

Alberta College of Social Workers

BYLAWS

APPROVED BY COUNCIL JUNE 10, 2011

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1. DEFINITIONS AND APPLICATION

- 1.1 These bylaws have been made by Council of the College and have been circulated to all members for comment prior to approval. These bylaws replace the bylaws previously in force which were rescinded at the time these bylaws came into force.
- 1.2 The following definitions shall apply to all parts of these bylaws:
 - 1.2.1 "Aboriginal Social Work Committee" means the committee established under these bylaws;
 - 1.2.2 "Act" means the *Health Professions Act* and any statute which may be passed in substitution for or replacement of such Act;
 - 1.2.3 "Annual General Meeting" means the Annual General Meeting of the College;
 - 1.2.4 "Approved Social Work Programs" means social work programs approved under provisions of the Health Professions Act or the Social Work Profession Act (1991);
 - 1.2.5 "Bylaws" means bylaws of the College made pursuant to the Act;
 - 1.2.6 "Clinical Committee" means the committee established under these bylaws;
 - 1.2.7 "Clinical Social Worker" means an individual approved to use the title Clinical Social Worker established under the regulations;
 - 1.2.8 "Code of Ethics" means the Code of Ethics adopted by Council;
 - 1.2.9 "College" means the Alberta College of Social Workers (ACSW);
 - 1.2.10 "Committee" means an ad hoc or standing committee established by Council
 - 1.2.11 "Council" means Council of the College;
 - 1.2.12 "Councillor" means an elected or appointed member of Council other than an officer;
 - 1.2.13 "Competence Committee" means a competence committee established under part 1 of the Act;
 - 1.2.14 "Complaint Review Committee" means a complaint review committee established under part 1 of the Act;
 - 1.2.15 "Complaints Director" means the complaints director of the College;
 - 1.2.16 "Continuing Competence Program" means a program of continuing competence provided for in the regulations;
 - 1.2.17 "Dual Role Relationship" means a professional social work relationship in addition to a present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative, or legal relationship;
 - 1.2.18 "Ex Officio Member" means an individual appointed to Council or a committee by virtue of office.
 - 1.2.19 "Finance Committee" means the finance committee established under these bylaws;
 - 1.2.20 "Former Act" means the Social Work Profession Act, 1991;
 - 1.2.21 "General Meeting" means Annual General Meetings and Special General Meetings of the College;
 - 1.2.22 "Hearings Director" means a hearings director appointed by Council for one or more hearings;
 - 1.2.23 "Hearing Tribunal" means a hearing tribunal established under Part 1 of the Act;
 - 1.2.24 "Bylaws and Policy Committee" means the Bylaws and Policy Committee established by Council under these bylaws.

- 1.2.25 "Member" means both regulated members and other members as defined in these bylaws;
- 1.2.26 "Membership Year" means the year specified on each member's practice permit or membership renewal form;
- 1.2.27 "Nominations and Recruitment Committee" means the Nominations and Recruitment Committee established by Council under these bylaws;
- 1.2.28 "Officers" means the Officers of the College pursuant to these bylaws who fill the offices of President, Vice President, Secretary and Treasurer;
- 1.2.29 "Other Member" means an individual who is a non-registered member in good standing of the College in any of the categories of membership prescribed in these bylaws;
- 1.2.30 "Panel" means a group of people selected from Council, a committee or a roster for the purposes of conducting business pursuant to the Act, regulations, or bylaws;
- 1.2.31 "Practice Permit" means a practice permit issued to a regulated member under Part 2 of the Act;
- 1.2.32 "Professional Social Work Education Board" means the board established under these bylaws;
- 1.2.33 "Professional Social Work Practice" is any activity as defined in the Scope of Social Work Practice under the Health Professions Act.
- 1.2.34 "Public Member" means a person appointed by the Lieutenant Governor in Council as a public member of Council, a hearing tribunal or a complaint review committee;
- 1.2.35 "Record" means the record of membership in the College of Other Members in categories which are not included in the Register, but which are established under these bylaws and maintained by the Registrar;
- 1.2.36 "Referendum" means any question put before the membership for a vote. A referendum may be conducted by mail-in ballot or electronic means;
- 1.2.37 "Register" means the Register of Registered Social Workers maintained by the Registrar;
- 1.2.38 "Registered Member" means an individual who is registered in any of the categories prescribed in the regulations;
- 1.2.39 "Registrar" means the Registrar appointed pursuant to the Act;
- 1.2.40 "Registration Committee" means a registration committee established under Part 1 of the Act;
- 1.2.41 "Regulated Member" means a person who is registered as a member under the regulations;
- 1.2.42 "Regulations" means the social worker regulations under the Act and every Regulation that may be substituted therefore;
- 1.2.43 "Seal" means the official seal of the College;
- 1.2.44 "Social Work" is any activity as defined in the Scope of Social Work Practice under the Health Professions Act;
- 1.2.45 "Special General Meeting" means a special General Meeting of the College called to consider only those items of business specified in the call of the meeting;
- 1.2.46 "Standards of Practice" means the standards adopted by Council;

2 **OBJECTIVES**

- 2.1 The Alberta College of Social Workers has the following objectives:
- 2.1.1 to fulfill the role of the College as mandated by the Health Professions Act, Section 3(1); and
 - 2.1.2 to promote skilled and ethical social work practice;
 - 2.1.3 to edit and publish materials concerning social work;
 - 2.1.4 to promote, develop, sponsor and provide continuing competence opportunities for members;
 - 2.1.5 to promote social justice through influencing social policy development and implementation as outlined in the Code of Ethics and referred to in the definition of social work and professional social work practice in these bylaws;
 - 2.1.6 to carry on other activities that promote social work as a profession; and
 - 2.1.7 any specific objectives which Council may from time to time adopt.

