



Learning Disabilities Association of Ontario

## Governance Policies Manual

October 2006

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# Learning Disabilities Association of Ontario

**Governance Policy No. 1**

**Date:**

**Revised Date: Sept 2006**

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**Board Structure, including Committees, General Responsibilities, Authority and Accountability, Roles of Individual Board Members, Qualifications and Conduct of Board members, Meetings and Quorum**

## **1.1 Board Structure**

- a) The Board of Directors consists of up to seventeen (17) members. All directors are equally entitled and responsible to be fully informed on organizational matters, and to participate in Board deliberations and decisions.

## **1.2 Committees**

- a) The following standing committees of the Board are established in the by-laws: Executive Committee, Nominating Committee, Adult Advocacy Committee, Fund Development Committee, Legislation and Policy Committee, Operational Support Committee and Scientific Advisory Committee. Ad hoc committees and/or working groups may from time to time be established by the Board to carry out certain tasks or make recommendations to the Board on specific issues. Ad hoc committees have a specific life-span and should be terminated at that specified date by a Board motion.
- b) All Committees shall be chaired by an LDAO Board member and as a rule shall include no fewer than two LDAO Board members among its membership. A Vice Chair for each standing committee will be selected from the committee members at the first meeting of the committee each year. The Vice Chair need not be an LDAO Board member.
- c) Committee membership shall not be limited to LDAO Board members and may consist of any individuals who have a sincere interest in giving of their time in support of learning disabilities. Further, the Committee chair, in consultation with the committee membership, may invite outside observers or advisors to participate in committee meetings from time to time, for the purpose of bringing expertise, content and advice.
- d) All LDAO Committees, whether standing or ad hoc, will have terms of reference outlining committee membership, mandate and procedures. These will be confirmed by the Board of Directors.
- e) Committee chairs may not serve in such capacity for more than two consecutive terms of two years each. Further, terms of office for committee members shall not exceed three consecutive terms of two years each, for a total of six years.

- f) All standing committees will have an LDAO staff person, assigned by the Chief Executive Officer, to support the activities of the committee.

### **1.3 General Responsibilities of the Board**

- a) The Board of Directors is LDAO's leadership body. It does this by governing the affairs of LDAO within the framework of relevant legislation and standards. The Board sets LDAO's mission, is responsible for its stability (financial, programs and services, Chief Executive Officer's activity) and for setting provisions for systemic linkages with other similar interest groups and the community at large to achieve the objectives of LDAO.

### **1.4 Authority and Accountability**

- a) The Board of Directors is responsible to the membership (the Chapters), the government and those with whom the Association interacts, which includes individuals and corporate/foundation donors.
- b) Board members are elected and/or appointed under the authority of the Association's By-laws. They have no authority to act or give direction individually, unless this is approved in specific policies or by resolution of the Board. Even in this event, the Board retains ultimate responsibility and accountability.
- c) The Board will account to its members, funders and other key stakeholders primarily through its Annual General Meeting of Members. An audited financial statement, copies of all minutes of the Board in the last year (except for in-camera sessions) and a comprehensive report on programs and services of the Association must be available to all members, funders and other key stakeholders at their request. This will ensure open and transparent accountability.

### **1.5 Roles of Individual Board Members**

- a) In addition to their overall duties as a Board member, individual board members must exercise due diligence in the performance of their duties. They have the responsibility to:
  - i. uphold the mission and values of LDAO;
  - ii. be informed about the Articles of Incorporation of the Association and the legislation under which the Association exists (Ontario Corporations Act, Canadian Charities Directorate);
  - iii. regularly attend Board meetings and important related meetings;
  - iv. stay informed about Board policies and Committee matters, prepare themselves well for meetings, and review and comment on minutes and reports;
  - v. exercise his/her vote at meetings of the Board in the best interests of LDAO according to his/her conscience and on the best knowledge available to them;
  - vi. declare any real or perceived conflict of interest that may arise in the course of carrying out his/her Board responsibilities;
  - vii. call for a review of any decision, if he/she has reasonable grounds to believe that the Board has acted without full information or in a manner inconsistent with its

- viii. fiduciary or legal obligations;
- viii. use his/her skills, knowledge, interests, experiences, diversity and other attributes to further the work of LDAO;
- ix. make a serious commitment to participate actively in Board and Committee work;
- x. volunteer for and willingly accept assignments and complete them thoroughly and on time;
- xi. understand and respect the roles of the Board and staff;
- xii. build a good working relationship with other Board members that contribute to consensus;
- xiii. participate actively in Fund Development activities for the Association as much as he/she is able.

## **1.6 Qualifications of Directors**

- a) It is important that the LDAO Board attract dedicated and committed people to the organization. The following attributes are desirable when looking for potential Board members.
  - i. Have knowledge and understanding of learning disabilities, or be interested in developing such knowledge and understanding.
  - ii. One or more of the skills, abilities, knowledge, experience or other attributes identified by the Nominating Committee as necessary for LDAO to achieve its strategic objectives.
  - iii. Be interested in developing, if they do not already have them, the skills, abilities, knowledge, experience or other attributes that would be required to serve as Executive Officers.
  - iv. Be passionate about the LDAO mission.
  - v. Ability to foster business development leads and contacts for the financial sustainability of the Association.

## **1.7 Conduct of Directors**

- a) LDAO Directors will be expected to perform their duties in an effective, transparent and professional manner. All Directors will have an orientation session where the expected code of conduct will be given to each Director to read and sign an acknowledgement that they have read and understand the following LDAO Policies. These policies are found elsewhere in this document.
  - LDAO Code of Conduct
  - LDAO Conflict of Interest Policy
  - LDAO Policy re Confidentiality
  - LDAO Policy re Harassment
  - LDAO Policy re Abuse

## **1.8 Meeting of Directors**

- a) Board Meetings will be held approximately five (5) times a year on dates set in advance immediately following each annual meeting.

- b) Board members are expected to attend all regular Board meetings except where there is some justifiable reason for their absence. If possible, a Board member who is unable to attend a Board meeting shall notify the Chief Executive Officer at least three (3) days prior to the meeting.
- c) The LDAO Board will receive the minutes of all LDAO Standing Committees at each meeting.
- d) All materials to be considered at a Board meeting must be e-mailed to Directors a minimum of seven (7) calendar days prior to the scheduled meeting.
- e) Approved LDAO Board minutes will be posted to the LDAO online Chapter ACCESS site seven (7) calendar days after the Board meeting at which they were approved.
- f) Board meetings of the Association will be run according to Robert's Rules of Order and the by-laws and policies of LDAO.

## **1.9 Quorum**

- a) Quorum at the meeting will be two-thirds (2/3) of the current board members holding office at the time.

## **1.10 Guests at Meetings**

- a) Guests may be invited to attend the Board meetings at the discretion of the Chair. The Chair will consult with the Chief Executive Officer and other Board members to ensure that all are in agreement with the reason for the Guest attending. Chapter representatives wishing to attend a Board meeting should send a written request to the Provincial office.

# Learning Disabilities Association of Ontario

**Governance Policy No. 2**

**Date:**

**Revised Date: Sept 2006**

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**Executive Committee Structure, Authority and Accountability, Composition and Outline of Executive Positions, Role of the Executive Committee, Meetings and Quorum**

## **2.1 Executive Committee Structure**

- a) The Executive Committee serves the management function on behalf of the Board. Its role is to ensure the effectiveness of the Board as a whole.
- b) The Executive Committee consists of up to seven (7) members chosen from the LDAO Board of Directors. All are equally entitled and responsible to be fully informed on organizational matters, and to participate in Executive Committee deliberations and decisions.

## **2.2 Authority and Accountability**

- a) The Executive Committee shall have and exercise all the powers and duties of the Board between meetings thereof provided that:
  - i. the committee shall take no action inconsistent with any policy established or approved by the Board of Directors, and,
  - ii. at each meeting of the Board of Directors, the committee shall report on all its actions since its previous report, and,
  - iii. financial matters requiring expenditures in excess of the amount determined for that year by the Board will require approval of the Executive Committee by either a telephone or e-mail poll.
- b) The Executive Committee is responsible to the Board of Directors.

## **2.3 Composition of the Executive Committee**

- a) The Executive Committee shall consist of the Chair, the last immediately available Past Chair, the Vice Chair, the Treasurer, a Director representing Chapters, a Director representing Adult Advocacy and the Chief Executive Officer, who shall be a non-voting member.

