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Association of Visual Language Interpreters of Canada

ANNUAL GENERAL MEETING

Saturday, June 3, 2017

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AGENDA, AS OF APRIL 18, 2017

1. Welcome, Housekeeping and Introduction of Special Guests
2. Quorum Check
3. Approval of the Agenda
4. Motion to Limit Debate
5. Approval of the 2016 Annual General Meeting Minutes
 - 5.1 I move to approve the minutes of the July 16, 2016 Annual General Meeting (Fredericton, NB).
6. Reports from Board, Staff, Standing Committees and Ad Hoc Committees
 - 6.1 I move to accept the Board reports as presented.
7. Financial Report
 - 7.1 Motion to Accept the Financial Report
 - 7.2 Motion to Appoint the Chartered Accountant Firm for the 2017 Fiscal Year
8. Motion to Close New Business from the Floor
9. New Business
 - 9.1 Class A Membership Criteria Revision
 - 9.1.1 Motion to Revise Class A Membership Criteria
 - 9.1.2 Special Resolution #17-01 – Bylaw 2.1(i) Membership Conditions: Class A Members
 - 9.2 AVLIC Name Change
 - 9.2.1 Association Name Change
 - 9.2.2 Association Name Change Budget
 - 9.2.3 Association Re-Branding Promotional Campaign
 - 9.3 Deaf Interpreter Task Force
 - 9.2.1 Motion requesting an extension for report submission
 - 9.4 AVLIC Bylaws – Language Revisions
 - 9.4.1 Special Resolution #17-02 - Bylaw 6.1 - Definitions
 - 9.4.2 Special Resolution #17-03 – Bylaw 6.4 – Appointments, policies and procedures
 - 9.4.3 Special Resolution #17-04 – Bylaw 6.5 – Confidentiality and record retention
 - 9.4.4 Special Resolution #17-05 – Bylaw 6.14 – Committee’s remedial action by consent and consent agreements
 - 9.4.5 Special Resolution #17-06 – Bylaw 6.15 – Subject member’s proposal and consent agreement



- 9.4.6 Special Resolution #17-07 – Bylaw 6.23 – Citation for a disciplinary hearing
- 9.4.7 Special Resolution #17-08 – Bylaw 6.26 – Discipline hearings
- 9.4.8 Special Resolution #17-09 – Bylaw 6.27 – Respondent member resigns, fails to renew or does not attend a hearing
- 9.4.9 Special Resolution #17-10 – Bylaw 6.28 – Scope of inquiry
- 9.4.10 Special Resolution #17-11 – Bylaw 6.29 – Action by the Adjudication Panel
- 9.4.11 Special Resolution #17-12 – Bylaw 6.30 – Penalty Hearing
- 9.4.12 Special Resolution #17-13 – Bylaw 6.31 - Costs
- 9.4.13 Special Resolution #17-14 – Bylaw 6.32 – Panel decision
- 9.4.14 Special Resolution #17-15 – Bylaw 6.33 – Panel remains active
- 9.4.15 Special Resolution #17-16 – Bylaw 6.34 – Monitoring compliance with disciplinary orders
- 9.4.16 Special Resolution #17-17 – Bylaw 6.35 – Failure to comply with a disciplinary order

10. Confirmation of Acts

11. Adjournment

12. Announcements



QUORUM REPORT, AS OF APRIL 10, 2017

Quorum¹: 195 Votes

Total Eligible Votes: 778

Active ASL-English members: 717

Active Deaf interpreter members: 34

Active LSQ-French members: 3

Affiliate Chapter members:

ASLIA: 3 AVLI-NB: 3

MAPSLI: 3 MAVLI: 3

NAVLI: 3 OASLI: 3

SLINC: 3 WAVLI: 3

Members Ineligible to Vote

Members on Leave: 21

Student members: 90

Updated quorum report to be presented at the AVLIC AGM on June 3, 2017

¹ AVLIC Bylaw 3.3 Quorum at Member Meetings: A quorum at any meeting of the members shall consist of 25 percent of the votes eligible to be cast at the meeting.

2016 AGM MINUTES

Attached as a separate document.



FINANCIAL REPORT: 2016-2017 FISCAL YEAR

Attached as a separate document.



LIST OF MOTIONS RECEIVED, AS OF APRIL 18, 2017

5.0 Motion to Approve the Previous AGM Minutes

MOTION: I move to approve the minutes of the July 16, 2016 Annual General Meeting (Fredericton, NB).

MOVER: Catherine Maier

SECONDER: Alana McKenna

7.0 Financial Report

7.1 Motion to Accept the Financial Report

MOTION: I move to accept the AVLIC audited financial statements for the financial year 2016/2017 as prepared by Scarrow & Donald LLP Chartered Accountants of Winnipeg, MB.

MOVER: Carver Carlson

SECONDER: Alana McKenna

7.2 Motion to Appoint the Chartered Accountant Firm for the 2017 Fiscal Year

MOTION: I move to employ the services of Scarrow & Donald LLP Chartered Accountants of Winnipeg, MB to audit the 2017/2018 financial statements.

MOVER: Carver Carlson

SECONDER: Alana McKenna



9.0 New Business

9.1 Class A Membership Criteria Revision

9.1.1 Motion to Revise Class A Membership Criteria

MOTION: I move that persons who have been working as signed language interpreters since the year 2000 but who do not meet the current criteria for membership, and who are interested in becoming members of AVLIC be allowed to obtain a Class A Active Membership using the following criteria:

1. Successful ASLPI (to be determined by CCSD for this purpose) within one year of application for membership;
2. Curriculum Vitae summary that includes historical outline of professional development and related education, that has been validated by a notary or other legal professional;

Followed then by

3. Successful scoring on the Written Test of Knowledge.

MOVER: Monique LeDrew

SECONDER: Sean Power

RATIONALE: There are individuals that are providing interpretation services and would like to join the Canadian professional organization but are currently not able to do so based on current criteria. AVLIC membership was not always a requirement, and still isn't in many places across Canada however it is being requested more as an assurance



of a qualified provider². As an Association, we would serve ourselves and our consumers better by having these individuals part of our profession. Being a member ensures consumers protection under the PCR (Professional Conduct Review Process) and confirms that these individuals will adhere to the AVLIC Code of Ethics and Guidelines for Professional Conduct, and strive for AVLIC certification. As an Association, we can benefit from the knowledge and experience these individuals bring to our Association such as potential committee or board members, presenters and researchers. In addition to growing our numbers which in turn provides us with increased dues to pursue our objectives, it also improves our authority and recognition as a profession.

This motion is intended to allow those who are professionals and not those who may be trying to bypass current requirements. This group of individuals is expected to be small and get smaller as years progress since the requirement of (year) 2000 is explicit. This means the person would have a minimum of seventeen (17) years affiliation with the field.

These proposed requirements were discussed with WAVLI to ensure compatibility with their Protection of Title criteria.

The committee recognized that Active membership contains three groups of interpreters: ASL-English, LSQ-French and Deaf Interpreters. The committee did not want to decide for LSQ-French or DI persons but we did explore certain aspects (e.g.; and LSQ Proficiency interview v.s the ASLPI; if WTK Readings were available in French; translation of the current WTK into French) and are happy to pass along our findings to a

² Currently qualified by AVLIC membership definition, is graduate of a program, which confirms a certain knowledge of the profession and certain skill set.



new committee should they wish to create similar criteria. This motion was drafted to address ASL-English interpreters specifically, however not to exclude LSQ-French or DI are permitted to pursue this method as well.