3 **GOVERNMENT OF THE COLLEGE**

(a) *respecting the governance of the college and the management and conduct of its affairs including the management and carrying out powers and duties by council, committees, tribunals, panels and other entities*

- 3.1 The College shall be governed by Council. 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. Council shall establish and revise policies and policy directions. Except as otherwise provided in these bylaws, and as directed in the Act, Council shall have full power to govern the operations and management of the College.
- 3.2 Council shall employ a Registrar of the College and such other staff or agents as Council may deem necessary to manage the affairs of the College.
- 3.3 The Registrar shall be a Registered Social Worker in good standing.
- 3.4 The appointment and remuneration of the Registrar shall be subject to annual review by Council.
- 3.5 The appointment and remuneration of other staff of the College shall be subject to annual review by the Registrar.
- 3.6 Council may delegate any of its powers and duties to an individual, panel or committee, except those powers and duties specified in Section 19 of the Act, and at any time may revoke such delegation.
- 3.7 A review of a decision by the Registrar, Registration Committee Clinical Committee, a Hearing Tribunal or Complaint Review Committee or Competence Committee shall be conducted by a panel consisting of three elected Council members and one public Council member.

- 3.7.1 A review panel may conduct one or more reviews.
- 3.7.2 A review panel may make recommendations to Council regarding policy changes based on the outcome of a review.

- 3.8 A review of a decision by the Clinical Committee shall be conducted by a panel consisting of three Council members, at least one of whom shall be a Clinical Social Worker. If there are no Clinical Social Workers on Council, a Clinical Social Worker who is not a member of Clinical Committee shall be appointed by Council to sit on the panel with the full authority of a Council member on the panel for the duration of the review.

- 3.9 Where a review is requested by an Aboriginal person, the review panel shall include a minimum of one Aboriginal social worker. If there are no Aboriginal social workers on Council, an Aboriginal RSW shall be appointed to the panel by Council with the full authority of a Council member on the panel for the duration of the review.

- 3.10 Council may establish an Aboriginal Social Work Committee consisting of 7 appointed members reflecting the diversity of Aboriginal social workers in Alberta and up to 3 ex-officio members and shall designate one of the regulated members as chair.
 - 3.10.1 The Aboriginal Social Work Committee shall act in an advisory capacity to Council on matters related to Aboriginal social work practice.
 - 3.10.2 The Aboriginal Social Work Committee reports to Council.
 - 3.10.3 Members of the Aboriginal Social Work Committee shall serve for a term of 2 years.
 - 3.10.4 Members of the Aboriginal Social Work Committee may serve a maximum of 3 consecutive full terms.

4 **DUTIES OF OFFICERS AND COUNCIL MEMBERS**

- 4.1 The following shall be the officers of the College:
 - 4.1.1 President
 - 4.1.2 Vice President
 - 4.1.3 Secretary
 - 4.1.4 Treasurer
 - 4.1.5 The officers form the Executive Committee of Council (EXCO) that has the role of reviewing Council meeting agendas, determining priorities and attending to arising matters requiring attention.

- 4.2 The President of the College shall:
 - 4.2.1 appoint a presiding officer (who may be themselves) to Chair General Meetings and Council Meetings ;
 - 4.2.2 sign all certificates of registration jointly with the Registrar;
 - 4.2.3 have a casting vote to decide any question before the College or Council where there is a tie vote with the exception of the election of Council members;

- 4.2.4 be an ex-officio member of all committees of the College except a hearing tribunal or complaint review committee;
- 4.2.5 perform such duties as may be agreed upon by Council from time to time.
- 4.2.6 serve as the external face of the College.

- 4.3 The Vice President shall:
 - 4.3.1 in the absence of the President, perform all functions of the President;
 - 4.3.2 perform such duties as may be agreed upon by Council from time to time.
 - 4.3.3 monitor the internal processes of Council.

- 4.4 The Secretary shall:
 - 4.4.1 keep minutes of all meetings of the College and Council;
 - 4.4.2 conduct correspondence of Council and College as directed by the President or Council;
 - 4.4.3 prepare and present such reports as may be prescribed by Council;
 - 4.4.4 perform such duties as may be agreed upon by Council from time to time.

- 4.5 The Treasurer shall:
 - 4.5.1 ensure that reports of the financial affairs of the College are prepared and presented to Council as may be prescribed by Council;
 - 4.5.2 chair the Finance Committee;
 - 4.5.3 perform such duties which may be agreed upon by Council from time to time.

- 4.6 The duties of Ex-Officio members will be prescribed by Council.
- 4.7 The duties of Councillors will be prescribed by Council.
 - 4.7.1 Council members shall serve to promote the best interests of the College and the Council.
 - 4.7.2 Council members have a responsibility to protect the confidentiality of information acquired through their duties.
 - 4.7.3 A Council member may serve as a liaison with regulatory committees and other committees.

- 4.8 Council shall belong to such organizations and bodies: shall appoint representatives to; and shall stipulate such reporting requirements; as may be seen fit by Council.

- 4.9 The seal of the College, whenever used, shall be authenticated by the signatures of any two of the President, Vice President, Secretary, Treasurer, or Registrar of the College.

5 **FINANCES**

- 5.1 Council shall set the fiscal year of the College.

