



# **By-Laws**

## **College of Licensed Practical Nurses of Nova Scotia**

2015

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**Bylaws Relating to the  
Activities and Operation of the College of Licensed Practical Nurses  
of Nova Scotia**

**1. Interpretation**

- 1.1 References in this document to the Act, Regulations and Bylaws refer to the Licensed Practical Nurses Act (2006); the Licensed Practical Nurses Regulations and the Bylaws incorporated herein, made under the Licensed Practical Nurses Act (2006).
- 1.2 These Bylaws may be cited as the College of Licensed Practical Nurses of Nova Scotia Bylaws.

**2. Definitions**

- 2.1 In these Bylaws,
- a) “Advertisement” means: The use of space or time in a public medium, or the use of a commercial publication such as a brochure or handbill, to communicate with the general public, or a segment thereof, for the purpose of promoting professional services or enhancing the image of the advertiser,
  - b) “Appointed Board member” means: A member of the Board appointed under Section 6 of the Act and thus named a Director of the College.
  - c) “Board” means: The Board of the College of Licensed Practical Nurses of Nova Scotia,
  - d) “Board Code of Conduct Policy” means: The policy approved by the Board governing the conduct of Board members,
  - e) “Chair” means: The chair of the Board,
  - f) “College” means the College of Licensed Practical Nurses established by the Act,
  - g) “College employee” means: An individual employed full or part-time by the provincial office of the College, but does not include independent contractors, consultants or committee members who otherwise provide services to the College,
  - h) “Elected Board member” means: A member of the Board elected under Section 6 of the Act, and thus named a Director of the College.
  - i) “Election date” means: The dates upon which the next election of members shall be held and the hour on that day fixed as the deadline for receipt of ballots as determined annually,
  - j) “Electoral district” means: One of six divisions of the province based on geographical and other pertinent considerations as set out in By-law 20,
  - k) “Executive Director/Registrar” means: The Executive Director/Registrar of the College, appointed by the Board under Section 7 of the Act,
  - l) “Extenuating circumstances” The following are examples only, not exhaustive of factors to be considered when meeting the obligation of extenuating circumstances as referred to in Bylaw 8
    - a) Serious illness or injury
    - b) Hospitalization
    - c) Death in the family
    - d) Family accidents (e.g. family member had accident and candidate had to travel home)
    - e) Emergency in native country and candidate had to travel back home.

- l) “In good standing” means: The status of a member with no disciplinary findings.
- m) “Member” means: A member of the College who is registered under Section 2(ac) of the Act
- n) “Resolution” means: A matter submitted by a member, seconded by another member, that is requested to be reviewed by the Board, and that is within the jurisdiction of the Board and within the objects and purposes of the Licensed Practical Nurses Act,
- o) “Scrutineers” means: Active practicing members appointed by the Chair to count votes at meetings of the College or for elections held by the College,
- p) “Vice-chair” means: The Vice-chair of the Board,
- q) “Voting body” means: Active practicing members who are not College employees, or scrutineers, and who
  - a) have been verified as active practicing members by the College, by either pre-registering for the relevant meeting, or presenting proof of current licensure at the meeting; and
  - b) have registered to vote prior to a poll (call to order) taken at the commencement of the meeting.

### **3. Corporate Seal**

3.1 A seal for the College shall be prescribed by the Board and shall have the words “**College of Licensed Practical Nurses of Nova Scotia**” endorsed thereon.

### **4. Head Office**

4.1 The head office of the College shall be maintained within the province of Nova Scotia, and located as to reasonably carry on the business of the College.

### **5. Execution of Documents**

5.1 Documents to be executed on behalf of the College shall be signed by the Chair, the Executive Director/Registrar and or his/her designate and sealed with the seal of the College.

### **6. Forms**

6.1 Any forms required pursuant to the Act, Regulations or the Bylaws shall be approved by the Executive Director/Registrar.

### **7. Notices**

7.1 All notices or materials that are required to be issued pursuant to these College Bylaws shall be deemed to have been issued on the date such notices or materials are sent by the most appropriate method including mail, courier, electronic communication or any other form of issuance.

### **8. REGISTRATION EXAMINATIONS**

8.1 Registration Examinations, which are a prerequisite for registration pursuant to the Act or Regulations, shall be approved by the Board.