Definition: CVs include information on one's academic background, including teaching experience, degrees, research, awards, publications, presentations, and other achievements. CVs are thus much longer than resumes, and include more information, particularly related to academic background.

A **curriculum vitae summary** is a one-to-two-page, condensed version of a full curriculum vitae. A CV summary is a way to quickly and concisely convey one's skills and qualifications. Sometimes large organizations will ask for a one-page CV summary when they expect a large pool of applicants. (Doyle, 2017)

9.1.2 Special Resolution #17-01 – Bylaw 2.1 (i) Membership Conditions: Class A Members

Note: The first motion must be passed before the Special Resolution Motion can be debated. If for some reason the first motion is defeated, then the Special Resolution Motion must be withdrawn.

MOTION: I move that the Class A Membership clause in Section 2 - Membership Conditions, Termination and Transferability that states:

2.1 MEMBERSHIP CONDITIONS



(1) Subject to the articles, there shall be three classes of members in the Corporation, namely, Class A members, Class B members and Class C members. **The Board of Directors of the Corporation may, by resolution, approve the admission of the members of the Corporation.** Members may also be admitted in such other manner as may be prescribed by the Board by resolution.

The following conditions of membership shall apply:

1. i) Class A - Active Members

Active membership shall be available only to individuals whose application has been approved by the Board of Directors, who currently provide visual language interpreting services and who have paid such fees as may be set from time to time by the Board.

The Board of Directors shall approve new applications for Active membership from interpreters who are graduates of an AVLIC-recognized interpreter education program at a post secondary institution or who meet the defined criteria for Deaf interpreters outlined in the AVLIC Membership Policy.

Dual membership in both the Corporation and an Affiliate Chapter of the Corporation is mandatory for members living in provinces or territories with Affiliate Chapters. Eligible Active members who live in a province or territory in Canada where there is no Affiliate Chapter may become Active members under the terms of the In-Lieu-of-Affiliate-Chapter Membership Policy. The term of membership of an Active member shall be annual, subject to renewal in accordance with the policies of the Corporation.

As set out in the articles, each Active member is entitled to receive notice of, attend and vote at all meetings of members and such Active member shall be



entitled to one (1) vote at such meetings. (Association of Visual Language Interpreters of Canada, 2015)

be amended to read:

1. i) Class A - Active Members

Active membership shall be available only to individuals whose application has been approved by the Board of Directors, who currently provide visual language interpreting services and who have paid such fees as may be set from time to time by the Board.

The Board of Directors shall approve new applications for Active membership from interpreters who are graduates of an AVLIC-recognized interpreter education program at a post-secondary institution or who meet the defined criteria for signed language or Deaf interpreters outlined in the AVLIC Membership Policy.

Dual membership in both the Corporation and an Affiliate Chapter of the Corporation is mandatory for members living in provinces or territories with Affiliate Chapters. Eligible Active members who live in a province or territory in Canada where there is no Affiliate Chapter may become Active members under the terms of the In-Lieu-of-Affiliate-Chapter Membership Policy. The term of membership of an Active member shall be annual, subject to renewal in accordance with the policies of the Corporation.

As set out in the articles, each Active member is entitled to receive notice of, attend and vote at all meetings of members and such Active member shall be entitled to one (1) vote at such meetings.

MOVER: Monique LeDrew



SECONDER: Sean Power

9.2 AVLIC Name Change

9.2.1 Association Name Change

MOTION: I move that AVLIC change the legal name of the association to the **Canadian Association of Sign Language Interpreters (CASLI), Association canadienne des interprètes en langue des signes (ACILS)** with the name being changed with Industry Canada by August 15th, 2017.

MOVER: Marty Taylor

SECONDER: Nigel Howard

9.2.2 Association Name Change Budget

MOTION: I move that AVLIC budget \$4,100 in FY 2017-2018 and \$4,900 in FY 2018-2019 in order to undertake all of the activities necessary for changing the name of the Association including but not limited to those outlined in that Association Name Change projected budget.

MOVER: Marty Taylor

SECONDER: Nigel Howard

Budget Proposal: Name Change Budget can be found attached and/or on the AVLIC website in the Members Only section, under the Annual General Meeting tab.



9.2.3 Association Re-Branding Promotional Campaign

MOTION: I move that AVLIC budget \$2,500 in FY 2017-2018 and \$500 in FY 2018-2019 to undertake a Re- Branding Promotional campaign including but not limited to those outlined in the Re-branding Promotional Campaign projected budget.

MOVER: Marty Taylor

SECONDER: Nigel Howard

Budget Proposal: Association Re-Branding Budget can be found attached and/or on the AVLIC website in the Members Only section, under the Annual General Meeting tab.

9.3 Deaf Interpreter Task Force – Request for an Extension to Submit Report

MOTION: I move to request a delay in the submission of final report from the Deaf Interpreter Task Force, Motion FR16G-15, from 2017 AVLIC AGM to 2018 AVLIC AGM.

MOVER: Nigel Howard

SECONDER: Alice Dulude

RATIONALE: The development of the task force has taken time. The task force requires more time to focus on each requirement outlined in motion FR16G-15.

9.4 Language Revisions to AVLIC Bylaws

RATIONALE for Special Resolutions #17-02 - #17-17: Throughout Section 6 of AVLIC's bylaws the terms 'Adjudication Panel', 'the Panel', and 'Discipline Panel' are used



interchangeably. After consulting with AVLIC's legal council, George K. Bryce, it was decided that it would be best to choose one term to be used consistently. The term 'Discipline' was chosen. All Special Resolutions presented below seek to change terms such as "Adjudication Panel" or 'the Panel' found within the language of the bylaw, to "Discipline Panel.

ADDITIONAL RATIONALE for Special Resolution #17-11, Bylaw 6.29 – Action by the Adjudication Panel: The additional intent of this Special Resolution is to fix an error found in Bylaw 6.29 (1)(iii) which states "impose limits or conditions on the practice of clinical counseling"...

As the practice of clinical counseling does not apply to AVLIC's membership, AVLIC's legal council, George K. Bryce, has advised that the phrase should be removed and replaced with "the practice of sign language interpreting".

9.4.1 Special Resolution #17-02 – Amend language found in Bylaw 6.1 - Definitions

I move that the language found in Bylaw 6.1 - Definitions, which currently states:

6.1 Definitions

(1) In addition to the definitions set out in Section 1.1, throughout this section:



- i) “**Adjudication Panel**” means a panel of members appointed by the Board pursuant to bylaw 6.4 to adjudicate the allegations against a member as set out in the citation issued pursuant to bylaw 6.23.

- ii) “Alternative dispute resolution” means any process a Complainant or a member, or both, may agree to participate in that provides a way to resolve a complaint other than holding a disciplinary hearing, and which may include mediation, arbitration or a restorative justice process as described in Division E – Alternative Dispute Resolution.

- iii) “Approved Affiliate Chapter” means an Affiliate Chapter that has been approved by the Board pursuant to bylaw 6.2 as having bylaws, rules or procedures that provide a mechanism to investigate and resolve a complaint, and conduct disciplinary hearings are substantially similar to the bylaws in this section.

- iv) “Association” means the Association of Visual Language Interpreters of Canada or any committee or person appointed by the Board to administer the applicable bylaw.