- 5.2 The signing officers of the College shall be any two (2) of the President, Vice President, Secretary, Treasurer or Registrar and anyone else Council may designate from time to time by resolution.
- 5.3 The funds of the College shall be deposited or invested in any of the following:
- 5.3.1 A chartered bank or trust company selected by Council so long as all monies deposited or invested in each institution are insured against loss by the Canadian Deposit Insurance Corporation;
 - 5.3.2 Securities of the Government of Canada, the Government of any Province of Canada, any municipal corporation in any Province of Canada, the Government of the United Kingdom or the Government of the United States;
 - 5.3.3 Securities, the payment of the principal and interest of which is guaranteed by the Government of Canada, the Government of a Province of Canada, a municipal corporation in any Province of Canada, the Government of the United Kingdom or the Government of the United States.
- 5.4 Council may borrow money for any purpose connected with the objectives of the College and give security by mortgage, charge or otherwise.
- 5.5 The financial records of the College shall be audited annually by auditors appointed at the Annual General Meeting.
- 5.6 The College shall present a completed audited statement at the Annual General Meeting in each year covering the fiscal year immediately concluded.
- 5.7 A Council member shall not have any financial interest, direct or indirect, in:
- 5.7.1 any contract or proposed contract with the College; or
 - 5.7.2 any contract or proposed contract that is reasonably likely to be affected by a decision of Council; or
 - 5.7.3 any other matter in which Council is concerned; unless the interest is disclosed to Council and made a matter of record prior to the contract or matter being entered into.
- 5.8 A Council member having an interest pursuant to section 5.7 and who has declared this interest as required shall not vote or use her/his influence on the matter in question and shall not be counted in determining a quorum for the vote on that matter, and the minutes of the meeting shall reflect such disclosure, abstention from voting and change in quorum.
- 5.9 Council may establish a Finance Committee to make recommendations on financial matters.

6 APPOINTMENTS TO REGULATORY POSITIONS AND COMMITTEES

(b) respecting the appointment, election, establishment and removal of officers, employees, committees, tribunals, panels and other entities and their members, and their powers and duties

- 6.1 The College members on all regulatory committees, boards or other entities shall be Registered Social Workers in good standing with an active practice permit.
- 6.2 Each member of all regulatory committees, boards or other entities shall keep confidential any information that is not part of the public record including any discussions leading to a decision of the committee or panel.
- 6.3 The Registrar shall supervise, manage, carry out and perform any and all duties of the College as outlined in the Act, regulations and bylaws and as Council may determine from time to time:
 - 6.3.1 The Registrar shall consider applications for registration under Sections 28(2)(a) and 28(2)(b) and make a decision;
 - 6.3.2 Council or designate shall specify in a contract or job description any additional powers and duties granted to the Registrar;
- 6.4 Council shall establish a Registration Committee consisting of regulated members representing the diversity of relevant stakeholders outlined in the Terms of Reference approved by Council and the Registrar as an ex-officio member. Chairing duties shall be designated from this membership.
 - 6.4.1 The Registration Committee shall make recommendations to the Registrar regarding applications for registration under Section 28(2)(c) of the Act;
 - 6.4.2 The Registration Committee may impose conditions on registration or a practice permit and shall monitor compliance with any such conditions. ;
 - 6.4.3 The Registration Committee shall review applications for re-instatement from individuals cancelled under part 4 of the Act;
 - 6.4.4 The Registration Committee may carry out other duties as assigned by Council or Registrar;
 - 6.4.5 The Registration Committee reports to Council.
- 6.5 Council shall provide for the appointment of a Complaints Director:
 - 6.5.1 The Complaints Director shall be a Registered Social Worker in good standing.
- 6.6 Council shall provide for the appointment of a Hearings Director:
 - 6.6.1 The Hearings Director may be appointed for a single hearing or for a number of hearings, whether occurring simultaneously or successively.
- 6.7 Council shall establish a Competence Committee consisting of regulated members representing the diversity of relevant stakeholders outlined in the Terms of Reference approved by Council and the Associate Registrar as an ex-officio member. Chairing duties shall be designated from this membership.
 - 6.7.1 The Competence Committee shall make recommendations to Council on continuing competence requirements, standards of practice, and other practice issues;

- 6.7.2 The Competence Committee shall review annual competence submissions to determine whether continuing competence requirements have been met;
- 6.7.3 The Competence Committee shall monitor compliance with any conditions imposed on registration or a practice permit by the Competence Committee.
- 6.7.4 The Competence Committee reports to Council.

- 6.8 If a vacancy occurs on the Registration Committee or the Competence Committee Council may appoint another member to the committee or leave the vacancy unfilled unless the number of members would be reduced to less than three (3), in which case Council shall appoint another member to the committee.

- 6.9 The members of the regulatory committees shall serve for a term of two (2) years
 - 6.9.1 Committee appointments will be made to ensure that terms overlap.

- 6.10 Members of the regulatory committees may serve a maximum of three (3) consecutive full terms.

- 6.11 Council shall establish rosters for both hearing tribunals and complaint review committees:
 - 6.11.1 Recruitment and selection guidelines as approved by Council shall be used for the development of rosters;
 - 6.11.2 Membership on hearing tribunal and complaint review committee rosters may be for an unlimited term.

- 6.12 The name of a member on the hearing tribunal or complaint review committee roster shall be removed if:
 - 6.12.1 the member asks to have his or her name removed; or
 - 6.12.2 the member ceases to be a registered member in good standing.

- 6.13 Council shall establish a Professional Social Work Education Board consisting of regulated members reflecting the diversity of stakeholders outlined in the Terms of Reference approved by Council and the Registrar as an ex-officio member. Chairing duties shall be designated from this membership.
 - 6.13.1 The Professional Social Work Education Board shall make recommendations to Council on procedures for reviewing social work education programs.
 - 6.13.2 The Professional Social Work Education Board shall make recommendations to Council regarding which social work education programs should have approved program status granted, re-approved or removed.
 - 6.13.3 The Professional Social Work Education Board shall make recommendations to Council on matters relevant to social work education and training.
 - 6.13.4 The Professional Social Work Education Board reports to Council.