8.2 Notice of registration exams shall:

- (a) be sent by the Executive Director/Registrar or delegate, to the Academic Chair or department /program head of each approved practical nursing education program

- in Nova Scotia at least three  
(3) months before the date fixed for the examinations; and  
(b) state the expiry date on which applications to write the examinations must be received.

- 8.3 Each candidate for the registration exam shall be required to pay an examination fee as approved by the Board.
- 8.4 All candidates successful in the registration examination shall further be required to pay the current registration/licensing fee to affect registration in the College.
- 8.5 Candidates shall have a maximum of three (3) opportunities to write and pass the registration examination in the twenty-four (24) month period immediately following their first eligibility to write.
- 8.6 In the event a candidate believes they experienced extenuating circumstances in the third writing of the LPN exam, that led to the examination failure, the individual can apply for one further opportunity to write the examination. The applicant must provide any information and supporting documentation, including completion of any additional or remedial education requested of the applicant to establish that they meet the College's definition of extenuating circumstances. The application and documentation must be received by the Executive Director within three months of the examination date. If approved, the applicant shall have one (1) further opportunity to pass the examination within the next twelve (12) month period immediately following notification of their eligibility to write a fourth and final time. If the applicant does not pass the examination on this further opportunity, the applicant will not be provided with any further opportunities to write the LPN registration exam.
- 8.7 For those applicants who have graduated from a nursing program deemed to be equivalent of a practical nursing program (Regulations, Section 11(1)(a) and the applicant has written the Canadian Registered Nurse Examination (CRNE) and were unsuccessful three times, the applicant will be permitted one(1) writing of the CPNRE. If unsuccessful, the applicant will be required to successfully complete the LPN Re-entry program prior to being eligible for two (2) further re-writes.

## **9. Fees**

- 9.1 The fee(s) for registration and licensing in a particular roster or rosters in the College shall be determined by the Board.
- 9.2 All other fees including administrative fees will be determined by the Board.
- 9.3 The fee for entry in the requested roster for an active practicing license must be paid by each member on or before October 15 in order to ensure entry in that roster for the subsequent period of November 1 through and including October 31 of the following year.
- 9.4 Members who do not pay the fees as required shall forfeit all rights and privileges of their membership until licensing, late and/or reinstatement fees are paid.

## **10. Banking and Financial**

- 10.1 Within the limits set by Board policy, the Executive Director/Registrar and his/her delegate are authorized to approve financial commitments and authorize payments:
- 10.2 At each regularly scheduled meeting of the Board, the Executive Director/Registrar shall provide the most current balance sheet and statement of revenue and expenditures.
- 10.3 The fiscal year of the College must commence on the first day of November and must end

on the last day of October of the current year.

**11. Expenses**

- 11.1 A Board or Committee member may be paid an honorarium by the College and must be reimbursed by the College for reasonable expenses necessarily incurred in connection with the activities of the College.
- 11.2 The Board honorarium and/or expenses shall be determined by Board policy.

**12. Board**

- 12.1 The Board of the College shall consist of :
  - (6) six Licensed Practical Nurses (LPNs);
  - (4) four public representatives; and
  - (1) one appointee from CRNNS.
- 12.2 The Board shall govern the College in accordance with the Licensed Practical Nurses Act, Regulations, Bylaws, and policies approved by the Board and without limiting the generality of the foregoing shall:
  - (a) approve the processes for establishing, revising and monitoring the annual budget;
  - (b) submit to each annual general meeting an audited financial statement of the operations of the last year, approved by the Board;
  - (c) appoint the Executive Director/Registrar of the College;
  - (d) appoint an auditor for the College;
  - (e) appoint a solicitor for the College; and
  - (f) approve proposed changes to the Regulations and Bylaws and fees in accordance with the provisions of the Act.