- v) “CoEGPC” means the *Code of Ethics and Guidelines for Professional Conduct* approved by the Board, and as may be amended from time to time.

- vi) “Complaint” means a communication that documents a Complainant’s concerns about the conduct of a member that meets the requirements of bylaw 6.11.



- vii) “Complainant” means a person who has filed a complaint against a member under bylaw 6.11.

- viii) “Concern” means a communication that a Person with a Concern provides to the Association pursuant to bylaw 6.10, but which is not a complaint filed under bylaw 6.11.

- ix) “Inquiry Committee” means the committee appointed by the Board pursuant to bylaw 6.4 to investigate and try to resolve a complaint filed under bylaw 6.11.

- x) “Facilitated agreement” means a written agreement between the parties that is reached through an alternative dispute resolution process.

- xi) “Facilitator” means a person who has been appointed by the Inquiry Committee to be a facilitator, mediator or arbitrator for an alternative dispute resolution process.

- xii) “Member” means a Class A - Active Voting member of the Association.

- xiii) “Respondent member” means a member who has been named in a citation issued pursuant to bylaw 6.23.



xiv) “Person with a Concern” means a person who has a concern about the conduct of a member and approaches the Association to try to resolve that concern informally under bylaw 6.10.

xv) “Subject member” means a member who has been named in a complaint filed under bylaw 6.11.

xvi) “Third party” means any person who is not a Complainant, a member, a Person with a Concern, nor a member of the Board, Inquiry Committee or Adjudication Panel.

be amended to read:

6.1 Definitions

(1) In addition to the definitions set out in Section 1.1, throughout this section:

- i) “**Discipline** Panel” means a panel of members appointed by the Board pursuant to bylaw 6.4 to adjudicate the allegations against a member as set out in the citation issued pursuant to bylaw 6.23.

- ii) “Alternative dispute resolution” means any process a Complainant or a member, or both, may agree to participate in that provides a way to resolve a complaint other than holding a disciplinary hearing, and which may include mediation, arbitration or a restorative justice process as described in Division E – Alternative Dispute Resolution.



- iii) “Approved Affiliate Chapter” means an Affiliate Chapter that has been approved by the Board pursuant to bylaw 6.2 as having bylaws, rules or procedures that provide a mechanism to investigate and resolve a complaint, and conduct disciplinary hearings are substantially similar to the bylaws in this section.

- iv) “Association” means the Association of Visual Language Interpreters of Canada or any committee or person appointed by the Board to administer the applicable bylaw.

- v) “CoEGPC” means the *Code of Ethics and Guidelines for Professional Conduct* approved by the Board, and as may be amended from time to time.

- vi) “Complaint” means a communication that documents a Complainant’s concerns about the conduct of a member that meets the requirements of bylaw 6.11.

- vii) “Complainant” means a person who has filed a complaint against a member under bylaw 6.11.

- viii) “Concern” means a communication that a Person with a Concern provides to the Association pursuant to bylaw 6.10, but which is not a complaint filed under bylaw 6.11.

- ix) “Inquiry Committee” means the committee appointed by the Board pursuant to bylaw 6.4 to investigate and try to resolve a complaint filed under bylaw 6.11.



- x) “Facilitated agreement” means a written agreement between the parties that is reached through an alternative dispute resolution process.

- xi) “Facilitator” means a person who has been appointed by the Inquiry Committee to be a facilitator, mediator or arbitrator for an alternative dispute resolution process.

- xii) “Member” means a Class A - Active Voting member of the Association.

- xiii) “Respondent member” means a member who has been named in a citation issued pursuant to bylaw 6.23.

- xiv) “Person with a Concern” means a person who has a concern about the conduct of a member and approaches the Association to try to resolve that concern informally under bylaw 6.10.

- xv) “Subject member” means a member who has been named in a complaint filed under bylaw 6.11.

- xvi) “Third party” means any person who is not a Complainant, a member, a Person with a Concern, nor a member of the Board, Inquiry Committee or Adjudication Panel.

MOVER: Colleen Friel

SECONDER: Catherine Maier



9.4.2 Special Resolution #17-03 – Amend language found in Bylaw 6.4 – Appointments, Policies and Procedures

I move that the language found in Bylaw 6.4 – Appointments, Policies and Procedures, which currently states:

6.4 Appointments, Policies and Procedures

(1) The Board may by ordinary resolution do the following:

- i) Appoint an Inquiry Committee, and name its chair, and such other persons as are necessary to administer the bylaws in Divisions C to E;
- ii) Appoint an **Adjudication** Panel, and name its chair, and such other persons as are necessary to administer the bylaws in Division F;
- iii) Maintain a roster of members who can be called on to sit as members of an **Adjudication** Panel, if a citation is issued pursuant to bylaw 6.23;
- iv) Approve such Policies and Procedures that are consistent with this section to provide guidance on how the bylaws in this section are to be administered.

(2) Notwithstanding the generality of subsection (1):



- i) The person who tries to help a Person with a Concern resolve a concern under bylaw 6.10 must not be appointed as a member of either
 - a. The Inquiry Committee that might subsequently investigate the resulting complaint under bylaw 6.11, or
 - b. An **Adjudication** Panel that might adjudicate a citation issued against a member pursuant to bylaw 6.23 flowing from that same concern, and
- ii) No member of the Inquiry Committee that investigated and attempted to resolve a complaint filed against a member under bylaw 6.11 may be appointed to an **Adjudication** Panel that is subsequently adjudicating a citation issued against that member pursuant to bylaw 6.23 based on that same complaint.

be amended to read:

6.4 Appointments, Policies and Procedures

(1) The Board may by ordinary resolution do the following:

- i) Appoint an Inquiry Committee, and name its chair, and such other persons as are necessary to administer the bylaws in Divisions C to E;
- ii) Appoint an **Discipline** Panel, and name its chair, and such other persons as are necessary to administer the bylaws in Division F;
- iii) Maintain a roster of members who can be called on to sit as members of a **Discipline** Panel, if a citation is issued pursuant to bylaw 6.23;
- iv) Approve such Policies and Procedures that are consistent with this section to provide guidance on how the bylaws in this section are to be administered.

(2) Notwithstanding the generality of subsection (1):



- i) The person who tries to help a Person with a Concern resolve a concern under bylaw 6.10 must not be appointed as a member of either
 - a. The Inquiry Committee that might subsequently investigate the resulting complaint under bylaw 6.11, or
 - b. An **Discipline** Panel that might adjudicate a citation issued against a member pursuant to bylaw 6.23 flowing from that same concern, and
- ii) No member of the Inquiry Committee that investigated and attempted to resolve a complaint filed against a member under bylaw 6.11 may be appointed to an **Discipline** Panel that is subsequently adjudicating a citation issued against that member pursuant to bylaw 6.23 based on that same complaint.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.3 Special Resolution #17-04 – Amend language found in Bylaw 6.5 – Confidentiality and record retention

I move that the language found in Bylaw 6.5 – Confidentiality and record retention, which currently states:

6.5 Confidentiality and record retention

(1) Except as otherwise directed or permitted in this or any other bylaw in this section, the Inquiry Committee, an **Adjudication** Panel or the Board must not disclose to a third party any documents or information:



- i) Obtained during an investigation of a complaint;
- ii) Concerning a resolution of a complaint or an attempt to resolve a complaint; or
- iii) Provided to the **Adjudication** Panel during a discipline hearing;

unless the person about whom that information relates or the appropriate committee, as the case may be, consents to such a disclosure.