- 6.14 Council shall establish a Clinical Committee consisting of regulated members who are members of the Clinical Specialty Registry reflecting the diversity of relevant

stakeholders outlined in the Terms of Reference approved by Council and the Associate Registrar as an ex-officio member. Chairing duties shall be designated from this membership.

- 6.14.1 The Clinical Committee shall recommend to Council the entry requirements for inclusion on the Clinical Registry.
- 6.14.2 The Clinical Committee shall review applications for the Clinical Registry and identify continuing competence requirements for members of the Clinical Social Work Registry.
- 6.14.3 The Clinical Committee shall recommend to Council policies and procedures for all matters related to applying to and maintaining status on the Clinical Specialty Registry.
- 6.14.4 The Clinical Committee reports to Council.

- 6.15 The members of the Professional Social Work Education Board and the Clinical Social Work Committee shall serve for a term of two (2) years.

- 6.16 The members of the Professional Social Work Education Board and the Clinical Social Work Committee may serve a maximum of three (3) consecutive full terms.

- 6.17 Regulatory committees may designate a convener to assist with their meetings.

- 6.18 With the approval of Council, the Registrar, Complaints Director, Hearings Director, Registration Committee, Competence Committee, Professional Social Work Education Board and Clinical Committee may delegate any of its powers and duties to an individual, panel or committee, and at any time may revoke such delegation.

7 **COUNCIL**

(c) *establishing a council and respecting the number and selection or election of the voting and non-voting members of council, their terms of office, removal from office and the filling of vacancies*

- 7.1 Council shall consist of the following voting members:
 - 7.1.1 Four Officers elected by the membership
 - 7.1.2 Six Councillors elected by the membership
 - 7.1.3 Four public members
 - 7.1.4 Chair of the Aboriginal Social Work Committee

- 7.2 The Past President shall be a non-voting member of Council acting in an advisory capacity for one year.

- 7.3 The Registration Committee, the Professional Social Work Education Board, the Clinical Committee and the Competence Committee shall submit minutes/reports to Council as required and representatives may, at the pleasure of Council attend Council meetings to discuss the work of their committees.

- 7.4 Election of the Officers and Councillors shall entail processes that promote representation from across the province and ensures that the total membership has opportunity to participate in the election process.
- 7.5 Council shall establish a Nominations and Recruitment Committee consisting of up to seven (7) members appointed by Council, one of whom is designated as chair or co-chair, and the Registrar as an ex-officio member.
 - 7.5.1 Members of the Nominations and Recruitment Committee shall serve for a term of two (2) years.
 - 7.5.2 Members of the Nominations and Recruitment Committee may serve a maximum of three (3) consecutive terms.
 - 7.5.3 The Nominations and Recruitment Committee reports to Council.
- 7.6 The Nominations and Recruitment Committee shall make recommendations regarding criteria and procedures for ACSW elections, awards and Council vacancies.
 - 7.6.1 The Nominations and Recruitment Committee shall oversee the nominations and elections process for Council positions.
 - 7.6.2 The Nominations and Recruitment Committee shall recommend appointments to vacancies on Council as requested.
 - 7.6.3 The Nominations and Recruitment Committee shall oversee the nominations and selection process for ACSW awards and recommend recipients for ACSW awards to Council.
- 7.7 The nomination process shall begin with a request for nominations communicated to all eligible members and the posting of nominations forms at least ninety (90) days prior to the Annual General Meeting.
- 7.8 Nominations for elected positions must be returned to the Nominations and Recruitment Committee sixty (60) days prior to the Annual General Meeting.
- 7.9 Nominations must be accompanied by two (2) or more signed nomination endorsements by College members in good standing.
- 7.10 The names of the nominated candidates (the slate) will be provided to all members of the College who are entitled to vote for voting forty-five (45) days prior to the Annual General Meeting.
- 7.11 Voting will be completed fifteen (15) days before the Annual General Meeting.
- 7.12 The results of the election will be formally announced at the Annual General Meeting.
- 7.13 Any member may request to be present at a ballot count.
- 7.14 Candidates shall be elected who receive the largest number of votes cast.

- 7.14.1 In the case of a tie in an election, the chair of the Nominations and Recruitment Committee shall cast the deciding vote.
- 7.15 Where only one (1) candidate runs for the position of president, that candidate must be approved by a majority of the votes cast.
 - 7.15.1 If a candidate for president does not receive a majority of returned votes an election for president shall be conducted at the AGM from nominations from the floor.
 - 7.15.2 Where only one (1) candidate runs for a position other than president, that candidate will be declared elected by acclamation.
- 7.16 Any positions not filled by this process may be filled by election at the Annual General Meeting with nominations from the floor.
- 7.17 Any protest of the balloting or the results of the election at the Annual General Meeting must be lodged upon announcement of results.
 - 7.17.1 Tellers shall be appointed by the chair from the floor of the meeting.
 - 7.17.2 In the event of a protest by any candidate or at least three (3) members at the meeting, the ballots shall be recounted by the tellers in the presence of two (2) tellers chosen by those making the protest.
- 7.18 The Chairperson of the Nominations and Recruitment Committee shall destroy all of the ballots immediately following the Annual General Meeting.
- 7.19 If after an election all vacancies on Council are not filled, the Members elected to Council may appoint the additional Council members required to meet the number of Council members as specified in these bylaws.
 - 7.19.1 Whenever possible officer vacancies shall be filled by appointing elected Council members.
 - 7.19.2 Councilor vacancies shall be filled by appointing RSWs from a list recommended by the Nominations and Recruitment Committee.
- 7.20 Notwithstanding the foregoing Council may choose to conduct elections electronically as long as it does not impede participation of the membership in the process of the election.
- 7.21 Public members shall be appointed by the Lieutenant Governor in Council as per the Health Professions Act.