**13. Chair and Vice-Chair**

- 13.1 The Board shall elect from among its elected members a Chair, and Vice-Chair .
- 13.2 The duties of the Chair include but are not limited to:
  - (a) presiding at all meetings of the College Board and the annual and or special meetings of the College;
  - (b) acting as a signing officer for the College and signing appropriate documents executed on behalf of the College as required;
  - (c) signing the minutes of each Board meeting following approval of the minutes by the Board;
  - (d) acting as official spokesperson for the College, unless this function is otherwise delegated;
  - (e) acting in accordance with the requirements of his or her office in carrying out the duties and responsibilities of the Board.
- 13.3 At the February meeting of every year, the Board shall elect by secret ballot or other means, a Vice-Chair from those elected members who are attending their first meeting of

the Board. The term of office will be one year. The Vice-Chair immediately following his or her one-year term, will assume the position of Chair for a further one-year term.

The Vice-chair will:

- (a) perform the duties of the Chair in the absence of the Chair; and/or
  - (b) perform all other duties as delegated by the Chair.
- 13.4 In the absence of both the Chair and the Vice-Chair, an acting Chair for a meeting must be elected by a majority vote of the Board.
- 13.5 The Chair or Vice-Chair is eligible for a second term, if he/she continues to hold an elected position on the Board.
- 13.6 Where an officer of the Board resigns or otherwise ceases to hold office before the expiration of the officer's term, the Board shall elect a person from among its members to hold such office for the balance of the unexpired term.
- 13.7 The Board members and officers of the College of Licensed Practical Nurses of Nova Scotia pursuant to the former Act who are in office immediately before the coming into force of this Act continue in office until their successors are elected or appointed pursuant to this Act.

**14. Executive Director/Registrar**

- 14.1 The Executive Director/Registrar shall be a Registered Nurse or a Licensed Practical Nurse.
- 14.2 The Executive Director/Registrar shall also be known as the Registrar.
- 14.3 The Executive Director/Registrar shall:
- (a) attend all meetings of the Board as a non-voting member and shall keep a record of the proceedings of all such meetings;
  - (b) be responsible for the investments on behalf of the Board which will be reported in the annual financial statement submitted by the auditor;
  - (c) maintain the Registers/rosters required by this Act;
  - (d) issue licenses to all applicants who have fulfilled the requirements for registration as prescribed by the regulations;
  - (e) review programs and courses and report thereon to the Board;
  - (f) inspect institutions in which clinical experience is or may be provided and report thereon to the Board;
  - (g) ensure that examinations prescribed by the Board are appropriately administered; and
  - (h) perform such other duties as the Board may prescribe.

- 14.4 The Executive Director/Registrar may attend meetings of all committees appointed by the Board in an ex-officio capacity and shall ensure that records of proceedings of all such meetings are kept.
- 14.5 In addition to the Executive Director/Registrar's duties listed above, the Executive Director/Registrar must do the following:
- (a) be responsible for the funds of the College and establish and maintain such accounts with a chartered bank, trust company or credit union as the Board determines necessary from time to time;
  - (b) at each meeting of the Board submit a report of all revenues and expenditures since the last meeting unless otherwise directed by the Board;
  - (c) submit a report to the annual meeting of the College;
  - (d) submit a financial statement to the auditor immediately after the end of each fiscal year;
  - (e) keep the records and the Seal of the College;
  - (f) perform all other duties required of them by the Act, Regulations and the Bylaws; and
  - (g) conduct the affairs of the College in accordance with direction of the Board.
- 14.6 When the financial statement for the College has been certified by the auditor in writing, and approved by the Board, the Executive Director/Registrar must provide members access to a copy of the financial report, and to any person upon request.
- 14.7 In the event of the office of the Executive Director/Registrar being vacant, the Board shall make a temporary appointment until a successor is appointed by the Board.

**15. Deputy Registrar**

- 15.1 The Executive Director/Registrar may recommend and the Board shall appoint one or more Deputy Registrars who are directly responsible to the Executive Director/ Registrar.
- 15.2 The Deputy Registrar(s) shall have the same authority as the Executive Director/Registrar under these bylaws where the Deputy Registrar(s) is performing the duties in the absence of the Executive Director/Registrar.

**16. Board Meetings**

- 16.1 The Board must meet at least 4 times in each fiscal year within the Province of Nova Scotia at a time and location as determined by the Board.
- 16.2 Meetings of the Board shall be called by the Board Chair and in consultation with the Executive Director/Registrar, the Board Chair shall approve the agenda.
- 16.3 A majority of the Board constitutes a quorum for the transaction of business.
- 16.4 At least 15 days prior to the scheduled meeting, notice in writing shall be issued to each member of the Board for ordinary Board meetings.
- 16.5 Except as provided in subsection (7) each member of the Board shall be entitled to one vote at any meeting of the Board.