(2) The Association shall keep:

- i) All records of an investigation of the Inquiry Committee,
- ii) All evidence presented to a **disciplinary** panel during a hearing; and
- iii) All decisions of the **Adjudication** Panel.

for a period of not less than seven years, but if the circumstances warrant and after consulting with legal counsel, the Association may keep these records for a longer period of time that counsel may advise.

be amended to read:

6.5 Confidentiality and record retention

(1) Except as otherwise directed or permitted in this or any other bylaw in this section, the Inquiry Committee, a **Discipline** Panel or the Board must not disclose to a third party any documents or information:

- i) Obtained during an investigation of a complaint;
- ii) Concerning a resolution of a complaint or an attempt to resolve a complaint; or
- iii) Provided to the **Discipline** Panel during a discipline hearing;

unless the person about whom that information relates or the appropriate committee, as the case may be, consents to such a disclosure.



(2) The Association shall keep:

- i) All records of an investigation of the Inquiry Committee,
- ii) All evidence presented to **the Disciplinary Panel** during a hearing; and
- iii) All decisions of the **Discipline Panel**.

for a period of not less than seven years, but if the circumstances warrant and after consulting with legal counsel, the Association may keep these records for a longer period of time that counsel may advise.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.4 Special Resolution #17-05 – Amend language found in Bylaw 6.14 – Committee’s remedial action by consent and consent agreements

I move that the language found in Bylaw 6.14 – Committee’s remedial action by consent and consent agreements, which currently states:

6.14 Committee’s remedial action by consent and consent agreements

(1) In relation to a matter investigated under this section, the Inquiry Committee may request the subject member to do one or more of the following:



- i) Undertake not to repeat the conduct to which the matter relates;
- ii) Undertake to take educational courses specified by the Inquiry Committee;
- iii) Accept a reprimand;
- iv) Accept a limit or condition on the member's practice, including a suspension for a defined period of time;
- v) Accept a cancellation of the member's registration;
- vi) To pay a fine in an amount not exceeding the maximum fine established under bylaw 6.29(1)(f);
- vii) Undertake or consent to any other action specified by the Inquiry Committee.

(2) If the committee believes a subject member's undertaking, acceptance or consent should be documented, it may ask the member to enter into a consent agreement.

(3) A consent agreement must:

- i) Be in writing and be signed by the subject member and the chair of the committee;
- ii) Include an undertaking, acceptance or consent given by the subject member under subsection (1);
- iii) Specify the length of time that an undertaking, acceptance or consent is binding on the subject member;
- iv) Specify the procedure that the subject member may follow to be released from an undertaking, acceptance or consent; and
- v) Specify which terms of the consent agreement may be disclosed to the public, and the timing of such disclosure.

(4) If the subject member accepts a proposal from the committee received under subsection (1):



- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the chair of the Inquiry Committee must cancel any issued citation and the hearing if one has been scheduled.

(5) If the subject member rejects a proposal received under subsection (1):

- i) A hearing of the citation must proceed as though the proposal had not been made; and
- ii) The **Adjudication** Panel must not consider the member's admissions or consents, if any, in determining the matter or in making an order under bylaw 6.29.

be amended to read:

6.14 Committee's remedial action by consent and consent agreements

(1) In relation to a matter investigated under this section, the Inquiry Committee may request the subject member to do one or more of the following:

- i) Undertake not to repeat the conduct to which the matter relates;
- ii) Undertake to take educational courses specified by the Inquiry Committee;
- iii) Accept a reprimand;
- iv) Accept a limit or condition on the member's practice, including a suspension for a defined period of time;
- v) Accept a cancellation of the member's registration;
- vi) To pay a fine in an amount not exceeding the maximum fine established under bylaw 6.29(1)(f);
- vii) Undertake or consent to any other action specified by the Inquiry Committee.



(2) If the committee believes a subject member's undertaking, acceptance or consent should be documented, it may ask the member to enter into a consent agreement.

(3) A consent agreement must:

- i) Be in writing and be signed by the subject member and the chair of the committee;
- ii) Include an undertaking, acceptance or consent given by the subject member under subsection (1);
- iii) Specify the length of time that an undertaking, acceptance or consent is binding on the subject member;
- iv) Specify the procedure that the subject member may follow to be released from an undertaking, acceptance or consent; and
- v) Specify which terms of the consent agreement may be disclosed to the public, and the timing of such disclosure.

(4) If the subject member accepts a proposal from the committee received under subsection (1):

- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the chair of the Inquiry Committee must cancel any issued citation and the hearing if one has been scheduled.

(5) If the subject member rejects a proposal received under subsection (1):



- i) A hearing of the citation must proceed as though the proposal had not been made; and
- ii) The **Discipline** Panel must not consider the member's admissions or consents, if any, in determining the matter or in making an order under bylaw 6.29.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.5 Special Resolution #17-06 – Amend language found in Bylaw 6.15 – Subject member's proposal and consent agreement

I move that the language found in Bylaw 6.15 – Subject member's proposal and consent agreement, which currently states:

6.15 Subject member's proposal and consent agreement

(1) A subject member may give the Inquiry Committee a written proposal at any time before the commencement of a hearing under bylaw 6.26:



- i) Admitting the nature of the complaint or other matter that is to be the subject of the hearing;
- ii) Consenting to the making of an order described in bylaw 6.14 as set out in the proposal;
- iii) Consenting to indemnify the Association for cost of an investigation under Division D in an amount not to exceed the costs for the inquiry as specified in bylaw 6.31; and
- iv) If the member gives the proposal to the Inquiry Committee less than 7 days before the hearing is scheduled to commence, consenting also to indemnify the Association for the cost of preparing for the hearing in an amount not to exceed one half the costs to that date of preparing for the hearing.

(2) The Inquiry Committee may accept or reject a proposal received under subsection (1) based on the investigations of the complaint.

(3) If the Inquiry Committee accepts a proposal from the subject member received under subsection (1):

- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the chair of the Inquiry Committee must cancel any issued citation and the hearing if one has been scheduled.

(4) If the Inquiry Committee rejects a proposal received under subsection (1):



- i) a hearing of the citation must proceed as though the proposal had not been made; and
- ii) the **Adjudication** Panel must not consider the member's admissions or consents in determining the matter or in making an order under bylaw 6.26.

(5) If the discipline hearing has commenced under bylaw 6.26 before the subject member has given the Inquiry Committee a written proposal under subsection (1):

- i) The member may give to the Inquiry Committee a written proposal
 - a. Described in clauses (1)(a) to (c); and
 - b. Which also consents to indemnify the Association for preparing and conducting the hearing in an amount not to exceed the actual costs of preparing for and conducting the hearing, and
- ii) The Inquiry Committee may accept or reject the proposal in its discretion.

(6) If the Inquiry Committee accepts a proposal under subsection (5):

- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the **Adjudication** Panel must cancel the hearing.