## 2.4 Role of the Executive Committee

- a) All Executive Officers have the duty to:
  - i. attend Executive Committee meetings and actively participate in discussions and decision-making;
  - ii. exercise his/her vote at meetings of the Executive in the best interests of LDAO according to his/her conscience and on the best knowledge available to them;
  - iii. provide leadership to the Board of Directors;
  - iv. foster a positive working relationship among the Directors, Officers and staff;
  - v. attend and report to the Annual General Meeting of Members;
  - vi. provide advice and assistance to the Chief Executive Officer in the day-to-day operation of the Association; review the activities of the Provincial office; recommend salary adjustments; and administer the annual CEO performance review; and salary adjustments to the Board of Directors.

## 2.5 Major Duties of the Executive Committee

### a) *The Chair*

The role of the Chair is to ensure the integrity of the Board's processes.

- i. The Chair is the “manager” of the Board's activities. The Chair ensures that the Board follows its own rules and those mandated by legislation and regulations. The Chair has no authority to make decisions outside the by-laws or policies of LDAO.
- ii. The Chair provides leadership to the Board of Directors and ensures the Board's leading role in strategic planning.
- iii. The Chair, working with the Chief Executive Officer, is responsible for setting the schedule of board meetings for the year.
- iv. The Chair will lead all board meetings, Executive Committee meetings and the Annual General Meeting of Members.
- v. The Chair, working with LDAO Standing Committee Chairs and the Chief Executive Officer, develops the agenda for all meetings.
- vi. The Chair is the primary liaison with the Chief Executive Officer, who is responsible for the execution of Board policy and directives, and for determining the means, organizational structure and management processes necessary to achieve LDAO's objectives.
- vii. The Chair appoints the Chairs of committees, in consultation with all Board members, and is an ex-officio member of all LDAO Standing Committees and attends when invited.
- viii. The Chair is the only Board member authorized to speak for LDAO, unless this is specifically delegated to another Board member.

### b) *The Vice Chair*

In addition to the duties listed for individual Board members in 1.5 above, the Vice Chair

- i. serves as the successor to the Chair position;
- ii. performs the Chair's responsibilities when the Chair cannot be available;
- iii. works closely with the Chair, Chief Executive Officer and other staff;
- iv. participates closely with the Chair to develop and implement officer transition plans;



v. performs other responsibilities assigned by the Board.

c) *The Treasurer*

- i. The Treasurer is responsible for overseeing the provision to the Board of regular financial statements. He/she oversees the financial situation of the Association, including investments and the submission of appropriate forms to the Canada Revenue Agency.
- ii. The Treasurer, in cooperation with the Chief Executive Officer, will produce the annual budget and arrange for the annual audit to be carried out.

d) *The Secretary*

The Secretary shall ensure that all secretarial functions are performed for the Board and Executive Committee, and that records are kept of all proceedings and transactions. This includes:

- i. overseeing the keeping of records of meetings, policies, membership and other records required by law;
- ii. ensuring that minutes are taken at all regular and special meetings of the LDAO Board of Directors;
- iii. ensuring the timely distribution of minutes and agenda are circulated to the Board members prior to meetings

## **2.6 Meeting of the Executive Committee**

- a) Executive Committee meetings will be held approximately five (5) times a year on dates set in advance immediately following each annual meeting.
- b) A voting member of the Executive Committee who is absent from three (3) duly called Executive Committee meetings within the fiscal year will be considered resigned from the appointment unless the absence is excused by the Board of Directors.
- c) The LDAO Board will receive the minutes of all the Executive Committee meetings.
- d) All materials to be considered at an Executive Committee meeting must be e-mailed to members a minimum of seven (7) calendar days prior to the scheduled meeting.
- e) Executive Committee meetings of the Association will be run according to Robert's Rules of Order and the by-laws and policies of LDAO.

## **2.7 Quorum**

- a) Quorum at the meeting will be two-thirds (2/3) of the Executive members holding office at the time.

# Learning Disabilities Association of Ontario

**Governance Policy No. 3**

**Date:**

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## **Role of LDAO Committees**

### **3.1 Committee Structure**

- a) A member of the LDAO Board will chair each of the LDAO Standing Committees.
- b) The Past Chair is designated Chair of the Nominating Committee. If the Past Chair is unavailable or unable to perform the role, the Board will designate a Chair of the Nominating Committee.
- c) It is the responsibility of the Chair of each committee, working with the Board and the Chief Executive Officer, to determine the composition of members of each committee. Membership should include representatives from the LDAO Board, appropriate members of the LDAO staff and members of the Chapters and the community at large.
- d) Committees serve as a means of recruiting, orienting and screening potential Board candidates.

### **3.2 Authority and Accountability**

- a) Committees have an advisory function to the Board.
  - i. They do not speak or act for the Board unless such authority is formally delegated, is time-limited, and is for specific purposes.
  - ii. They do not have any authority to direct staff although they may, through the Board, ask the Chief Executive Officer to allocate organizational resources in support of committee activities.
  - iii. LDAO Board and Committee members may be reimbursed for reasonable expenses incurred outside the expected scope of Board/Committee member responsibilities. The administration of funds for such purposes shall be the responsibility of the Executive Committee.
  - iv. Committees will be encouraged to utilize the most cost-efficient means of conducting business, including the use of teleconferencing to ensure participation and encourage membership throughout the Province.
- b) All committees report to the Board of Directors via the Committee Chair at each regularly scheduled Board meeting.

### **3.3 The Role of Committees**

- a) The function is to bring the experience, relevant expert content and judgement of a group of interested and informed persons to bear on a specific area of LDAO's responsibility. They assist the Board by:
  - i. considering matters referred for more in-depth study that is not possible at the Board level;
  - ii. look at the issues, propose alternative actions, present the implications and make recommendations to the LDAO Board;
  - iii. the LDAO Board will review the Committee recommendations, request any additional information that might be necessary for the Board to make an informed decision, and adopt or amend the Committee's recommendations.
- b) Terms of office, terms of reference and an operations plan must be submitted to the Board for approval each year
- c) The Chair and Chief Executive Officer are ex-officio members of all LDAO Committees

### **3.4 Types of Committees**

- a) The LDAO Board has established 7 standing committees of LDAO in the by-laws:
  - i. Executive Committee
  - ii. Adult Advocacy Committee
  - iii. Fund Development Committee
  - iv. Legislation and Policy Committee
  - v. Nominating Committee
  - vi. Operational Support Committee
  - vii. Scientific Advisory Committee
- b) Ad hoc or working committees may be established by the Board from time to time to carry out certain tasks or make recommendations to the board on specific issues. Ad hoc committees should be automatically disbanded by Board motion when the task is completed or no longer relevant.
- c) Terms of office and terms of reference outlining committee membership, mandate and procedures are required for all committees.

### **3.5 Relationship of Committees to Staff**

- a) Committee activities are seen as the best place for the Board and staff to think and plan together. Committees rely on the abilities, training, expertise and experience of staff to help plan for and provide services within the LDAO mandate.
- b) The Chief Executive Officer, or his/her designate, will attend all committee meetings as a resource. However, committee members do not exercise authority over staff, and will not have direct dealings with staff operations. Committee members must know and respect the distinction between Board and staff responsibilities.

- c) The communications process between Board and staff, outside of committee meetings, will only be through the Chief Executive Officer. This includes:
- i. any assignments or directives;
  - ii. requests for organizational resource or staff time;
  - iii. staff performance concerns or policy infractions;
  - iv. concerns regarding any aspect of programs or administration.

# Learning Disabilities Association of Ontario

**Governance Policy No. 4**

**Date: Sept 2006**

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## **Board Responsibilities re Board Management**

### **4.1 Meetings**

- a) As outlined in Governance Policy No. 1, Board meetings are scheduled by the LDAO Board.
- b) In order to keep expenses down, the LDAO Board has the discretion to hold up to 2 meetings per year via teleconference.
- c) Additional policy information about meetings includes:
  - i. Except when dealing with confidential matters “in-camera”, all meetings are open to Chapter Board members on approval of the Board.
  - ii. Discussions at meetings shall be confined to those issues that clearly fall within the Board’s authority.
  - iii. Board deliberations at meetings will be timely, fair, orderly, thorough and efficient.

### **4.2 Board Member Attendance**

- a) Carrying out the work of the Board effectively requires a commitment to attend all required meetings.
- b) Board members who are absent, without excuse, from three (3) consecutive meetings are automatically considered to have resigned their position.
- c) In the event that such a member wishes to be reinstated, a letter of request must be sent to the Board and the Board shall then make a decision by motion regarding reinstatement as well as any terms associated with a decision to reinstate if such is the decision.