8 **COUNCIL - TERM OF OFFICE**

- 8.1 Every other year the President and the Vice President and three councillors shall be elected for a term of two (2) years.
- 8.2 In alternate years the Secretary and Treasurer and three councillors shall be elected for a term of two (2) years.

8.3 No officer or Councillor shall serve for more than two (2) consecutive full terms in the same position.

9 **DEEMED VACANCY/REMOVAL OF OFFICERS, COUNCILLORS, REGULATORY COMMITTEE MEMBERS**

9.1 The position of an Officer, Councillor or member of any regulatory committee, board or panel shall be deemed to be vacated if that person:

- 9.1.1 is no longer a registered member in good standing; or
- 9.1.2 resigns in writing; or
- 9.1.3 is absent from three (3) consecutive meetings of Council, committee, board or panel without permission of Council, committee, board or panel Chair.

9.2 Notification to the person whose position has been deemed vacated shall be made by the President of Council or the Vice President if the vacated position is that of the President, or by the Chairperson of the committee, board or panel.

10 **TEMPORARY REMOVAL OF OFFICERS, COUNCILLORS, REGULATORY COMMITTEE MEMBERS**

10.1 Notwithstanding 5.7, If a member of Council or a regulatory committee is in a conflict of interest situation regarding a matter before Council or the Committee or Tribunal, that person shall not participate in any discussion or decision regarding the matter.

- 10.1.1 The decision whether a person as outlined above is in a conflict of interest situation regarding a specific matter under consideration shall be made by:
- a) the President and the Registrar if a Council member or the Chair of a regulatory committee is the person in the possible conflict of interest situation;
 - b) the Vice President and the Registrar if the President is the person in the possible conflict of interest situation;
 - c) the Chair of the regulatory committee and the Registrar or Complaints Director if a member of a regulatory committee is the person in the possible conflict of interest situation.

10.2 Any member of Council or a regulatory committee who is under investigation on a disciplinary matter may be required to take a leave from responsibilities until the matter is resolved.

- 10.2.1 The decision whether a person as outlined above may be required to take a leave shall be made by:
- a) the President and the Registrar if a Council member or the Chair of a regulatory committee is the person under investigation,
 - b) the Vice President and the Registrar if the President is the person under investigation,
 - c) the Chair of the regulatory committee and the Registrar or Complaints Director if a member of a regulatory committee is the person under investigation.

11 **APPEAL OF DUAL ROLE OR CONFLICT OF INTEREST DECISIONS**

11.1 Any of the foregoing actions identified in Sections 9 or 10 may be appealed to Council.

12 **ACTING COUNCIL MEMBERS**

12.1 Where a vacancy occurs on Council between elections, Council may appoint a person to fill that office for the remainder of the former Council member's term in accordance with 7.19.1 and 7.19.2 of these bylaws.

12.2 The interim Council member shall have all the powers, duties and functions of the previous Council member.

12.3 If the Office of the President becomes vacant, the Vice President shall assume the Office of President for the remainder of the term of office.

12.3.1 If the Vice-President is not able to assume the Office of President, Council may select an interim President from EXCO.

12.3.2 If no one from EXCO is able to assume the Office of President, Council may select an interim President from elected Council members.

13 **MEMBERSHIP COMMITTEES AND AREA COORDINATORS**

13.1 Ad hoc or Standing Committees may be established by Council from time to time for such purposes and upon such terms as may be prescribed by Council.

13.2 Council may appoint committee members, acting members and chairpersons of committees from Council members or from members of the College.

13.3 Council may appoint or revoke the appointment of members of Committees.

13.4 Council may appoint Committee Chairs for a term of up to two (2) consecutive years.

13.5 Committee chairs must be regulated members of the College.

13.6 Area Coordinators must be members of the College.

13.7 Council or committee chairs may appoint ex officio members to committees.

13.7.1 Ninety percent (90%) of committee members must be members of the College unless Council, at its sole discretion, determines that additional expertise is required to conduct the business of the committee.

13.8 If a vacancy on a Committee occurs Council may:

13.8.1 appoint another member to the Committee; or

13.8.2 leave the vacancy unfilled.

14 **PROFESSIONAL INTEREST GROUPS**

- 14.1 Professional interest groups wishing to work under the auspices of the College must be approved by Council.
- 14.2 The objectives of approved professional interest groups must meet one or more of the objectives of the College as defined in these bylaws.
- 14.3 Any statements, papers, or other articles prepared by approved professional interest groups for public use must be approved by Council prior to distribution.

15 **GENERAL MEETINGS**

(d) respecting quorum, procedures at meetings and the holding of council, committees, tribunals and other entities meetings by mail, telephone conference, audiovisual or other electronic means

- 15.1 Council may call a General Meeting of the College at any time, and Council shall call a General Meeting on written request signed by at least ten percent (10%) of the members.
- 15.2 A request by members for a General Meeting may consist of any number of documents of like form each signed by one (1) or more members entitled to vote, shall state the business to be transacted at the General Meeting and shall be sent to the President and the Registrar.
- 15.3 Within thirty (30) days of receiving the request Council shall call a Special General Meeting according to the procedure set out herein to transact the business stated in the request unless a General Meeting is already scheduled within sixty (60) days of receiving the request in which case the business stated in the request shall be dealt with at the previously scheduled General Meeting.
- 15.4 If Council does not within thirty (30) days of receiving the request call a Special General Meeting, and the conditions in 15.5 do not apply, any Member who signed the request may call the meeting.
- 15.5 Council shall give at least fourteen (14) days notice to members for any annual or general meeting.
- 15.6 All notices shall be deemed to have been given if they have been communicated within required timelines through the Advocate quarterly publication, the ACSW E-Newsletter or other forms of communication.
- 15.7 The College shall in each year hold an annual general meeting at such time, place and date as Council may decide, but not later than four (4) months following fiscal year end, at which time the following business shall be transacted:
 - 15.7.1 report of the President;