(7) If the Inquiry Committee rejects a proposal received under subsection (5):

- i) A hearing of the citation must proceed as though the proposal had not been made; and
- ii) The **Adjudication** Panel must not consider the member's admission or consent in determining the matter or in making an order under bylaws 6.29 or 6.31.



be amended to read:

6.15 Subject member's proposal and consent agreement

(1) A subject member may give the Inquiry Committee a written proposal at any time before the commencement of a hearing under bylaw 6.26:

- i) Admitting the nature of the complaint or other matter that is to be the subject of the hearing;
- ii) Consenting to the making of an order described in bylaw 6.14 as set out in the proposal;
- iii) Consenting to indemnify the Association for cost of an investigation under Division D in an amount not to exceed the costs for the inquiry as specified in bylaw 6.31; and
- iv) If the member gives the proposal to the Inquiry Committee less than 7 days before the hearing is scheduled to commence, consenting also to indemnify the Association for the cost of preparing for the hearing in an amount not to exceed one half the costs to that date of preparing for the hearing.

(2) The Inquiry Committee may accept or reject a proposal received under subsection (1) based on the investigations of the complaint.

(3) If the Inquiry Committee accepts a proposal from the subject member received under subsection (1):

- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the chair of the Inquiry Committee must cancel any issued citation and the hearing if one has been scheduled.



(4) If the Inquiry Committee rejects a proposal received under subsection (1):

- i) a hearing of the citation must proceed as though the proposal had not been made; and
- ii) the **Discipline** Panel must not consider the member's admissions or consents in determining the matter or in making an order under bylaw 6.26.

(5) If the discipline hearing has commenced under bylaw 6.26 before the subject member has given the Inquiry Committee a written proposal under subsection (1):

- i) The member may give to the Inquiry Committee a written proposal
 - a. Described in clauses (1)(a) to (c); and
 - b. Which also consents to indemnify the Association for preparing and conducting the hearing in an amount not to exceed the actual costs of preparing for and conducting the hearing, and
- ii) The Inquiry Committee may accept or reject the proposal in its discretion.

(6) If the Inquiry Committee accepts a proposal under subsection (5):

- i) The Inquiry Committee must within 30 days enter into a consent agreement with the member that is consistent with the proposal; and
- ii) On completion of the consent agreement, the **Discipline** Panel must cancel the hearing.

(7) If the Inquiry Committee rejects a proposal received under subsection (5):



- i) A hearing of the citation must proceed as though the proposal had not been made; and
- ii) The **Discipline** Panel must not consider the member's admission or consent in determining the matter or in making an order under bylaws 6.29 or 6.31.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.6 Special Resolution #17-07 – Amend language found in Bylaw 6.23 – Citation for a disciplinary hearing

I move that the language found in Bylaw 6.23 – Citation for a disciplinary hearing, which currently states:

6.23 Citation for a disciplinary hearing

(1) Where as a result of its investigation, the Inquiry Committee determines it is necessary to do so, it may issue a citation that:

- i) Names the affected member as the Respondent member;
- ii) Describes the nature of the complaint or other matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter;
- iii) Specifies the date, time and place of the hearing, if known; and
- iv) Advises the Respondent member that the **Adjudication** Panel is entitled to proceed with the hearing in his or her absence.

(2) The chair of the Inquiry Committee shall have a citation either delivered to the Respondent member by personal service or sent by registered mail to the Respondent



member at the last known address for that person not fewer than 30 days before the date of the hearing.

(3) Where the subject matter of a citation is a complaint, the chair of the Inquiry Committee shall notify the complainant in writing of the date, time and place of the hearing not fewer than 14 days before the date of the hearing.

(4) The Inquiry Committee may direct that a citation that has been issued be subsequently cancelled if the committee determines that a hearing by the **Adjudication** Panel is not required.

(5) The Inquiry Committee may do the following:

- i) Join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as appropriate in the circumstances;
- ii) Sever one or more complaints or other matters which are to be the subject of a discipline hearing as appropriate in the circumstances;
- iii) Amend a citation issued under this bylaw.

(6) Where a citation is amended under clause (5)(c) prior to a discipline hearing, the amended citation shall be delivered to the Respondent member by personal service or sent by regular mail to the Respondent member at the last known address for the person not fewer than 30 days before the date of the hearing, unless the Respondent member consents to a shorter notice period.



(7) Where a citation is amended under clause (5)(c) prior to a discipline hearing and the amended citation changes the date, time or place of the hearing, the chair of the Inquiry Committee shall notify any complainant of the amendment not fewer than 14 days before the date of the hearing, unless the Respondent member consents to a shorter notice period.

be amended to read:

6.23 Citation for a disciplinary hearing

(1) Where as a result of its investigation, the Inquiry Committee determines it is necessary to do so, it may issue a citation that:

- i) Names the affected member as the Respondent member;
- ii) Describes the nature of the complaint or other matter that is to be the subject of the hearing, including the particulars of any evidence in support of that subject matter;
- iii) Specifies the date, time and place of the hearing, if known; and
- iv) Advises the Respondent member that the **Discipline** Panel is entitled to proceed with the hearing in his or her absence.

(2) The chair of the Inquiry Committee shall have a citation either delivered to the Respondent member by personal service or sent by registered mail to the Respondent member at the last known address for that person not fewer than 30 days before the date of the hearing.

(3) Where the subject matter of a citation is a complaint, the chair of the Inquiry Committee shall notify the complainant in writing of the date, time and place of the hearing not fewer than 14 days before the date of the hearing.



(4) The Inquiry Committee may direct that a citation that has been issued be subsequently cancelled if the committee determines that a hearing by the **Discipline** Panel is not required.

(5) The Inquiry Committee may do the following:

- i) Join one or more complaints or other matters which are to be the subject of a discipline hearing in one citation as appropriate in the circumstances;
- ii) Sever one or more complaints or other matters which are to be the subject of a discipline hearing as appropriate in the circumstances;
- iii) Amend a citation issued under this bylaw.

(6) Where a citation is amended under clause (5)(c) prior to a discipline hearing, the amended citation shall be delivered to the Respondent member by personal service or sent by regular mail to the Respondent member at the last known address for the person not fewer than 30 days before the date of the hearing, unless the Respondent member consents to a shorter notice period.

(7) Where a citation is amended under clause (5)(c) prior to a discipline hearing and the amended citation changes the date, time or place of the hearing, the chair of the Inquiry Committee shall notify any complainant of the amendment not fewer than 14 days before the date of the hearing, unless the Respondent member consents to a shorter notice period.

MOVER: Colleen Friel

SECONDER: Catherine Maier



9.4.7 Special Resolution #17-08 – Amend language found in Bylaw 6.26 – Discipline hearings

I move that the language found in Bylaw 6.26 – Discipline hearings, which currently states:

6.26 Discipline hearings

(1) The **Adjudication** Panel shall hear and determine a matter that has been set for hearing by a citation issued pursuant to bylaw 6.23.

(2) The Respondent member, an investigator, any member of the Inquiry Committee, or any other person authorized by the **Adjudication** Panel may appear as parties and with counsel at a discipline hearing.

(3) Information about the date, time and subject matter of the hearing shall be provided to any person on request.

(4) A discipline hearing shall be in public unless:

- i) The Complainant, a witness or the Respondent member requests the **Adjudication** Panel hold the hearing in private; and
- ii) The **Adjudication** Panel is satisfied that a private hearing would be appropriate in the circumstances.



(5) The **Adjudication** Panel may order the Respondent member or any other person to attend at a hearing to give evidence and to produce records in the possession of or under the control of the Respondent member or person.

(6) The **Adjudication** Panel shall provide notice by registered mail or by personal service to a person who is required to attend a hearing.

be amended to read:

6.26 Discipline hearings

(1) The **Discipline** Panel shall hear and determine a matter that has been set for hearing by a citation issued pursuant to bylaw 6.23.