### **4.3 Board Work Plan/Objectives**

- a) The Board shall develop a plan and objectives of its own work in support of LDAO’s goals as articulated in the approved strategic plan and operating plan.

#### **4.4 Board Self-Evaluation**

- a) The LDAO Board shall periodically review its own progress on work plan objectives and its effectiveness.
- b) The LDAO Board shall conduct a formal assessment of its own performance annually at the same time as it reviews the performance of the Chief Executive Officer.
- c) The LDAO Board shall take any steps for improvement in its governance practices suggested by such review.

# Learning Disabilities Association of Ontario

**Governance Policy No. 5**

**Date: Sept 2006**

**Revised Date: n/a**

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**Board Decision Making Policy**

## **5.1 Board Decision Making Process**

- a) Decisions of the LDAO Board are made as a group at Board meetings at which quorum of the Board (2/3) is present.
- b) A quorum is required for the transaction of any business of LDAO.
- c) Decisions will be ideally made through a consensus development process leading to a formal vote to record the decision. This process is intended to encourage full discussion and development of a decision that all or at least the largest possible majority of, board members can support, prior to a vote.
- d) A vote is accepted on the majority of members present, regardless of abstentions.
- e) Board members have the right to discuss questions before the board and make their decisions in an uninhibited atmosphere.
- f) Board members will welcome and respect the diverse views of their board peers, and maintain confidentiality as required and support Board decisions.

# Learning Disabilities Association of Ontario

**Governance Policy No. 6**

**Date:**

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## **Reimbursement of Expenses**

### **6.1 Travel Expenses**

- a) Reimbursement will be made for reasonable travel expenses incurred by LDAO directors and committee members attending regularly scheduled board, committee meetings and all other approved LDAO activities.
- b) Travel expenses for directors to attend the Annual General Meeting will be reimbursed.
- c) Any other claim for reimbursement for travel expenses will require prior written approval of the Executive Committee.
- d) No reimbursement will be made unless reported on an LDAO expense voucher to which is attached the copies of all bills, original receipts or other documentation for the expenditure. Credit card receipts must be accompanied by the original receipt.
- e) Travel by car will be reimbursed at a rate per kilometre and will be reviewed annually.
- f) Economy train fare or bus fare will be reimbursed with proper documentation. If air travel is required, reimbursement for economy class airfare will be expensed if approved in writing prior to the ticket being purchased.
- g) Taxi fare will be reimbursed for travel to and from airports, where no local transportation system is available.

### **6.2 Accommodation**

#### **a) Board Meetings**

- i. Directors or committee members from out-of-town are requested to stay at the hotel designated by LDAO.
- ii. Reservations will be made by LDAO staff for out-of-town directors or committee members requiring accommodation for the dates of all meetings. Twenty four (24) hour notice is required that the reservation is not necessary.
- iii. In the event that a director or committee member does not advise the LDAO office that he/she will not use the reservation and LDAO is charged for the expense, the individual may be required to reimburse LDAO for the expense, unless extenuating circumstances are considered and approved by the Executive



- Committee.
- iv. Directors using other hotels will be reimbursed at the current designated hotel rate and are requested to make their own reservations.

**b) Annual Meetings**

- i. It is very important that all Directors attend the Annual General Meeting.
- ii. LDAO will make arrangements for out-of-town directors to stay at the designated hotel and the room will be billed directly to LDAO.

**6.3 Meals**

- a) Directors are requested to observe maximum costs per meal at a rate to be reviewed annually. Liquor charges are not permissible. All expense claims must be accompanied by original receipts.

**6.4 Expense Limitations**

- a) With the exception of necessary travel expenses, total expense allowances may not exceed the following:
  - Breakfast - \$10.00
  - Lunch -\$15.00
  - Dinner - \$25.00
  - Mileage will be paid at \$0.32cents/km.
- b) Expenses must be forwarded to the LDAO within 30 days after the expenses are incurred.

**6.5 Receipts in Lieu of Expenses**

- a) Directors are encouraged to absorb their own expenses if possible. Directors wishing an income tax deductible receipt for expenses donated should complete the usual expense form then issue a personal cheque for the amount they wish to donate. They will be reimbursed for the full allowable amount of the claim and an income tax deductible receipt will be issued for the amount of the contribution.

**6.6 Conferences**

- a) LDAO believes in developing the skills of directors and as such, will consider requests from directors to attend conferences that will enhance their ability to perform their duty as board members. This policy will take into consideration the financial ability of LDAO to absorb these activities.
- b) Delegates must have prior written authorization from the LDAO Executive Committee.
- c) Reasonable travel expenses, registration fees and accommodations will be reimbursed.

- d) The expense limits may be waived, depending on the location of the conference. This will be confirmed in writing to the director at the time the request is received.
- e) Directors will be required to provide supporting documents re expenses.
- f) Directors given permission to attend outside conferences will be required to submit a report of their attendance at the conference.

## **6.7 Speakers' expenses**

- a) Directors or other authorized persons invited to speak on behalf of LDAO will be reimbursed in accordance with Board Policy on Reimbursement of Expenses. Prior approval must be granted by the Chief Executive Officer who shall have the authority to approve expenses to a maximum of \$100. Expenses in excess of \$100 will require the prior approval of the Executive Committee.

# Learning Disabilities Association of Ontario

## Governance Policy No. 7

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## The Annual General Meeting

### 7.1 Annual General Meeting

- a) The annual meeting is a meeting to conduct the necessary ongoing business of the Association. In-service Chapter training is an integral but secondary part of the program.
- b) All information relating to the AGM will be posted to the Chapter ACCESS site for retrieval by the Chapters and directors (voting members) forty-five (45) calendar days prior to the meeting. This mailing will include:
  - i. Notice of the Meeting
  - ii. Agendas for the Annual and Business Meetings
  - iii. Notices of Motions re Approval of the Minutes of previous year's meeting, Audited Financial Statement, Appointment of Auditors, Confirmation of Acts and the Election of Directors
  - iv. LDAO Annual Report
  - v. Any By-law and Policy Amendments
  - vi. Voting Control Sheet
- c) The Annual Meeting should be planned as a break-even proposition.

### 7.2 Conducting the Meeting

- a) Business Meeting
  - i. The Business Meeting should be chaired by the Chair or, in his/her absence, by the Vice Chair or in their absence by a Director or other person elected as Chair for the meeting.
  - ii. There should also be a designated Parliamentarian. This person should be familiar with both parliamentary procedure and LDAO by-laws and policies.
  - iii. A Secretary will be appointed by the Chair of the meeting to record the minutes of the meeting.
  - iv. Quorum required for the Business meeting is based on 2/5<sup>th</sup> of the total number of chapters and directors eligible to vote in person or by proxy. Chapter numbers are based on the membership total for each chapter at the end of August of each fiscal year (2 x family/individual members + 1 x professional/institutional members) then assigned an eligible vote based the formula found below. Directors are entitled to

one vote per director.

Chapter Membership	Number of Votes
11 to 39	1
40 to 59	2
60 to 79	3
80 to 99	4
100 to 119	5
120 to 139	6
140 to 159	7
160 or more	8

v. Voting:

- A simple majority is required to carry a motion. In the case of a tie, the Chair casts the deciding vote.
  - If a weighted vote on any question is demanded by any two (2) voting members present personally or by proxy, the vote must be taken by weighted vote and the vote will be recorded in the minutes.
  - On any question, any two voting members present in person or by proxy may demand a poll and the vote shall be taken by weighted vote and by ballot.
  - The Chair declares acceptance or defeat of motions.
- b) All meetings of the Association will be run according to Robert's Rules of Order and the by-laws and policies of LDAO.
- c) Small chapters, located at a great distance from the location of the meeting, and having met all chapter retention requirements, may be considered for assistance to attend the Annual Meeting.

# Learning Disabilities Association of Ontario

**Governance Policy No. 8**

**Date: Sept 2006**

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## **Board Planning Responsibilities**

### **8.1 Planning**

- a) One of the most important responsibilities of the Board is to provide general guidance and direction for LDAO. Planning means that LDAO will:
  - i. ensure that LDAO's services meet the community's changing needs;
  - ii. anticipate financial or funding changes;
  - iii. establish a process for ongoing operations;
  - iv. enable the board and staff to make proactive rather than reactive decisions;
  - v. help the board, committees and staff to develop a consistent understanding of their roles and responsibilities;
  - vi. establish a framework for relationships with government and other agencies;
  - vii. provide the community with an understanding of the work of LDAO;
  - viii. create a basis for evaluation of LDAO activities and future considerations.
  