- 16.6 A vote is passed by a majority of the Board members in attendance at the time the vote is taken. Voting may be conducted by secret ballot or show of hands as determined by the Board Chair.
- 16.7 The Board Chair shall not vote except:
- (a) in the case of a secret ballot; or
  - (b) in the case of a tie vote during an open ballot, in order to break the tie.
- 16.8 In case of a secret ballot where there is a tie, the motion shall be deemed defeated.
- 16.9 A special meeting of the Board may be called by the Chair and shall be called upon the written request of one-third of the members of the Board. The request(s) shall include the subject(s) to be considered. At a minimum of three (3) days prior to a special meeting of the Board, notice in writing shall be issued to each Board member.
- 16.10 No matter, other than for what the meeting has been called for shall be discussed at a special meeting.

**17. Board Position Vacancies**

- 17.1 In case of failure in an election to elect the required number of duly qualified members of the Board, the Executive Director/ Registrar shall cause an election to be held within sixty days for the purpose of filling the vacancy.
- 17.2 Where a vacancy occurs in the Board with respect to an elected member of the Board, the remaining members of the Board may appoint a licensed practical nurse from that district who meets the criteria of 13(4).
- 17.3 Where an election is held pursuant to subsection (1) or an appointment is made pursuant to subsection (2) to fill a vacant Board position, the term of office for the position shall be the remainder of the unexpired term of such position.
- 17.4 A vacancy on the Board does not impair the right of the remaining members to act.
- 17.5 An elected member of the Board ceases to hold office where:
- (a) the member resigns by notice in writing delivered to the Executive Director /Registrar; or
  - (b) the member ceases to be a member in good standing of the College, as defined in the Bylaws.
- 17.6
- (a) Where a member of the Board fails to attend, in any twelve-month period, at least seventy five per cent of the Board meetings or meetings of committees of which that member is a member, without reasonable excuse, the Chair of the Board may, subject to subsection (2) and upon written notice to that member, revoke that member's membership on the Board or the committee, as the case may be.
  - (b) In the case of an appointment of a public representative, the Chair may only request that the Governor in Council revoke the appointment of the public representative in question.
  - (c) In the case of appointment of a College of Registered Nurses of Nova Scotia (CRNNS) representative, the Chair may only request the CRNNS revoke the

appointment of the Registered Nurse in question.

**18. Committees**

- 18.1 (a) The Standing Committees of the College shall be:
- (i) the Complaints Committees;
  - (ii) the Professional Conduct Committees;
  - (iii) the Education Committee;
  - (iv) the Fitness to Practice Committee;
  - (v) the Registration Appeal Committee;
  - (vi) the Reinstatement Committee(s); and
  - (vii) the Finance Committee.
- 18.2 Where the Board establishes committees pursuant to the Act or in accordance with Regulations and/or Bylaws:
- (a) the committee shall perform their duties under the direction of the Board;
  - (b) all committee appointments are for a term of two years and may be renewed for a second two year term;
  - (c) unless otherwise established in the Act or Regulations, the Chairperson and members of Standing Committees shall be appointed by the Board. No member may be Chairperson of more than one Standing Committee; and
  - (d) the activities of all Committees shall be conducted in accordance with the Act, Regulations and Bylaws.
- 18.3 The Board may, from time to time, establish ad hoc committees to address issues or to perform functions not specifically allocated to standing committees but which are within the purview of the Act and these Regulations.
- 18.4 There shall be at least one active practicing member named to all ad hoc committees of the Board.
- 18.5 The majority of the membership on the committee shall constitute a quorum for both ad hoc and standing committees of the Board.
- 18.6 Each committee member serving on an ad hoc or a standing committee shall be paid an honorarium and which honorarium shall be as prescribed by the Board from time to time.
- 18.7 Except as the Act, the Regulations, or these Bylaws otherwise provide the most recent edition of Roberts Rules of Order, must govern the procedures at committee meetings.
- 18.8 Any committee may conduct meetings (with the exception of the Annual and/or Special Meeting and meetings of the Professional Conduct Committee when they are conducting a hearing) by mail, facsimile, telephone or video conferencing or regular meeting.
- 18.9 Each Committee Chair must prepare and submit an annual report of its activities to the Board.