- 15.7.2 report of the Executive Director and Registrar;
 - 15.7.3 report of the Complaints Director;
 - 15.7.4 report of the Treasurer, which shall include the presentation of the audited financial statement;
 - 15.7.5 appointment of auditors for the ensuing year;
 - 15.7.6 announcement and if necessary elections of Council officers and Councillors;
 - 15.7.7 such other business as Council deems as necessary or desirable.
- 15.8 At an annual general meeting, with majority consent, a matter not listed above or specified in the notice convening of the annual general meeting may be introduced and considered.
- 15.9 Matters adopted at General Meetings are advisory to Council.
- 16 **COUNCIL, COMMITTEE, BOARD, TRIBUNAL OR OTHER MEETINGS**
- 16.1 The rules contained in the current edition of Robert's Rules of Order newly Revised shall govern the College in all cases to which they are applicable and in which they are not inconsistent with any applicable statutes, these bylaws and any special rules of the order Council may adopt
 - 16.2 Notice of the date, time, place and purpose of each meeting shall be given to each member not less than seven (7) days before the time when the meeting is to begin.
 - 16.3 Members may, by unanimous consent, agree to a shorter period of notice under section 16.2 or to waive the requirement of notice under section 16.2.
 - 16.4 Any member may waive notice of a meeting before, during or after the meeting and such waiver shall be deemed the equivalent of receipt of due notice of the meeting.
 - 16.5 If a meeting is adjourned to meet again to complete the order of business prior to the next scheduled meeting, notice of the new meeting is not required if the time and place of the new meeting is announced at the time the original meeting is adjourned.
 - 16.6 No business shall be finalized at any meeting unless a quorum of members is present.
 - 16.7 A member may participate in a meeting by means of telephone or other telecommunication device if the meeting is conducted so that all persons participating in the meeting can communicate with each other. A member participating in a meeting by those means is considered to be present at the meeting and shall be entitled to speak and vote at the meeting and shall be counted as part of the quorum.

- 16.8 In the absence of the appointed Chairperson, a Chairperson shall be selected at the commencement of the meeting.
- 16.9 A resolution in writing signed by a quorum of the members without their meeting together shall be as valid as if it had been adopted at a meeting duly called and held, and consent to such resolution be evidenced by means of several documents in the same form each signed by one or more members, or by means of facsimile, word processor or any other method of transmitting written material.
 - 16.9.1 An electronic-mail (e-mail) message from a member's address which is previously registered with the College on the membership database shall be considered the same as a signed resolution.
- 16.10 Proxy voting shall not be allowed at any meetings.

17 **QUORUMS**

- 17.1 A quorum at annual or general meetings shall consist of thirty (30) members who are entitled to vote.
- 17.2 A quorum of Council shall consist of a majority of the voting members of Council.
- 17.3 The quorum for committees, boards, panels and other entities other than hearing tribunals and complaint review committees shall consist of half of all persons entitled to vote.
- 17.4 The quorum for hearing tribunals and complaint review committees is at least three (3) regulated members of the College and one public member.
 - 17.4.1 A hearing tribunal or complaint review committee which begins with a full quorum may continue with a case in progress if a member is unable to complete the hearing or review, as per Section 18 of the Act.
 - 17.4.2 A hearing tribunal or complaint review committee may include more than 25% public membership.

18 **REFERENDUM BALLOTS**

- 18.1 Council may conduct a referendum of the College at any time, and Council shall conduct a referendum of College members on written request signed by at least ten percent (10%) of the members.
 - 18.1.1 A referendum may deal with any business of the College except those business matters directly related to the regulation of the profession and fees.
 - 18.1.2 Matters adopted by referendum are binding on Council.

- 18.2 A request by members for a referendum may consist of any number of documents of like form each signed by one (1) or more members entitled to vote, shall state the business to be transacted in the referendum and shall be sent to the President and the Registrar.
- 18.3 Within thirty (30) days of receiving the request Council shall conduct a referendum according to the procedure set out herein to transact the business stated in the request unless a referendum is already scheduled for some time within sixty (60) days of receiving the request in which case the business stated in the request shall be dealt with in the previously scheduled referendum mail-out.
- 18.4 If Council does not within thirty (30) days of receiving the request conduct a referendum, and the conditions in 15.6 do not apply, any Member who signed the request may conduct the referendum.
- 18.5 Referendum ballots shall be returned within three weeks of the date of mailing from the College or by the date specified on the ballot if it is longer than three weeks. A referendum shall require a sixty percent (60%) vote to adopt a referendum resolution.
18.2.1 The voting deadline shall be a minimum of three weeks after the opening of the vote.
- 18.6 Returned referendum ballots shall remain in sealed envelopes until the count.
- 18.7 Two to four Tellers shall be appointed by Council to count the ballots.
- 18.8 Any member may request to be present at a ballot count.
- 18.9 In the case of a tie in return ballots, the President of the College shall cast the deciding vote.
- 18.10 Ballots shall be provided to all Members, excluding Public Members, Honourary Members and Courtesy Members, at their last known address according to the records of the College.
- 18.11 Notwithstanding the foregoing Council may choose to conduct a referendum electronically as long as it does not impede participation of the membership in the process of the referendum.