- b) In order for the planning process to be effective, the following principles must be respected:
  - i. Every board member must participate in the planning process as part of their commitment to the final product.
  - ii. The leadership of LDAO must demonstrate its ongoing commitment to the plan in a consistent and visible manner.
  - iii. For each activity acted upon, it must have a board "champion", someone who is committed to seeing the activity implemented.
  - iv. The plan must be consistent with the values of LDAO and support the mission of LDAO. Commitment is based upon consistency of values.
  - v. The plan must provide challenging, responsible assignments delegated with sufficient authority to permit independent work and accomplishment.

### **8.2 Types of Organizational Planning**

#### **a) Strategic Plan**

- i. The LDAO Board, consulting with staff and key stakeholders, shall establish LDAO's overall direction through the development and approval of a strategic plan.
- ii. This will be a tentative blueprint for activities for the next three to five years.
- iii. The strategic plan will identify the "key areas" in which the board wants to focus the activities of LDAO and general goals for each of these areas.

**b) Annual Operating Plan**

- i. The LDAO Board shall ensure that senior management uses the general blueprint of the strategic plan to develop an annual operating plan and budget for the next twelve month period.
- ii. The Annual Operating Plan will contain the following:
  - Specific objectives to achieve success with the prescribed strategic plan;
  - Expected deliverables for each objective;
  - The time period during which those results will be sought;
  - Criteria for measuring the achievement of those results;
  - Revenue and expenditure forecasts related to those objectives.
- iii. This plan will be presented to the Board for review, amendment and approval by its last board meeting of the current fiscal year.

**c) Planning Cycle**

- i. The LDAO Board shall ensure that it puts in place a procedure to monitor progress against targets set in the annual Operating Plan and Budget on a quarterly basis.
- ii. The third quarter review will be a thorough analysis of performance and projections of the expected year-end results.
- iii. During this third quarter the preliminary planning for the coming year's operating goals takes place and is completed late in the fourth quarter, based on actual prior year results.

**d) Evaluation**

- i. Evaluation is one of the constant fundamental roles of the Board. Evaluation is conducted for a number of reasons:
  - to continuously improve LDAO's work;
  - to ensure programs and services meet the expectations and objectives set within: and to make necessary changes as required;
  - to be accountable to the community and the people served by LDAO;
  - to meet the requirements of funders;
  - to provide feedback to the staff and volunteers doing the work of LDAO.
- ii. The Board's role is to monitor the evaluation processes, make recommendations and ensure compliance.

# Learning Disabilities Association of Ontario

**Governance Policy No. 9**

**Date: Sept 2006**

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## **Board Responsibilities re Financial Stewardship**

### **9.1 Responsibilities**

- a) The Board is responsible for the review and approval of the annual operating and capital budgets; secure adequate financial resources; ensure development of financial management and inventory control systems adequate to properly record financial transactions and control of assets; monitor efficient use of resources; and, ensure the establishment of proper financial controls and policies.

### **9.2 Financial Management**

#### **a) Budget Approval:**

- i. The Executive Committee, in conjunction with the Treasurer and Chief Executive Officer, will ensure that a budget is presented for approval to the Board annually. The budget will include projected income, identified projects and expense allocations.

#### **b) Financial Controls and Procedures**

- i. The Board must protect and manage the financial resources of the organization. LDAO will have a system to ensure accurate financial records are kept. This will include:
  - a bookkeeping system
  - a cash management system and internal controls
- ii. The accounting system will be designed to adhere to general accepted accounting policies (GAAP)
- iii. Throughout the year, the Board will receive accurate financial information about LDAO in the form of financial statements, including a balance sheet.
- iv. LDAO will have in place a Financial Policy Manual that outlines the procedures for financial control.

#### **c) Fund Development**

- i. In conjunction with the Chair of the Fund Development Committee, the Chief Executive Officer and Fund Development Consultant, the Board will establish fundraising targets based on the needs of LDAO, develop goals, objectives and critical paths for success. The Board will also be responsible to recruit champions for Fund Development.

d) **Capital Management**

- i. LDAO will account for tangible assets at a prescribed dollar value to be determined from time to time by the Board.
- ii. LDAO will establish an inventory of tangible assets.

e) **Audit**

- i. LDAO will have an independent audit firm look at the books at the end of each fiscal year. The Chief Executive Officer, the Treasurer, and the LDAO Financial Consultant will ensure that an audited report is presented to the Board and LDAO members for approval.



# Learning Disabilities Association of Ontario

**Governance Policy No. 10**

**Date: Sept 2006**

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## **Board Responsibilities re Monitoring and Evaluation**

### **10.1 Monitoring and Evaluation**

- a) Monitoring is the systemic collection and analysis of information as programs and projects progress. It is a critical function of LDAO's programming.
- b) Upon completion of each deliverable in the current Operating Plan, the Board will receive an Ends Monitoring report, containing the following information:
  - i. Description of the deliverable and targeted audience if applicable
  - ii. How this deliverable fits with LDAO's priorities
  - iii. Demonstration of objective, evidence-based, consultative process; and
  - iv. Intended impact if applicable
- c) LDAO shall establish measurable indicators of efficiency, effectiveness and impact for all development programs through the following interpretation:
  - i. "Objective" means unbiased and neutral both at the staff level and the Board level
  - ii. "Evidence-based" means based on quantifiable data/literature/other experience/emerging best practices
  - iii. "Consultative" means engaging stakeholders in the planning process, as opposed to developing results in isolation
  - iv. "Information" refers to system planning information and means facts and descriptive information related to government and community stakeholders priorities and needs
  - v. "Advice" means Board advice to the Minister of Education and/or advice to Ministry staff including a combination of information, recommendations and/or solutions
  - vi. "Solutions" means plans/comprehensive answers to specific questions or issues, which may include specific actions, agreed to consensually by LD stakeholders within their scope of authority or recommendations for action requiring some other level of approval
  - vii. "Resources required to meet needs" refers to tangible resources, such as financial, human and physical resources
  - viii. "Relative planning and project priorities" are set out in the Annual Operating Plan, following a process using criteria reflective of Board strategic priorities
- d) The LDAO Board is responsible for ensuring that adequate systems are in place for monitoring organizational performance. This applies to:

- i. Monitoring the general performance of the organization reflecting legislative and regulatory changes;
- ii. Monitoring the general performance of the organization against the approved objectives;
- iii. Reporting to funders and other key stakeholders.

# Learning Disabilities Association of Ontario

**Governance Policy No. 11**

**Date: Sept 2006**

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## **Board Responsibilities re Risk Management**

### **11.1 General Statement**

Risk implies a potential consequence. Managing risk is a way for the LDAO Board to monitor the reduction of adverse effects or avoid them altogether. The LDAO Board shall account for risks and their impacts through effective monitoring of operational planning and management to best serve the interests of LDAO.

### **11.2 Individual Responsibility to Reduce Risk**

- a) Attend board meetings whenever you are reasonably able to do so.
- b) Read and understand the minutes and relevant board package information.
- c) Ensure that all reports be written and circulated or given orally at board meetings.
- d) Be familiar with LDAO's purpose, objectives and programs.
- e) Satisfy yourself that LDAO is fulfilling the requirements of its by-laws and those of Canada Revenue Agency.
- f) Ensure that LDAO's affairs are being managed in a manner consistent with its mission and mandate.
- g) Understand the conflict of interest policy and avoid any appearance of personal gain. Exercise the conflict of interest policy when required or perceived to be required.

### **11.3 Financial Responsibility to Reduce Risk**

- a) Become familiar with LDAO's finances, including the budget and the budget process.
- b) Ensure adherence to cheque signing protocols and approval amounts. .
- c) Adherence to a year-end financial audit completed by a reputable chartered accountant.

#### **11.4 Responsibility for Organizational Policies to Reduce Risk**

- a) Policies are to be written in a clear and unambiguous manner and monitored for compliance.
- b) Periodic review of the Personnel Policy Manual to ensure compliance of Human Resource protocols.
- c) Insist that nomination and membership procedures set out in the by-laws are followed.
- d) Be familiar with LDAO's policy on volunteer responsibility, authority and eligibility.
- e) Question all matters concerning policy and practice for clarification.

#### **11.5 Responsibility for Public Profile to Reduce Risk**

- a) Discover how LDAO is viewed in the community. Scrutinize and monitor any publications put out by LDAO.