18.10 A committee member may be removed by a majority vote of the Board.

**19. Finance Committee**

19.1 The Board shall appoint a Finance Committee consisting of three members of the Board and shall appoint one as chairperson.

19.2 The Finance Committee shall:

- (a) advise and make recommendations to the Board on policies related to financial matters;
- (b) review expenditures of the Board for each year; review all necessary budgets and other financial planning documents as are required by the Board and report to the Board thereon;
- (c) make recommendations to the Board and report on remuneration, honorariums and expenses for Board and Committee members;
- (d) make recommendations to the Board respecting leases and contracts including employee contracts;
- (e) perform such other duties with respect to the financial affairs of the College as are directed by the Board or prescribed by the Act or Regulations.

**20. Nominations and Elections**

20.1 There will be one elected licensed practical nurse member from each electoral district.

20.2 Every active practicing member in good standing is eligible to be nominated as and vote for a candidate for membership on the Board.

20.3 The Electoral District in which a member is eligible to vote is the District which, on the date of the election, the member principally resides. The District will be determined by the residential address last recorded at the College.

20.4 A member is eligible for election to the Board if:

- (a) the member resides in the electoral district for which he or she is nominated;
- (b) the member is not in default of payment of any monies owing to the College;
- (c) are able and willing to serve fairly, impartially and in the public interest;
- (d) the member's registration or license has not been revoked or suspended in the six years preceding the date of the election for any reason other than non-payment of fees;
- (e) the member is not an employee of the College;
- (f) the member holds an active-practicing license or active-practicing license with conditions or restrictions;
- (g) is willing to contribute to the attainment of the purposes of the College; and
- (h) the member is currently practicing as a licensed practical nurse in Nova Scotia.

20.5 (a) At least 120 days prior to the expiry of the term of office, the Executive Director/Registrar must notify every member in the applicable District(s) of the

- date of an election and provide information about the nominations and voting procedure.
- (b) Any member may nominate for office one active-practicing member in good standing with the nominee's written consent and in accordance with the College nomination procedure. The nominations must be received at least 90 days prior to the expiry of the term of office.
- 20.6 The Executive Director/Registrar must disqualify any nominee whose nomination or election contravenes the Act, the Regulations, the Bylaws, or these procedures, or who does not meet the requirements of Section 20 of the College Bylaws.
- 20.7 The Executive Director/Registrar will notify the nominee of the reasons for disqualification in writing and report the disqualification with reasons to the Board.
- 20.8 (a) Each member who holds an active-practicing license, or an active-practicing license with conditions or restrictions is eligible to vote in the election process of the College.
- (b) The Executive Director/Registrar must prepare and mail to each eligible voting member in the electoral district an election ballot not less than sixty (60) days prior to the expiry of the term of office.
- (c) Each eligible voting member in the electoral district will be entitled to one ballot and may cast one vote for any one member to be elected on such ballot. A ballot must not be counted unless it is post-marked at least 30 days prior to the expiry of the term of office and is contained in a sealed envelope marked "Ballot".
- (d) In the case of a tie vote, the Executive Director/Registrar must determine the successful candidate by random draw.
- (e) The Executive Director/Registrar must supervise and administer all Board elections and may establish procedures, consistent with these bylaws, for that purpose.
- (f) In the event of any irregularity or dispute with respect to any nomination, ballot or election, the Executive Director/Registrar will be the sole arbitrator thereof, and his or her decision is final.
- (g) Where the number of nominee(s) is equal to the number of position(s) in an Electoral District the Executive Director/Registrar will declare the nominee(s) to be elected by acclamation.
- (h) Where the number of nominees is less than the number of positions in an Electoral District, the Board will appoint a member(s) as available.
- 20.9 A recount must be requested within 15 days of the receipt of the final results of the election.
- 20.10 A recount will only be performed where the difference between the votes received by the two leading candidates for a position is not more than 5% of the total votes cast in the District.
- 20.11 As soon as possible following the counting of ballots, the Executive Director/Registrar shall:
- (a) notify the Chair with the results of the election;
- (b) notify each candidate of the results of the election and of the procedure for recount;
- (c) not authorize destruction of the ballots prior to 31 days after the announcement to

the candidates of the results of an election or recount;

- (d) notify all members of the results of the election and provide the names and biographies of the members elected or acclaimed to the Board by publishing the information in the next issue of the College publication;
- (e) the elected Board members shall be announced to the members at the Annual General meeting of the College.