(2) The Respondent member, an investigator, any member of the Inquiry Committee, or any other person authorized by the **Discipline** Panel may appear as parties and with counsel at a discipline hearing.

(3) Information about the date, time and subject matter of the hearing shall be provided to any person on request.

(4) A discipline hearing shall be in public unless:



- i) The Complainant, a witness or the Respondent member requests the **Discipline** Panel hold the hearing in private; and
- ii) The **Discipline** Panel is satisfied that a private hearing would be appropriate in the circumstances.

(5) The **Discipline** Panel may order the Respondent member or any other person to attend at a hearing to give evidence and to produce records in the possession of or under the control of the Respondent member or person.

(6) The **Discipline** Panel shall provide notice by registered mail or by personal service to a person who is required to attend a hearing.

MOVER: Colleen Friel
SECONDER: Catherine Maier

9.4.8 Special Resolution #17-09 – Amend language found in Bylaw 6.27 – Respondent member resigns, fails to renew or does not attend a hearing

I move that the language found in in Bylaw 6.27 – Respondent member resigns, fails to renew or does not attend a hearing, which currently states:

6.27 Respondent member resigns, fails to renew or does not attend a hearing

(1) For the purposes of this bylaw, “absent respondent” means a Respondent member who has:



- i) Resigned his or her membership;
- ii) Failed to renew his or her membership;
- iii) Failed to attend a discipline hearing; or
- iv) Left a discipline hearing before it is completed.

(2) If the **Adjudication** Panel is satisfied that an absent respondent has been:

- i) Served with the citation or notice of discipline hearing;
- ii) Provided with an opportunity to be heard; and
- iii) Informed the hearing may continue in his or her absence;

the Panel may order the hearing to continue in the absence of the absent respondent and, on completion of the hearing, **the panel** may act or make any order it could have made if the absent respondent had continued to be a member or had attended the hearing.

(3) For clarity, the fact that a Respondent member:

- i) Resigns or failed to renew his or her membership in the Association, and, therefore, ceases to be a member under bylaw 4; or
- ii) Fails to attend or leaves a hearing;

does not automatically mean that the **Adjudication** Panel no longer has the jurisdiction to continue the hearing into that absent respondent's conduct, and **the Panel** may take such actions or make such decisions as it would otherwise be able to take or make under this Division.

be amended to read:

6.27 Respondent member resigns, fails to renew or does not attend a hearing



(1) For the purposes of this bylaw, “absent respondent” means a Respondent member who has:

- i) Resigned his or her membership;
- ii) Failed to renew his or her membership;
- iii) Failed to attend a discipline hearing; or
- iv) Left a discipline hearing before it is completed.

(2) If the **Discipline** Panel is satisfied that an absent respondent has been:

- i) Served with the citation or notice of discipline hearing;
- ii) Provided with an opportunity to be heard; and
- iii) Informed the hearing may continue in his or her absence;

the **Discipline** Panel may order the hearing to continue in the absence of the absent respondent and, on completion of the hearing, the **Discipline** panel may act or make any order it could have made if the absent respondent had continued to be a member or had attended the hearing.

(3) For clarity, the fact that a Respondent member:

- i) Resigns or failed to renew his or her membership in the Association, and, therefore, ceases to be a member under bylaw 4; or
- ii) Fails to attend or leaves a hearing;

does not automatically mean that the **Discipline** Panel no longer has the jurisdiction to continue the hearing into that absent respondent’s conduct, and the **Discipline** Panel may take such actions or make such decisions as it would otherwise be able to take or make under this Division.



MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.9 Special Resolution #17-10 – Amend language found in Bylaw 6.28 – Scope of inquiry

I move that the language found in Bylaw 6.28 – Scope of inquiry, which currently states:

6.28 Scope of inquiry

(1) The **Adjudication** Panel is not limited to inquiry into only that conduct of the Respondent member that is described in the citation, but may also inquire into other conduct of the member that is related or similar to the allegations described in the citation.

(2) If the **Adjudication** Panel proceeds under subsection (1), the Respondent member may request an adjournment of the hearing, and that request may be granted if the committee considers it is necessary to do so in fairness to the member.

be amended to read:

6.28 Scope of inquiry

(1) The **Discipline** Panel is not limited to inquiry into only that conduct of the Respondent member that is described in the citation, but may also inquire into other conduct of the member that is related or similar to the allegations described in the citation.



(2) If the **Discipline** Panel proceeds under subsection (1), the Respondent member may request an adjournment of the hearing, and that request may be granted if the committee considers it is necessary to do so in fairness to the member.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.10 Special Resolution #17-11 – Amend language found in Bylaw 6.29 – Action by the Adjudication Panel

I move that the language found in Bylaw 6.29 – Action by the Adjudication Panel, which currently states:

6.29 Action by the Adjudication Panel

(1) On completion of a hearing, the **Adjudication** Panel may, by order, do one or more of the following:



- i) Dismiss the matter;
- ii) Reprimand the Respondent member;
- iii) Impose limits or conditions on **the practice of clinical counseling** by the Respondent member, including practicing under supervision for a defined period of time;
- iv) Suspend the registration of the Respondent member for a defined period of time;
- v) Cancel the registration of the Respondent member;
- vi) Fine the Respondent member in an amount not to exceed \$25,000;
- vii) Assess costs or part of the costs of the investigation of the Respondent member's conduct and the hearing of the citation.

(2) An order of the **Adjudication** Panel under subsection (1) shall be in writing and shall be delivered to the Respondent member and to the complainant, if any.

(3) Unless the **Adjudication** Panel directs otherwise, the chair of the Inquiry Committee may disclose to any person on request:

- i) An order of the **Adjudication** Panel under subsection (1); or
- ii) Any reasons the panel may issue in relation to the results of a discipline hearing.

be amended to read:

6.29 Action by the **Discipline** Panel

(1) On completion of a hearing, the **Discipline** Panel may, by order, do one or more of the following:



- i) Dismiss the matter;
- ii) Reprimand the Respondent member;
- iii) Impose limits or conditions on the practice of **sign language interpretation** by the Respondent member, including practicing under supervision for a defined period of time;
- iv) Suspend the registration of the Respondent member for a defined period of time;
- v) Cancel the registration of the Respondent member;
- vi) Fine the Respondent member in an amount not to exceed \$25,000;
- vii) Assess costs or part of the costs of the investigation of the Respondent member's conduct and the hearing of the citation.

(2) An order of the **Discipline** Panel under subsection (1) shall be in writing and shall be delivered to the Respondent member and to the complainant, if any.

(3) Unless the **Discipline** Panel directs otherwise, the chair of the Inquiry Committee may disclose to any person on request:

- i) An order of the **Discipline** Panel under subsection (1); or
- ii) Any reasons the panel may issue in relation to the results of a discipline hearing.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.11 Special Resolution #17-12 – Amend language found in Bylaw 6.30 – Penalty Hearing

I move that the language found in Bylaw 6.30 – Penalty Hearing, which currently states:



6.30 Penalty Hearing

(1) If the **Adjudication** Panel determines that a Respondent member is guilty of an allegation set out in a citation, it must hold a later and separate hearing on the question of the appropriate penalty to apply as per bylaw 6.29, unless the member agrees that the penalty hearing can be held sooner.