19 **EXPENSES**

- (e) establishing how or by whom expenses and remuneration payable to members of council, committees, tribunals and other entities is determined*

- 19.1 Council and committee members shall normally serve without compensation, but expenses incurred may be reimbursed when expended for and in the interest of the College and approved by Council.
- 19.2 Council may establish policies on allowable expense amounts including but not limited to per diem rates, travel allowance, and extraordinary expenses.
- 19.3 Council may provide for honoraria to be paid to members of the College who are required to give an extraordinary amount of time to complete regulatory or governance duties on behalf of the College.

20 CATEGORIES OF MEMBERSHIP

(f) respecting the establishment of registers of other members and the entry of information in the registers and the removal of that information

- 20.1 The following other (non-registered) categories of membership are established in the College: retired/inactive member, student member, and honorary member.
- 20.2 All other members except honorary members must apply for membership on the form prescribed by Council and must pay the membership fees annually as set out by Council.
- 20.3 The Registrar shall enter the name and category of membership on the register of other members.
- 20.4 The Registrar shall remove a name from the register when:
 - 20.4.1 the member asks to have their name removed; or
 - 20.4.2 the member falls in arrears greater than thirty (30) days in payment of any fees, dues or levies assessed by the College; or
 - 20.4.3 the member becomes a registered member of the College.

21 CATEGORIES OF NON-REGISTERED MEMBERSHIP

(g) respecting other members including transitional provisions respecting such members under a former Act

21.1 Non-Registered Retired/Inactive Member

Any person who:

- 21.1.1 has been a non-registered Retired or Inactive Member under a former act; and
- 21.1.2 is not actively engaged in social work practice as defined in these bylaws, as a paid staff, unpaid staff, under contract, a volunteer, or in any other capacity; and
- 21.1.3 does not hold a Certificate of Registration as a Registered Social Worker in Alberta; and
- 21.1.4 has not had their Certificate of Registration, Annual Certificate or practice permit suspended or cancelled through disciplinary action; and
- 21.1.5 has paid the required fees, dues or levies to the College in full is qualified to be a Retired or Inactive Member of the College.

- 21.2 Non-Registered Student Member
Any person who:
 - 21.2.1 is a student registered in an approved program of social work education at the university or college level; and
 - 21.2.2 if qualified for registration due to previous education/training is not engaged in social work practice as defined in these bylaws other than in an unpaid practicum placement; and
 - 21.2.3 has paid the required fees, dues or levies to the College in full is qualified to be a Non-Registered Student Member of the College.

- 21.3 Non-Registered Honourary Member
Any person is qualified to be a Non-Registered Honourary Member of the College if the person:
 - 21.3.1 was an Honourary member under a former act; or
 - 21.3.2 has made an outstanding contribution to the social work profession; and
 - 21.3.3 is not qualified for registration as a social worker in Alberta; and
 - 21.3.4 has been nominated by a member of the College; and
 - 21.3.5 has been approved by Council.
 - 21.3.6 an Honourary Member is not required to pay any fees, dues or levies unless the Member is a registered member under a previous act and is maintaining registration.

22 **PRIVILEGES OF MEMBERSHIP**

- 22.1 All members in good standing of the College are entitled to attend General Meetings and to participate in discussion at General Meetings.

- 22.2 All members in the College are entitled to receive the College's publications and all other regular mailings of the College.

- 22.3 All members, with the exception of Non-Registered Honourary Members are entitled to the benefits of the College's membership in external organizations.

- 22.4 All members, with the exception of Non-Registered Honourary Members and Courtesy Registered Members, may vote at general meetings, ACSW elections and on referenda.

- 22.5 All Members are entitled to review all records and information of the affairs of the College excluding information violating the privacy of an individual or an organization.

- 22.6 Non-registered members are eligible to participate on committees which are not regulatory committees.

23 **OBLIGATIONS OF MEMBERSHIP**

- 23.1 Each Member shall provide to the Registrar in writing or by email any information that is to be contained in the Register or Record as outlined in the Act, regulations and bylaws.
- 23.2 Each Member shall advise the Registrar in writing or by email of any changes to the information contained in the Register or Record with respect to that Member within a reasonable time of such change.
- 23.3 Any member who is required to appear before or reply to inquiries from a Hearing Tribunal, the Competence Committee or a person conducting an investigation 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.
- 23.4 Members shall conduct themselves in accordance with the Standards of Practice and the Code of Ethics of the College.

24 **PRACTICE PERMIT**

(h) establishing the date by which regulated members are to apply for practice permits and providing for reinstatement of registration and practice permits cancelled under this Act unless cancelled under Part 4

- 24.1 Subject to Section 36 of the Act, the practice permit expires on the date set out on the practice permit.
- 24.2 Any regulated member who has had their registration or practice permit cancelled due to non-payment of fees shall be reinstated upon payment of the full annual fee plus any interest or late payment fees as required under section 27.8 of these bylaws for their former category of membership or full payment of any special levy provided that such payment of fees occurs prior to the end of the membership year.
 - 24.2.1 If re-instatement is requested after the end of the membership year, the applicant for reinstatement may be required to establish eligibility for registration and/or a practice permit according to the Act, Regulations and these bylaws.
- 24.3 Any regulated member who has had their registration or practice permit cancelled due to non-compliance with competence requirements or with conditions on the practice permit may be required to pass an examination approved by Council in order to get reinstated.
 - 24.3.1 The member may be provisionally reinstated until such time as the examination has been passed.
 - 24.3.2 If the member fails the examination the member may be given one opportunity for a retest. Failure a second time shall result in cancellation of registration. A member cancelled after failing the exam twice shall not be allowed to take the exam again until s/he has taken additional coursework in an approved social work education program.