# Learning Disabilities Association of Ontario

**Governance Policy No. 12**

**Date: Sept 2006**

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## **Board Responsibilities re Community Representation and Advocacy**

### **12.1 Public Relations**

- a) Public relations assist LDAO in achieving its goals and objectives through the development and execution of programs designed to earn public understanding and support.
- b) The LDAO Board is responsible for representing LDAO positively to the community.
- c) The LDAO Board is responsible for fairly representing community perspectives to LDAO.
- d) The LDAO Board shall ensure community input to its planning and program development.
- e) The LDAO Board shall advocate for adequate resources to fulfill the organizational mandate.
- f) Authority to speak on behalf of LDAO shall rest with the Chair and/or Chief Executive Officer. This authority may be delegated by either to membership within the LDAO Board or the community.
- g) The LDAO Chair shall represent LDAO on matters of Board policy
- h) The LDAO Chief Executive Officer shall represent LDAO on operational matters.
- i) Either the LDAO Chair or the Chief Executive Officer may represent LDAO on issues related to advocacy on behalf of the mandate of LDAO.
- j) Any major statements of an advocacy nature shall be consistent with the general parameters of Board approved policies or positions.

# Learning Disabilities Association of Ontario

**Governance Policy No. 13**

**Date:**

**Revised Date: Sept 2006**

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## **Board Responsibilities re Board Development**

### **13.1 Nominating Committee**

By-law #14 provides the basic structure of the LDAO Nominating Committee.

### **13.2 Role of the Nominating Committee**

- a) The Nominating Committee will, as director vacancies occur or are anticipated, review the needs of the Board for specific expertise, resources or skills necessary to bring strength and balance to the LDAO Board.
- b) The Nominating Committee shall identify, check references, interview and recruit suitably qualified individuals willing to consider being nominated for such positions and recommend their appointment to the members of LDAO in a manner consistent with the By-Laws of LDAO.

### **13.3 Orientation of New Members**

- a) New Board members shall receive a thorough orientation to their position within one month of becoming a member of the Board.
  - i. LDAO's history, mission and purpose;
  - ii. Constitution, by-laws and governance policies;
  - iii. An overview of funding sources
  - iv. An overview of key policy areas and copies of policies to study;
  - v. Role, structure and functions of the Board;
  - vi. Procedural guidelines for Board meetings;
  - vii. Procedures for Board member expenses.
- b) Each new member shall be assigned a more experienced member as a "buddy" or "mentor" to help integrate the new member and answer any questions he/she may have about Board procedures.
- c) Each Board member will be personally given a tour of the facilities and an introduction to all staff.
- d) LDAO shall prepare a Board manual for each member of the Board.
- e) Each Board member will be required to sign an Oath of Confidentiality, Code of Conduct and Conflict of Interest agreement.

# Learning Disabilities Association of Ontario

**Governance Policy No. 14**

**Date: Sept 2006**

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## **Board Responsibilities re Human Resources**

### **14.1 Human Resources**

- a) The LDAO Board is responsible for ensuring the establishment of personnel policies to govern the management of staff and volunteer resources.
- b) The LDAO Board will ensure that a Personnel Manual is developed, reviewed on a regular basis, and is presented to each new employee.
- c) All LDAO employees are required to read and sign a document that indicates they have read the document and agree to abide by the policies. This does not imply that the employee is in complete agreement with the policies.
- d) The Personnel Policy Manual will contain the following information:
  - i. Recruiting, supporting and evaluating the performance of the Chief Executive Officer and staff positions;
  - ii. Conditions of Employment;
  - iii. Harassment Protocols;
  - iv. Monitoring procedures for compliance with legislative and regulatory requirement;
  - v. Remuneration;
  - vi. Terms of Employment;
  - vii. Staff Relations; disciplinary strategies including Grievance Procedures.

# Learning Disabilities Association of Ontario

**Governance Policy No. 15**

**Date: Sept 2006**

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**Board Responsibilities re Management of Critical Transitional Phases**

## **15.1 General Statement**

- a) The LDAO Board is responsible for management of critical transitional phases and events. These include:
  - i. Turnover in key positions in the board and senior management;
  - ii. Rapid growth or decline in resources;
  - iii. Labour relations disputes;
  - iv. Issues of significant public controversy



# Learning Disabilities Association of Ontario

**Governance Policy No. 16**

**Date: Sept 2006**

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## **Board Responsibilities re Complaints Review**

### **16.1 General Statement**

- a) The LDAO Board does not generally have direct contact with clients. Therefore, where a client makes direct contact with a board member for assistance in the resolutions of specific service issues, the board member shall refer the client to the Chief Executive Officer.
- b) A Board member may not interfere in the handling of a specific case by approaching individual staff members.
- c) Concerns about the management of a case should be conveyed to the Chief Executive Officer.
- d) The Chief Executive Officer may inform the concerned Board member about the action taken in the case or authorize a manager to communicate the information directly to the Board member.
- e) The identity of clients is otherwise confidential to the staff involved in the provision of services. Client names and identifying personal information will be withheld when case information is presented to the Board or a committee for orientation or illustrative purposes.
- f) Service providers and supervisory staff shall initially respond to client complaints about the nature or quality of services provided by LDAO.
- g) The client shall have an opportunity to appeal a decision to the Chief Executive Officer; and an appeal of any decision of the Chief Executive Officer to the Board.
- h) The LDAO Board shall establish a tribunal of board members to hear the client and review the matter. They may not overturn staff decisions but may make recommendations to the Chief Executive Officer on the matter and may recommend policy amendments to the Board.

# Learning Disabilities Association of Ontario

**Governance Policy No. 17**

**Date: Sept 2006**

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## **Board Responsibilities re Executive Authority**

### **17.1 Chief Executive Officer**

- a) The LDAO Board contracts with the Chief Executive Officer for the management and administration of LDAO.
- b) The Chief Executive Officer is responsible, within parameters established by the Board, for determining the methods by which the Board's direction and policies will be executed and the desired outcomes achieved.
- c) The Chief Executive Officer is employed by the Board and is, therefore, responsible to the board as a whole, not to individual members.
- d) The Chief Executive Officer reports through the Chair of the Board.
- e) All Board authority delegated to staff is delegated through the Chief Executive Officer, so that the authority and accountability of staff derives from the authority and accountability of the Chief Executive Officer.
- f) The LDAO Board as a group, rather than individual directors, officers or committees is responsible for providing direction to the Chief Executive Officer.

### **17.2 Appointment of the Chief Executive Officer**

- a) Recruitment, selection and appointment of the Chief Executive Officer are, along with performance monitoring, among the most important responsibilities of the Board.
- b) Appointment of a Chief Executive Officer requires the approval of an eighty percent (80%) majority of the incumbent directors
- c) In the event that the performance of the Chief Executive Officer is deficient or there is a loss of confidence in the incumbent, the Board, as a whole, is responsible for ensuring, as amicably as possible, a termination of the relationship.
- d) Dismissal of the Chief Executive Officer shall require two-thirds (2/3) of the full Board of Directors voting in favour of dismissal at a meeting duly called to consider such action. This proposed action will be brought forward as a recommendation from the Executive Committee.

### **17.3 Performance Evaluation**

- a) The Chief Executive Officer is the sole official link between the LDAO Board and the organization that it governs.
- b) The Chief Executive Officer's job contributions can be expressed as performance with respect to six components
  - i. Chief Executive Officer's job description;
  - ii. Annual performance objectives negotiated with the LDAO Board through the Executive Committee;
  - iii. Organizational achievement of operating plan and objectives;
  - iv. Organizational operation within the boundaries established in Board policies;
  - v. Quality of relationship with senior staff;
  - vi. Quality of relationship with major community stakeholders
- c) The essence of the performance evaluation shall be results-focused rather than subjective or personality oriented. The annual evaluation will provide an overall assessment of performance relative to this policy statement and its employment contract with the Chief Executive Officer.
- d) The LDAO Executive Committee and the Chief Executive Officer shall determine a procedure for the annual evaluation of the Chief Executive Officer.
- e) The LDAO Executive Committee will ensure compliance with the Chief Executive Officer's employment contract, if applicable.

# Learning Disabilities Association of Ontario

**Governance Policy No. 18**

**Date:**

**Revised Date: Sept 2006**

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**LDAO Code of Conduct**

## **18.1 Code of Conduct**

- a) All Board members are expected to comply with the prescribed Code of Conduct of LDAO. The Code of Conduct is designed to allow LDAO to preserve its long tradition of integrity and credibility with the public and within the Association.