## **21. Electoral Districts**

- 21.1 The province of Nova Scotia is divided into 6 electoral districts based on geographical boundaries and other pertinent conditions.
- 21.2 Members shall be deemed to be a member of the electoral district that includes the residential address of the member, as shown on the registration database.
- 21.3 The electoral districts of the College shall be:
  - (a) District I - Lunenburg, Queens, Bridgewater, and Yarmouth counties;
  - (b) District II - Digby, Annapolis, Kings and Hants (East and West) counties,
  - (c) District III - Halifax District Municipality;
  - (d) District IV - Pictou, Antigonish and Guysborough counties;
  - (e) District V - Cape Breton, Victoria, Richmond, and Inverness counties; and
  - (f) District VI - Colchester and Cumberland counties.

## **22. Annual General Meetings**

- 22.1 The Board shall hold an Annual General Meeting of the College which must be held in Nova Scotia at a time and place determined by the Board with an agenda approved by the Board.
- 22.2 The Annual General Meeting of the College is open to members and to the public.
  - (a) The Executive Director/Registrar must provide access to the following to members or members of the public on request:
    - (i) details of the dates, time and place of the Annual meeting;
    - (ii) a copy of the agenda; and
    - (iii) a copy of the minutes of any preceding Annual meeting.
  - (b) A quorum at an Annual General Meeting of the College shall be a majority of the members present at the commencement of the meeting.
  - (c) Members will be required to present, at the meeting, their current year's active practicing license as evidence of entitlement to vote;
  - (d) The vote may be conducted by secret ballot or show of hands as determined by the Board Chair.
- 22.3 The following matters must be considered at an Annual General Meeting:
  - (a) approval of the minutes of the previous Annual General meeting;

- (b) the report of the Chair and Executive Director/Registrar;
  - (c) the report of the auditor;
  - (d) matters to be voted on under subsection (7); and
  - (e) any other matters as determined by the Board.
- 22.4 The College must provide access to a copy of the annual report to every member and to any person on request.
- 22.5 The College must post notice of an Annual General Meeting at least 30 days prior to the meeting.
- 22.6 Notice of an Annual meeting must include:
- (a) the place, day and time of the meeting;
  - (b) the general nature of the business to be considered at the meeting.
- 22.7 The following matters shall be voted upon at the annual general meeting by the voting body:
- (a) motions arising out of the business of the Annual General Meeting;
  - (b) resolutions proposed under Bylaw 22, and related motions arising out of such resolutions; and
  - (c) any other motion consistent with the objects of the College where at least two-thirds of the voting body approve of the motion being brought forward.
- 22.8 A motion approved at the annual general meeting shall be forwarded to the Board and the Board shall act upon the motion in such manner that is consistent with the objects and purposes of the *Licensed Practical Nurses Act* and within the jurisdiction of the College.

**23. Special Meetings of the College**

- 23.1 The Board may convene a Special Meeting of the College within 60 days after receipt by the Executive Director/Registrar of a request for such a meeting signed by at least 10% of College members and at least representing a minimal of 3 Districts. Request shall include the subject(s) to be considered. Special Meetings of the College are called to deal with unusual or extraordinary circumstances of an immediate nature.
- 23.2 At least 14 days prior to a Special Meeting of the College, notice shall be issued to each member indicating the time, place and the business to be transacted at the Special Meeting. Other business shall not come before this meeting.

**24. Procedures at Meetings**

- 24.1 Except as these Bylaws otherwise provide, the most recent edition of Robert's Rules of Order (latest edition) governs the procedures of all meetings.
- 24.2 The Board may make rules for elections and voting providing they are not in conflict with the foregoing.
- 24.3 Any meeting conducted pursuant to the Act, Regulations, or Bylaws, with the exception of the Annual General Meeting of the College, may be conducted by teleconference or other electronic means.

