in the context of other policy or procedural work underway and any changes will be formally brought forth to the Council.
- 17.2.2 Council may send a Bylaw amendment to the membership by majority vote if it requires feedback. Consideration will be given to the circulation of proposed amendments that have a fundamental impact on members and their practice. Minor revisions that are administrative or organizational in nature will not require member review.
- 17.2.3 Council shall add to, amend or repeal, in whole or in part, the necessary Bylaw changes. The Council may consider input received from the members if such input was sought (17.2.2), provided that such input is received within timeframe specified.
- 17.2.4 Amendments of the Bylaws must be approved by Council.

*(adopted 07/2002, revised and effective 11/2019)*