## **18.2 Categories of Conduct Defined**

### **a) Conduct of Service:**

- i. Always act with fairness, honesty, integrity and openness; respect the opinions of others and treat all with equality and dignity without regard to gender, race, colour, creed, ancestry, place of origin, political beliefs, religion, marital status, disability, age or sexual orientation.
- ii. Promote the mission and objectives of LDAO in all dealings with the public.
- iii. Provide a positive and valued experience for those receiving service within and outside LDAO.

### **b) Conduct of Accountability:**

- i. Act with honesty, integrity, transparency and in accordance with any professional standards and/or governing laws and legislation that have application to the responsibilities performed for or on behalf of LDAO.
- ii. Comply with both the letter and intent of any training or orientation provided by LDAO.
- iii. Adhere to the policies and procedures of LDAO and publicly support the decisions and directions of the LDAO.
- iv. Take responsibility for all actions and decisions. Follow reporting guidelines to facilitate the effective resolution of problems.

### **c) Conduct of Confidentiality**

- i. Respect and maintain the confidentiality of information gained as a volunteer, including, but not limited to, all computer software and files, LDAO business documents, all employee, volunteer, membership, donor records and individual personal information about persons with LD who have contacted LDAO for service. (See separate policy 19 re Confidentiality and Personal Information Protection and Electronic Document Act, PIPEDA)

- d) **Conduct of Dealing with Vulnerable Individuals**
  - i. There are certain individuals who due to age or disability, may be at greater risk for harm or harassment. All persons taking part in the operations of LDAO must ensure that great care is taken to protect these vulnerable clients.
  
- e) The LDAO volunteer Board members, all LDAO employees (permanent full-time, hourly, fixed term contract, permanent part-time), direct service program volunteers, and third party service providers the will adhere to the Code. They will receive the following;
  - i. A copy of the LDAO Code of Conduct Policy
  - ii. A copy of the LDAO Personnel Manual.
  
- f) The LDAO volunteer Board members, all LDAO employees (permanent full-time, hourly, fixed term contract, permanent part-time), direct service program volunteers, and third party service providers will be required to sign a Declaration that they have read and will abide by this Code and all related Policies.
  
- g) The LDAO volunteer Board members, all LDAO employees (permanent full-time, hourly, fixed term contract, permanent part-time), direct service program volunteers, and third party service providers will receive the proper training to perform their responsibilities in line with the Code of Conduct.

# Learning Disabilities Association of Ontario

**Governance Policy No. 19**

**Date:**

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**Policy re Confidentiality**

## 19.1 Confidentiality

Respect for confidentiality is the cornerstone of trust and confidence as well as a legislated obligation.

- a) Board members have a duty to protect the confidentiality of any information received by the Board and to ensure that all such confidential information will only be used or shared with others as authorized. This includes information shared at Board meetings and in Board reports, other than information included in the minutes.
- b) The duty of confidentiality continues indefinitely after a Director has left the Board.
- c) All Board members, staff and volunteers of LDAO and its Chapters who enter the Association's premises will be expected to sign an Oath of Confidentiality upon becoming involved with LDAO and its Chapters.

## 19.2 Personal Information Protection and Electronic Document Act (PIPEDA)

In compliance with the Personal Information Protection and Electronic Document Act (PIPEDA), January 1, 2004, LDAO and its Chapters will adhere to the following policy around the collection, distribution, and use of any personal information in the workplace.

- a) Accountability:
  - i. Volunteers, staff, and representatives of LDAO and its Chapters will be responsible for protecting all client information.
  - ii. LDAO and its Chapters will appoint one person as Privacy Officer at their respective offices. It will be the responsibility of each staff and volunteer to follow compliance policies. In the event of a complaint, the Privacy Officer will be assigned the task of resolving the matter to the client's satisfaction.
- b) Identifying Purpose:
  - i. When initial contact is made with a client, you will advise him/her that LDAO and/or the Chapter collects information for the purposes of research, statistics and for planning services and programs at the provincial and local level only.
  - ii. Confirm that LDAO and its Chapters have a policy that expressly states that their personal information is not shared outside the organization.

- c) Consent:
  - i. LDAO and/or its Chapters must advise the client that with his/her permission, you are going to take some notes of the conversation that may be used for the express identifying purposes above.
- d) Limiting Collection:
  - ii. Limit personal information collected to that which is necessary to achieve the organization's purposes as outlined in Item 1 above and meets the client's purpose for contacting the organization.
- e) Limiting Use, Disclosure and Retention:
  - i. LDAO and its Chapters will not disclose any information collected on a client without the written permission of the client or as required by law.
  - ii. LDAO and its Chapters will have a process for the safe retention of such information for up to 5 years after contact is initiated, unless there is ongoing contact with the client.
  - iii. At the end of five years, LDAO and its Chapters will destroy the information in such a manner as required to ensure that the client is not identified.
- f) Accuracy:
  - i. Information will be maintained in an accurate, complete, and current form and used only to fulfill the purposes for which it was collected, unless additional consent has been obtained.
- g) Safeguards:
  - i. All information collected from clients will be stored in a secure area.
  - ii. LDAO and its Chapters will designate staff and/or volunteers authorized to access the information and the storage area. The client will be advised of this at the time of contact.
- h) Openness:
  - i. Make clients aware of the policy and practices that apply to the management of personal information on initial contact and be prepared to give them written copies of policies and practices.
- i) Individual Access:
  - i. Upon request, we will inform clients of the existence, use and disclosure of their personal information. Clients will be able to verify the accuracy and completeness of information. The client can challenge the accuracy and completeness of the information and have it amended as appropriate.
- j) Challenging Compliance
  - i. Any issues or complaints as to compliance with PIPEDA principles will be forwarded to the Privacy Officer or a designated PIPEDA Compliance Officer.
  - ii. LDAO and its Chapters will have a written process for resolving any issues or complaints.

- iii. The client will be required to put their concerns in writing or alternate format and the final resolution of the issues will also be provided to all parties in written form or alternate format on request.
- k) LDAO and its Chapters will develop specific notification to appear on all fax and e-mail forms, plus a verbal comment for phone contact that complies with the Act.



# Learning Disabilities Association of Ontario

**Governance Policy No. 20**

**Date:**

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**LDAO Conflict of Interest Policy**

## **20.1 Conflict of Interest**

- a) It is the duty of any person taking part in the operations of LDAO to act at all times in the best interests of LDAO. In order to maintain the high level of public support and respect that it enjoys, it is essential that the affairs and business of LDAO be conducted professionally, objectively and without interference or the perception of interference arising from personal interests of the individuals involved in making decisions for LDAO.

## **20.2 Definition of Conflict of Interest**

- a) Board members are considered to be in conflict of interest whenever they themselves, or members of their family, business partners or close personal associates, may personally benefit either directly or indirectly, financially or otherwise, from their position on the Board.
- b) A conflict of interest may be “real”, “potential” or “perceived”; the same duty to disclose applies to each.
- c) Full disclosure in itself, does not remove a conflict of interest.

## **20.3 Disclosing a Conflict of Interest**

There are several instances whereby a conflict of interest can be disclosed:

- a) By the individual themselves:
  - i. If a Director is unsure if he/she is in conflict of interest about an upcoming agenda item, the matter may be brought before the Chair, or the Executive Committee or Board for advice and guidance. The Director must abide by the decision of any of these groups re the potential, real or perceived conflict of interest.
  - ii. A Director who believes him/herself in a potential, real or perceived conflict of interest must disclose this as soon as the issue arises and before the board or its committees deal with the matter at hand.
  - iii. If the Board questions the disclosure, the Board will determine by vote if a conflict exists. The person potentially in conflict shall be absent from this discussion and vote.

- iv. If it is deemed that a conflict does exist, the affected person shall then absent him/herself from any or all discussions, deliberations or voting in respect of the matter, and shall not directly or indirectly attempt to influence the decision on the matter.
- b) By another Board member(s):
  - i. If another Board member(s) is aware of a potential, real or perceived conflict of interest on the part of a fellow Board member, is it the responsibility of that Board member(s) to raise the issue for clarification, first with the Board member and, if unresolved, the Board Chair.
  - ii. The affected Board member must abstain from participation in any discussion on the matter, shall not attempt to personally influence the outcome, shall refrain from voting on the matter and unless otherwise decided by the Board, must leave the meeting room for the duration of any such discussion or vote.
  - iii. The disclosure and decision as to whether a conflict exists shall be duly recorded in the minutes of the meeting. The time the person left and returned shall also be recorded.