- 24.4 The accidental omission to deliver notice of a meeting to or the non-receipt of a notice by any member or Board member entitled to receive notice does not invalidate proceedings at that meeting.

**25. Voting at Annual General or Special Meetings of the College**

- 25.1 At each Annual General and Special Meeting of the College, each member of the voting body shall have one vote.
- 25.2 Members of the voting body who:
- (a) have registered to vote and are absent from the meeting room during the vote are deemed to have abstained;
  - (b) are unable to continue in attendance at the meeting shall advise the Chief Scrutineer and forfeit their vote.
- 25.3 A vote is passed by a majority of members in attendance, according to the Chief Scrutineer's poll, at the time the vote is taken. In the case of a tie vote, the motion or resolution is defeated.
- 25.4 Prior to commencement of the Annual General Meeting, the Chair shall appoint:
- (a) a Chief Scrutineer who shall oversee the function of scrutineers and shall perform such other functions as set out in these Bylaws or otherwise determined by the Board;
  - (b) Scrutineers shall:
    - (i) count votes on resolutions and motions during the meeting; and
    - (ii) report to the Chair;
  - (c) Scrutineers must be active practicing members;
  - (d) Scrutineers are not eligible to vote at the Annual or Special Meeting of the College.

**26. Resolutions**

- 26.1 A resolution shall be considered by the Board:
- (a) when the resolution has been forwarded to the Board prior to a regularly scheduled Board meeting within established timeframes for submissions; or
  - (b) when the resolution has been passed at an annual general meeting, and the Board shall act upon the resolution in such manner that is consistent with the objects and purposes of the *Licensed Practical Nurses Act* and within the jurisdiction of the College.
- 26.2 Where a resolution is proposed to be considered at an annual general meeting, the resolution shall be completed in accordance with the College's policy with respect to resolutions for annual general meetings, and shall be submitted within the timeframes established by such policy.

**27. Code of Ethics**

- 27.1 The Code of Ethics currently approved for members is the Code of Ethics approved by the Board.

**28. Standards of Practice**

28.1 The Standards of Practice currently approved for members is the Standards of Nursing Practice for Licensed Practical Nurses approved by the Board.

**29. Entry Level Competencies**

29.1 The Entry Level Competencies currently approved for members is the Entry Level Competencies approved by the Board.

**30. Transition Clause**

30.1 A term of office served as an elected/appointed member of the Board under the former Act is considered to be a term under the provisions of the current Act, Regulations and Bylaws.

**31. Records**

31.1 The Executive Director/Registrar is responsible for maintaining a hard copy of the Register in addition to electronic records.

31.2 The Board may establish policies governing the use of membership information and records of the College.

**32. Professional Liability Insurance/Protection**

32.1 A member must be covered by professional liability, malpractice coverage, or liability protection in a minimum amount of at least \$2,000,000.00 per occurrence.

**33. Disclosure of Member Information**

33.1 Where an inquiry about the registration status of a person is received by the Board or Registrar, the Registrar must disclose

- a. whether or not the person is a member or a former member,
- b. whether or not the Professional Conduct Committee has ever issued an order relating to the person and the details of the order,
- c. whether or not the person has ever signed a settlement proposal under section 47 of the Act, and
- d. the details of a settlement proposal pertaining to a change in the person's registration status or a restriction on the practice of the profession of the registrant.
- e. except with the consent of the person affected, the Registrar must not release the names of complainants, clients, or their families or information which might otherwise enable a person inquiring about the status of a member to establish the identity of complainants, patients or their families.

**33.2 Confidentiality of Personal Information**

The College must at all times protect and maintain the confidentiality of members' personal information.

**33.3 Accuracy of Personal Information**

The member must make every reasonable effort to ensure that their personal information is current and legible, accurate, and completely, recorded.

**33.4 Disclosure for Research and Statistical Purposes**

The Registrar may disclose member information for a research purpose, including statistical research, only if

- (a) the research purpose cannot reasonable be accomplished unless that information is provided in individually, identifiable form or the research purpose has been approved by the Board.

**34. Amendments**

- 34.1 The Bylaws may be amended in accordance with policies developed under 9(1)(h) of the LPN Act for the making, amending, and revoking of regulations and bylaws.

Approved and effective: 1 January 2013

Revised: December 2012