(2) The **Adjudication** Panel may consider a request from the Respondent member or the Inquiry Committee to hold a later, separate hearing on the question of penalty.

(3) In determining the penalty to be imposed on a Respondent member after making a determination on the facts, the **Adjudication** Panel may consider a previous relevant disciplinary decision regarding the member or an undertaking or consent to a reprimand given by the member under this Part.

be amended to read:

6.30 Penalty Hearing

(1) If the **Discipline** Panel determines that a Respondent member is guilty of an allegation set out in a citation, it must hold a later and separate hearing on the question of the appropriate penalty to apply as per bylaw 6.29, unless the member agrees that the penalty hearing can be held sooner.

(2) The **Discipline** Panel may consider a request from the Respondent member or the Inquiry Committee to hold a later, separate hearing on the question of penalty.



(3) In determining the penalty to be imposed on a Respondent member after making a determination on the facts, the **Discipline** Panel may consider a previous relevant disciplinary decision regarding the member or an undertaking or consent to a reprimand given by the member under this Part

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.12 Special Resolution #17-13 – Amend language found in Bylaw 6.31 – Costs

I move that the language found in Bylaw 6.31 – Costs, which currently states:

6.31 Costs

(1) Costs awarded under clause 6.29(1)(g) must not exceed, in total:

- i) 50% of the total costs of the investigation leading up to the hearing, including legal costs; and
- ii) 50% of the actual costs for legal representation during the hearing.

(2) In making an order for an assessment of costs under clause 6.29(1)(g), the **Adjudication** Panel may receive submissions on costs in writing or hold a separate hearing.

be amended to read:



6.31 Costs

(1) Costs awarded under clause 6.29(1)(g) must not exceed, in total:

- i) 50% of the total costs of the investigation leading up to the hearing, including legal costs; and
- ii) 50% of the actual costs for legal representation during the hearing.

(2) In making an order for an assessment of costs under clause 6.29(1)(g), the **Discipline** Panel may receive submissions on costs in writing or hold a separate hearing

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.13 Special Resolution #17-14 – Amend language found in Bylaw 6.32 – Panel decision

I move that the language found in Bylaw 6.32 – Panel decision, which currently states:

6.32 Panel decision

(1) The **Adjudication** Panel may give its decision on the matter in sign language or orally at the end of the hearing, but if **the Panel's** decision will be issued later in writing, it shall be so issued as soon as practical after the hearing, but not less than 60 days after the hearing.



(2) **The Panel's** written decision must:

- i) Be written in a manner that protects the personal privacy of the third parties, and is suitable for public disclosure in full;
- ii) Include the names of **the panel** members issuing the decision;
- iii) Identify the parties in the proceeding, and their legal counsel or representatives, including the Respondent;
- iv) Not include the names of a complainant or any witnesses, except when they have appeared at an open hearing in an official capacity;
- v) Not include other possible personal identifiers or health care information of a complainant or a third party, except where necessary to adequately explain the reasons for the decision;
- vi) Be written in plain language.

(3) A decision of an **Adjudication** Panel does not have to be unanimous, but must be in writing and signed by each concurring member.

(4) **A Panel** member not concurring may make a minority decision, which may be issued separately from the majority decision, but must be issued within 60 days of the hearing.

(5) A decision of **the Panel** under this bylaw is final and conclusive, and is not open to question or review in any court, and proceedings by or before **the Panel** shall not be restrained by injunction, prohibition or other process or proceeding in any court or be removable by certiorari or otherwise in any court.

be amended to read:



6.32 **Discipline** Panel decision

(1) The **Discipline** Panel may give its decision on the matter in sign language or orally at the end of the hearing, but if the **Discipline** Panel's decision will be issued later in writing, it shall be so issued as soon as practical after the hearing, but not less than 60 days after the hearing.

(2) The **Discipline** Panel's written decision must:

- i) Be written in a manner that protects the personal privacy of the third parties, and is suitable for public disclosure in full;
- ii) Include the names of the **Discipline Panel** members issuing the decision;
- iii) Identify the parties in the proceeding, and their legal counsel or representatives, including the Respondent;
- iv) Not include the names of a complainant or any witnesses, except when they have appeared at an open hearing in an official capacity;
- v) Not include other possible personal identifiers or health care information of a complainant or a third party, except where necessary to adequately explain the reasons for the decision;
- vi) Be written in plain language.

(3) A decision of a **Discipline** Panel does not have to be unanimous, but must be in writing and signed by each concurring member.

(4) A **Discipline** Panel member not concurring may make a minority decision, which may be issued separately from the majority decision, but must be issued within 60 days of the hearing.



(5) A decision of the **Discipline** Panel under this bylaw is final and conclusive, and is not open to question or review in any court, and proceedings by or before the **Discipline** Panel shall not be restrained by injunction, prohibition or other process or proceeding in any court or be removable by certiorari or otherwise in any court.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.14 Special Resolution #17-15 – Amend language found in Bylaw 6.33 – Panel remains active

I move that the language found in Bylaw 6.33 – Panel remains active, which currently states:

6.33 Panel remains active

(1) Until the **Adjudication** Panel releases its final written decision under bylaw 6.32, **the Panel** remains active, is seized of the matter and may re-open the hearing at the request of the parties and as may be required.

be amended to read:

6.33 Discipline Panel remains active

(1) Until the **Discipline** Panel releases its final written decision under bylaw 6.32, the **Discipline** Panel remains active, is seized of the matter and may re-open the hearing at the request of the parties and as may be required.



MOVER: Colleen Friel

SECONDER: Catherine Maier

**9.4.15 Special Resolution #17-16 – Amend language found in Bylaw 6.34 –
Monitoring compliance with disciplinary orders**

I move that the language found in Bylaw 6.34 – Monitoring compliance with disciplinary orders, which currently states:

6.34 Monitoring compliance with disciplinary orders

(1) The chair of the Inquiry Committee shall monitor a Respondent member's compliance with an order the **Adjudication** Panel has issued pursuant to bylaws 6.29 or 6.31.

(2) If the chair of the Inquiry Committee determines that a member has not complied with an **Adjudication** Panel order, the chair must so report the matter to the Inquiry Committee, with or without recommendations.

be amended to read:

6.34 Monitoring compliance with disciplinary orders

(1) The chair of the Inquiry Committee shall monitor a Respondent member's compliance with an order the **Discipline** Panel has issued pursuant to bylaws 6.29 or 6.31.



(2) If the chair of the Inquiry Committee determines that a member has not complied with a **Discipline** Panel order, the chair must so report the matter to the Inquiry Committee, with or without recommendations.

MOVER: Colleen Friel

SECONDER: Catherine Maier

9.4.16 Special Resolution #17-17 – Amend language found in Bylaw 6.35 - Failure to comply with a disciplinary order

I move that the language found in Bylaw 6.35 - Failure to comply with a disciplinary order, which currently states:

6.35 Failure to comply with a disciplinary order

(1) If the Inquiry Committee concludes that a Respondent member has not complied with an **Adjudication** Panel order issued pursuant to bylaws 6.29 or 6.31, the committee may:

- i) Direct that the member be suspended until such time as the member complies with the order; or
- ii) Take such other actions as may be permitted under this section.

be amended to read:

6.35 Failure to comply with a disciplinary order



(1) If the Inquiry Committee concludes that a Respondent member has not complied with a **Discipline** Panel order issued pursuant to bylaws 6.29 or 6.31, the committee may:

- i) Direct that the member be suspended until such time as the member complies with the order; or
- ii) Take such other actions as may be permitted under this section.