#### **20.4 Conflict of Interest re Staff**

- a) No person who is directly related to the Chief Executive Officer or a staff person shall assume the role of Chair of LDAO. Direct relationship in this context means parent, child, sibling, spouse or partner.
- b) Paid staff within the organization may have a conflict of interest when they function as members. In order to avoid this:
  - i. paid staff who are members shall be non-voting members and as such shall not participate in the nomination/election process of the volunteer board; move or second motions; participate in discussions relating to by-law and policy matters other than to provide information as requested; or vote upon any item in front of the membership at a general or special meeting of the membership.
- c) Paid staff will be entitled to utilize and access Association programmes and services at the rate and in the way to which voting members are entitled.

#### **20.5 Period of Rest**

- a) Board members shall not assume a staff position or act as a paid consultant/independent contractor within LDAO for one year after stepping down from the Board.

#### **20.6 Resolution of Conflict of Interest**

- a) The resolution of a conflict of interest shall be determined by the Executive Committee in the following manner:
  - i. In a duly called meeting for this purpose, the Executive Committee shall review any complaints that a Director has violated any provision of the LDAO by-laws,

- governance policies, code of conduct, or confidentiality oath.
- ii. The Executive Committee shall similarly review disputes between members of the Board that interfere with the ability of the Board to carry on its business.
  - iii. Complaints of a grave nature may be referred to an independent arbiter.
  - iv. Allegations of illegal activity shall immediately be referred to the police or other appropriate authorities for investigation. Any director against whom such allegations are made shall take a leave of absence from the Board pending completion of the investigation.
  - v. The review of such complaints or disputes shall include an opportunity for the members concerned to present their positions. Executive Committee members who originate or are the subject of such complaints or disputes must declare their conflict and absent themselves from such meetings.
  - vi. Every attempt should be made to resolve such matters expeditiously and fairly.
  - vii. The recommendations regarding resolution of such matters shall be brought to the Board for approval.
  - viii. The ruling of the Board shall be final. Should the member refuse to abide by the ruling, the Board may table the matter pending determination of disciplinary action. Such action may include formal or informal censure by the Chair or the Board, suspension, or a request for the member's resignation.

# Learning Disabilities Association of Ontario

**Governance Policy No. 21**

**Date:**

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**Contentious Issues**

## **21.1 Contentious Issues**

- a) LDAO has the responsibility for speaking on behalf of all the Chapters within the Province of Ontario regarding issues over which it has jurisdiction, e.g. provincial government legislation. It is essential that all Chapters speak in a consistent manner on all LDAO stated positions in order for our message to be effective and meaningful.
  - i. LDAO shall endeavour to solicit input from Chapters on major issues of concern to the Association in order to reflect a consensus of thought from all areas of the province.
  - ii. Deadlines for input from Chapters will be clearly indicated, trying as much as possible to ensure adequate timelines for response, respecting that Chapters' boards may not be able to meet or discuss their response on short notice.
  
- b) LDAO reserves the right to respond to major issues of concern without soliciting input from the Chapters if the LDAO deadline for response is imminent.
  - i. The LDAO Chair or his/her designate will approve any public statement that represents the position of LDAO, with or without Chapter input.

# Learning Disabilities Association of Ontario

**Governance Policy No. 22**

**Date:**

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**LDAO Documents and Briefs**

## **22.1 Ownership of LDAO Documents and Briefs**

- a) All documents, defined here as brochures, booklets, manuals, posters and briefs, that are produced under the auspices of the Learning Disabilities Association of Ontario are the property of LDAO.
- b) Brochures, booklets, and manuals produced under the auspices of the Learning Disabilities Association of Ontario shall not bear the signature or acknowledgement of any individual author. Instead, all such documents, where appropriate, shall contain an acknowledgement page recognizing ALL contributors to the document in question.
- c) LDAO posters, by nature of their layout, shall contain any acknowledgement of authors, graphic designers, artists, etc. on the poster itself.
- d) Briefs prepared on behalf of LDAO shall bear only the individual identification of the Chair and/or Chief Executive Officer of LDAO, unless otherwise designated by LDAO.

## **22.2 Submission of Briefs**

- a) **To the Federal Government**
  - i. It is the role of LDAC to engage in all contact at the federal level of government.
  - ii. If any branch of the federal government invites input from LDAO, LDAC will be notified and a copy of all submissions from LDAO will be sent to LDAC.
- b) **To the Provincial Government**
  - i. It is the role of LDAO to engage in all contact at the provincial level of government.
  - ii. Chapters with local issues which have provincial implications must submit these issues to the LDAO Legislation and Policy Committee for its consideration.
  - iii. Whenever possible, LDAO will seek the input of Chapters when preparing a brief.
- c) **To Municipal Government**
  - i. Chapters have autonomy at the municipal government level.
  - ii. It is essential that all submissions by Chapters of briefs or communications of similar nature to municipal governments shall represent the views of the Chapter rather than those of any one individual.

- iii. Chapter briefs shall be submitted under the signature of the President of the Board, after receiving approval from the Chapter Board.

### **22.3 Exchange of Information**

- a) Copies of all briefs and submissions to local government will be submitted to LDAO and LDAO will in turn submit copies of its briefs and submissions to government to all Chapters for their information. All briefs are to be signed by the President of the Chapter or the Chair of LDAO, as applicable, and a record kept of the authors and contributors.

### **22.4 Record Keeping**

- a) LDAO and Chapters will, so far as possible, keep records of all briefs and submissions by date and cross-referenced to subject matter.

# Learning Disabilities Association of Ontario

**Governance Policy No. 23**

**Date:**

**Revised Date: Sept 2006**

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## **Membership Fees and Administration**

### **23.1 Membership Fees**

- a) As per LDAO By-laws Re Membership Fees, the LDAO Board sets the fees at a reasonable rate and may change those at any time.
- b) Membership is for a twelve (12) month period ending the last day of the month one year later to the month membership was accepted.
- c) LDAO has established an annual rate for Individual/Family, Professional, Institutional and Student fees.
- d) The rates for member fees as of April 1, 2006 are:
  - i. Family \$ 50
  - ii. Individual \$ 50
  - iii. Student \$ 20
  - iv. Professional \$ 75
  - v. Organizations \$125

### **23.2 Membership fee breakdown**

The annual fee is broken down into the following program areas.

**Chart 1: Breakdown of Membership Fees**

Type of Member	Chapter	LDA Canada	National	Communique	LDAO Chpt Dev
Individual/Family	\$15.00	\$8.00	3.00	\$7.00	\$17.00
Professional	\$20.00	\$8.00	3.00	\$7.00	\$37.00
Institutional	\$25.00	\$8.00	25.00	\$30.00	\$37.00
Student	\$7.00	N/A	N/A	\$7.00	\$6.00

### **23.3 LDAO Membership Services**

- a) LDAO provides the administrative services for LDAO and the Chapters for the collection, recording and distribution of membership fees.
- b) LDAO will acknowledge directly to members receipt of membership fees and provide print documentation on a monthly basis on changes of Chapter membership status.
- c) The process is subject to change from time to time but Chapters will be consulted prior to any changes being enacted.



# Learning Disabilities Association of Ontario

**Governance Policy No. 24**

**Date:**

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**Communiqué**

## **24.1 Purpose**

- a) Communiqué is the official newsletter of LDAO, and as such shall clearly indicate to the members, stakeholders and the general public the position of the Association.
- b) It shall also serve as a vehicle for Chapter communication and services.
- c) Communiqué is considered LDAO's publication to the LD community, containing articles of interest to persons living with LD or working in the field of learning disabilities. The Communiqué also serves as an information update to government, funders and potential targeted partners for LDAO.

## **24.2 Content**

- a) Communiqué shall have a high Canadian content.
- b) Articles shall be encouraged from individuals with LD, from professionals working or doing research in the field of LD.
- c) Recognition of Chapter services will be a standard part of the newsletter.
- d) Content for each edition will be agreed upon by the Chief Executive Officer, the Director of Programs and Services, and the Editor.
- e) Final content and layout is to be reviewed by the Chief Executive Officer, The Director of Programs and Services, the Director of Chapter and Member Services and the Fund Development Consultant.
- f) It is the responsibility of the Chief Executive Officer to sign off on the document prior to its publication.
- g) The Scientific Issues Committee shall act as a resource for the approval of submissions of a technical nature prior to publication.
- h) LDAO funding sources will be formally recognized in Communiqué

### **24.3 Publication Dates**

- a) The Communiqué will be published twice a year – May and October

### **24.4 Annual Subscription rates**

- a) Receipt of Communiqué is automatic, whether in print or electronic format, for individuals and organizations that have a current membership with LDAO.
- b) Individuals or organizations wishing only to receive Communiqué without other member benefits may take out a subscription to Communiqué. The rates for subscriptions will be set and reviewed each year.