24.3.3 A member who is reinstated provisionally while waiting to take the examination must take the exam at the time and place as directed by the ACSW. Under extenuating circumstances, one extension may be granted.

24.4 If a practice permit is issued with conditions by the Registration Committee, Competence Committee or Clinical Committee under Part 2 or Part 3 of the Act and the member fails to meet those conditions, the Registrar shall refer the renewal application or application for re-instatement, as the case may be, to the committee that issued the conditions.

24.4.1 The committee may direct the Registrar to cancel the member's practice permit or registration.

24.4.2 The committee may issue the practice permit with or without additional conditions.

25 **EDUCATIONAL INCENTIVES**

(n) *respecting benefits programs and educational incentives*

25.1 Council may, from time to time, establish or support bursaries, scholarships, fellowships or any other educational incentive or benefit program considered appropriate.

26 **PRESCRIBING THE FORM OF DOCUMENTS**

(o) *respecting forms and notices*

26.1 Council may prescribe the form of a Certificate of Registration, practice permit, or any other form or document that may be required for the purposes of the Act, regulations or the bylaws.

27 **FEES, DUES AND LEVIES**

(p) *respecting costs, fees, levies and assessments to be paid by regulated members and applicants with respect to registration, practice permits, and late payment fees under this Act or the bylaws and for any review, appeal, thing or service provided by the College under this Act or the bylaws*

27.1 Each member, except Honourary Members who are not registered, shall pay an annual fee as prescribed by Council pursuant to a resolution adopted by a two-third (2/3) vote at a duly constituted meeting of Council.

27.2 Each Member shall be invoiced not less than thirty (30) days before payment of any fee is due at the last address the Member supplied to the College.

27.3 Annual renewal fees are due in full thirty (30) days before the date the previous practice permit or membership expires and will be deemed in default if unpaid by the date due.

27.4 If the annual fee proves inadequate for any reason, Council may assess a levy or such further fees as prescribed by Council pursuant to a resolution adopted by a two-third (2/3) vote at a duly constituted meeting of Council.

- 27.5 Any special levy will be due when Council prescribes.
- 27.6 When a person defaults on payment of an annual fee or special levy, the Membership, Registration and/or Practice Permit of that person shall be cancelled.
- 27.7 Anyone who has had their Membership in a non-regulated category cancelled due to non-payment of fees shall be re-instated upon payment of the full annual fee for their former category of membership or full payment of any special levy provided that such payment of fees occurs prior to the end of the membership year. If re-instatement is requested after the end of the membership year, the applicant for re-instatement may be required to establish eligibility for membership according to these bylaws.
- 27.8 Council may establish a reinstatement fee.
- 27.9 Council may establish a fee for review of a decision by the Registrar, Registration Committee, Clinical Committee or Competence Committee.
- 27.10 No Member is entitled to a refund of fees, dues or levies of any type for any reason.
- 27.11 Council may establish reduced fees for categories of members as deemed appropriate.
- 27.12 Council may establish additional fees for membership on the Clinical Specialty Registry and the Private Practice Roster.
- 27.13 Council may waive payment of part or all of any fees, dues or levies or may vary the time specified for the payment of any fees, dues or levies where Council in its discretion deems appropriate. Any Member subject to such waiver or variance who is not in default of waived or varied obligations shall have all of the rights, privileges and obligations of a Member who is up-to-date in the payment of all fees, dues and levies.

28 PUBLICATION OF INFORMATION

(q) respecting the publication and distribution of information described in sections 60(6) and 119(1) of the Act

- 28.1 Information to be published by the College may be published in the quarterly newsletter, the e-newsletter, on the ACSW website, or by any other means deemed suitable to the information being published.
- 28.2 The College may publish information regarding the number of complaints settled through an alternate dispute mechanism or those in which a reprimand is issued and the types of complaints so resolved.
- 28.3 The College shall publish the names of regulated members whose registration or practice permit is cancelled pursuant to Part 4 of the Act.

- 28.3.1 The College may publish all or part of the decision of a hearing tribunal, including the name of the disciplined member, following the final possible appeal date.
- 28.4 The College shall publish information as specified in an agreement reached through an alternate dispute mechanism or the decision of a hearing tribunal or complaint review committee.
- 28.5 The College may release information about members for research purposes when the research is being conducted by/for/with ACSW.
 - 28.5.1 Names and addresses will only be released for research which has been approved by an established ethics review committee and upon approval of Council.
- 28.6 Confidential information may only be released to outside researchers, including students and academic researchers, if the member has consented to such release.
- 28.7 Aggregate data may be released for any research purposes upon approval by Registrar.

29 **BYLAWS**

(r) *respecting the approval of bylaws*

- 29.1 Council may establish a Bylaws and Policy Committee to draft and review the bylaws of the College.
- 29.2 these bylaws may be revised pursuant to a resolution adopted by a two-thirds (2/3) of the votes cast in a vote by Council following a review as prescribed by Section 132 of the Act.

30 **CODE OF ETHICS AND STANDARDS OF PRACTICE**

(t) *respecting the development of or adoption of a code of ethics and practice standards*

- 30.1 The Council shall adopt a Code of Ethics and Standards of Practice.
- 30.2 The Code of Ethics and Standards of Practice shall be posted on the ACSW website for members and the public.
- 30.3 Council shall appoint a committee to review the Code of Ethics at least every five (5) years and make recommendations for any changes to Council.
- 30.4 The Code of Ethics and Standards of Practice may be revised by a two thirds (2/3) vote by Council following a review as prescribed by Section 133 of the Act.