MOVER: Colleen Friel

SECONDER: Catherine Maier

10.0 Confirmation of Acts

MOTION: I, as president, move that all Acts, contracts, bylaws, proceedings, appointments, elections and payments enacted, made done or taken by the Directors and Officers of the Association of Visual Language Interpreters of Canada (AVLIC) for the 2016-2017 term and the same as set out or referred to in the minutes of the Board of Directors or in the Financial Statements submitted to this meeting be hereby approved and affirmed.

MOVER: Ashley Campbell

SECONDER: Alana McKenna



AVLIC ANNUAL GENERAL MEETING: MEMBERS' RIGHTS & RESPONSIBILITIES

Introduction

AVLIC is required to hold an AGM each year. During this time, the Board of Directors is responsible to report to the membership on the activities of the past year.

AVLIC operates a democratic policy-setting process. The AGM is the opportunity for members to discuss proposed resolutions for change (motions) with other members in order to provide direction to the Board of Directors. Motions that are passed become policy and will direct the future work of the Association. During the conference years, the AGM is also where the Board of Directors for the upcoming 2-year term is elected by the membership.

Members' Rights and Responsibilities

All Active members have a right and a responsibility to participate in the governance of AVLIC. The essential responsibility of the membership is to support AVLIC in fulfilling its mandate. The balance of rights and responsibilities are intertwined and are integral to the success of the Association.

For example, as a member, you have a right to vote on motions that will guide the continuance of the vision of AVLIC, as well as having the responsibility to fully understand what is being proposed.

Therefore, each member is responsible for adequately preparing for meetings by reading materials provided, asking for clarification in advance and conducting additional research, if required. This allows members to fully understand the issue/s being discussed in order to make an informed decision when voting.



Another vital responsibility of membership includes attending member meetings on-time and properly informed. Or, if unable to attend member meetings, to ensure proxy* votes are appropriately represented by giving the proxy to another member you trust will represent your voting preferences. As members in AVLIC, you have the right to expect all other members to fulfill their responsibility to the organization.

Meeting Day

As formal Association business, the AGM follows Roberts Rules of Order. The meeting is run by the AGM chair (usually the president) and assisted by a parliamentary advisor and the recording secretary.

Voting members sign in to receive their voting cards and register any proxy cards they may be charged with. If a voting delegate leaves the room at any time during the meeting, they are asked to give their voting cards to a proxy that remains in the room in order to maintain quorum**.

Once called to order, the meeting will proceed in accordance with the agenda as accepted or amended by the voting members present.

Observers

Observers may register to attend the AGM. Observers may be stakeholders or vested parties of AVLIC who are not members. Observers are not allowed to obtain the floor for any issue, unless that observer is recognized by the chair and only under the circumstances that they have specific expertise or knowledge that may be helpful in clarifying a point of discussion during a debate. Non-member observers are asked to leave the room at any time the meeting goes in-camera (discussion for members only and results are not documented).



Motions

Most motions are moved by a member, and then seconded by another member, read by the chair and, if applicable, debated upon.

The member who made the motion has the first right to speak to the motion, as long as s/he obtains the floor properly. This member cannot speak against the motion but does not have to speak for the motion and may vote against it. The member who seconded the motion may speak against the motion.

No person may speak more than twice to the motion, and the second turn can only be taken after everyone who wishes to speak the first time has spoken. Members always refer to the other members and officers in the third person. Debate must be confined to the merits of the motion. Amendments can be made to the motion, one at a time.

A motion will be put forth at the AVLIC AGM to limit debate to 2 minutes per speaker on each topic, to a maximum of 15 minutes per topic. All comments and proposed amendments to said topic will be discussed within the 15 minutes. Although this time limit will be the default, members are able to put forth a motion to suspend the accepted limitation of debate. If this motion to suspend is successful then discussions may continue on the topic.

Any member may call for a vote by “calling the question”, although members must be recognized by the chair first and are not permitted to interrupt to call the question. If the motion to close debate is accepted by 2/3 of the membership, voting on the current motion shall follow.

To accommodate all proposed business, the chair may request permission of the membership to reduce the number of minutes of speaking time.



Voting is conducted by the raising of cards once the “question” on a motion is called. The chair will call for “all in favour”, “all opposed”, and declare the results of the vote. If a vote appears close, the vote will be re-conducted and counted again. Motions are passed either by majority*** or 2/3 of the votes. Members have the right to make a motion to take a vote by ballot during a controversial issue.

Mini-Glossary

***Proxy** – the power given by a member to another member to cast a vote on their behalf due to absence.

****Quorum** – the minimum number of votes necessary to conduct the business (Class A members, Class C members and proxy votes). As per the current bylaws, quorum for the AVLIC AGM is 25% of the votes eligible to be cast at the meeting.

*****Majority** – 50% +1 of the votes eligible to be cast at the meeting (votes and proxies present) constitutes majority.

YOUR VOTE MATTERS: PROXY INFORMATION

The AVLIC Annual General Meeting provides the membership a forum to

- discuss business
- set priorities for the upcoming year
- elect a Board of Directors (conference years only)

All non-profit organizations are required by law to hold at least one (1) General Meeting of the Members a year.





AVLIC's Annual General Meeting needs to achieve quorum in order to go ahead with discussing business. If quorum is not achieved, the AGM will need to be rescheduled. Please help AVLIC make sure it reaches quorum, submit your proxy today.

If you are unable to physically attend AVIC's AGM on Saturday, June 3, 2017 in Edmonton, please submit your proxy.



SUBMITTING A PROXY: OPTIONS

To submit a proxy, please use one of the two options below.

Option 1: Submit your proxy electronically

Submitting your electronically proxy is an easy 3 step process, and takes less than 2 minutes.

- Step 1 - [Please click here](#)³
- Step 2 - Fill out the form
- Step 3 - Click submit

Electronic proxies will be accepted up until May 31, 2017.

***Important:** Proxies in email format will not be accepted. Only electronic proxies submitted using the linked proxy form will be accepted.

Option 2: Submit a printed copy of your proxy

³ You can also begin the process by logging into the member's only side of AVLIC's website. Next

- hover over the members only tab
- select Annual General Meeting
- click on the Proxy Form icon





A printed copy of this proxy form (found on the next page) can be presented on June 3, 2017 at the AVLIC Annual General Meeting registration desk by the person carrying your vote.



2017 AVLIC AGM: PROXY FORM

The AVLIC Annual General Meeting provides the membership a forum to

- discuss business
- set priorities for the upcoming year
- elect an incoming Board of Directors (conference years only)

Be sure your vote is counted! If you are unable to attend the AGM in person use this form to designate a colleague who will be present at the meeting to vote on your behalf.

*Name:

*Email Address:

*I appoint the following person to act as my representative in all voting matters at the 2017 AVLIC Annual General Meeting (AGM) to be held on June 3, 2017. I am aware that my proxy representative must also be a current Active member of AVLIC.



*If my appointed proxy representative is not present at the 2017 AVLIC AGM, I consent for my proxy to be held by

Any active member in attendance (non-Board position)

A member of the AVLIC Board of Directors

*Signature:

*Date:

If you have specific instructions for your proxy representative about any of the motions found in the AGM package, please put that information here.