### **24.5 Advertising**

- a) Communiqué may carry paid advertising.
- b) It shall be made clear that in accepting any information from individuals or organizations providing services to people with LD, this does not imply endorsement of the individual, organization or product. (See the LDAO Endorsement Policy)

# Learning Disabilities Association of Ontario

**Governance Policy No. 25**

**Date:**

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**Endorsement Policy**

## **25.1 Endorsement of Service Facilities**

- a) LDAO does not endorse any school, camp or other facility or service that provides programs or services to persons with Learning Disabilities.
- b) LDAO Directors and staff shall not express opinions as to the relative merits of one school, service or camp over another. Personal opinions may be expressed providing it is made clear that they are not speaking on behalf of the Association.
- c) Chapters shall also refrain from endorsing or recommending any particular facility or service.
- d) When providing information to the public, it is the responsibility of the directors and staff at both LDAO and the Chapters to provide a possible range of services to an individual, with the skills set to help them make knowledgeable decisions about best services for their needs.

## **25.2 Endorsement of Intervention Methods and Techniques**

- a) LDAO does not endorse any one intervention method or technique. Chapters shall also refrain from endorsing any one intervention method or technique.
- b) It is the role of the Association to provide a broad range of options for individuals seeking assistance and to provide the public with the skills set to determine the best possible option for them.

# Learning Disabilities Association of Ontario

**Governance Policy No. 26**

**Date:**

**Revised Date: Sept 2006**

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**Government Relations**

## **26.1 Relationship with Governments**

- a) LDAO shall not endorse any particular political party or candidate.
- b) LDAO and the Chapters shall adopt reasonable, realistic and positive attitudes in approaching all levels of government.
- c) The Association will keep abreast of prospective changes in legislation and regulations, submit appropriate briefs or other communications reflecting its opinions when solicited, and provide Chapters with copies of the briefs or communications.
- d) LDAO will assist Chapters with materials to provide to their local members of the Legislature and Trustees to keep them informed of issues of concern to the Provincial Association.
- e) Chapters are expected to serve on their local Special Education Advisory Committee's and to have available, if possible, knowledgeable members to serve on Appeal Boards.

# Learning Disabilities Association of Ontario

**Governance Policy No. 27**

**Date:**

**Revised Date: Sept 2006**

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**Insurance Coverage Policy**

## **27.1 General Statement**

- a) As an integral component of conducting business, LDAO and its Chapters require Commercial General Liability and Directors' and Officers' Liability insurance coverage. This insurance is necessary in order for us to maintain stability, security and integrity for LDAO and its Chapters.

## **27.2 Directors' and Officers' Liability Insurance**

- a) LDAO will pay for the costs of the D&O Liability insurance for the Provincial Board and its Chapter Boards. LDAO, through the carrier, shall provide the Chapters with the current policy number and selected vendor information for proof of coverage.

## **27.3 Commercial General Liability Insurance**

- a) Chapters are responsible for covering the costs of the Commercial General Liability insurance with respect to their activities, building and/or office contents and all equipment. LDAO will administer annual billings to Chapters reflective of current activities and contents as provided in writing by the Chapters.

## **27.4 Reporting Requirements**

- a) Chapters may be required to complete information request forms to provide the carrier with current information in order to ensure that LDAO and its Chapters have adequate coverage.
- b) Since specific coverage may vary from each respective insurance company, LDAO will provide Chapters with relevant information pertaining to the current carrier's coverage.

# Learning Disabilities Association of Ontario

**Governance Policy No. 28**

**Date:**

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**Legal Obligation to Government**

## **28.1 General Information**

- a) LDAO and its Chapters shall adhere to all legislation, both provincial and federal, that affects corporations, whether or not incorporated.
- b) LDAO and its Chapters shall monitor the news releases of provincial and federal agencies with whom they deal in order to be knowledgeable about new requirements and effect change within the prescribed timeframe and manner.

## **28.2 Obligations under Federal Legislation and Regulations**

### **a) Payroll Withholding Obligations**

Board members are responsible for ensuring that staff income and payroll taxes are withheld and submitted to Canada Revenue Agency.

- i. LDAO and its Chapters shall withhold the requisite Employment Insurance Benefits (EI) taxes, the Canada Pension Plan (CPP) taxes and personal income taxes from each paid staff in the manner and formula amount prescribed by the legislation and their regulations. (Note of Caution: if they fail to do so and the organization is unable to pay, board members will be personally liable, unless they can show they acted with due diligence.)
- ii. Payment of withholding taxes is due to the Canada Revenue Agency(CRA) in a manner prescribed by the Agency based on total payroll. Generally that date will be the 15<sup>th</sup> day of the following month for which it has been collected. Payment can be made at any Canadian Chartered Bank. If the employer has elected to use a payroll services, the payroll service will make the remittances on the prescribed dates on behalf of the employer. It is the responsibility of the Board to ensure that there is a clear record of such payments on their behalf.

### **b) T4's and T4 Summary**

- i. The Boards of LDAO and the Chapters shall ensure that at the end of each calendar year and prior to February 28<sup>th</sup> of the following year, a T4 form (and no other) must be issued to each employee. A copy of each individual employee T4 attached to a T4 Summary Sheet of total payroll is forwarded to CRA.
- ii. Failure to comply with this requirement may lead to significant penalties for the employer.

**c) GST Filings**

- i. Charitable organizations are able to reclaim a 50% rebate on the GST they paid in each fiscal year. Rebate filing dates are prescribed by CRA.

**d) Charities Directorate**

LDAO and its Chapters are Registered Canadian Charities. As such there are reporting obligations and the board must ensure that these obligations are met.

- i. The Boards of LDAO and its Chapters will ensure that it files the requisite Form T3010A (Registered Charity Information Return and Public Information Return) within six (6) months after the fiscal year end.

**e) Reporting Changes to CRA**

Canada Customs and Revenue Agency must be advised promptly:

- i. if a chapter ceases to operate;
- ii. if any change in name of charity is made;
- iii. if a change of address occurs;
- iv. if a decision is made to change the fiscal year end.

CRA website: [www.cra-arc.gc.ca/menu-e.html](http://www.cra-arc.gc.ca/menu-e.html)

Charities Directorate website: [www.cra-arc.gc.ca/tax/charities/menu-e.html](http://www.cra-arc.gc.ca/tax/charities/menu-e.html)

## **28.3 Obligations under Provincial Legislation and Regulations**

**a) Employer Health Tax**

- i. In the Province of Ontario, there is an Employer Health Tax assessed on the total gross payroll of an organization that exceeds an amount determined by the government.
- ii. The Boards of LDAO and the Chapters will ensure, if applicable, that the Employer Health Tax is paid in the amount and manner prescribed by the government.

**b) Employment Standards Act**

- i. LDAO and its Chapters are subject to this Act and its regulations.
- ii. LDAO and its Chapters shall ensure that there is a Personnel Policy Manual that provides in greater detail the obligations of the Association to its employees.

**c) Occupational Health and Safety Act**

- i. LDAO and its Chapters are subject to this Act and its regulations.
- ii. LDAO and its Chapters shall ensure that there are measures put in place to meet the requirements of this provincial legislation.

These policies are explained in greater depth in the Personnel Policy Manual.

The policies provided here do not constitute legal advice in the event that difficulties arise within LDAO or its Chapters. They are intended to give notice to LDAO and its Chapters of its legal obligations only. It is advised that you seek the independent help of a lawyer to resolve any issues.

# Learning Disabilities Association of Ontario

**Governance Policy No. 29**

**Date:**

**Revised Date: Sept 2006**

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**Policy re Fee for Service**

## **29.1 Fee for Service**

- a) LDAO will allow its chapters to charge a fee for service for third party advocacy services it provides to its community.
- b) This service fee is different from a cost recovery fee that a Chapter could charge for programs, i.e. tutoring, social skills, camps, etc.

## **29.2 Fees for Service for Third Party Advocacy**

### **a) Third Party Advocacy Defined**

- i. Third-party advocacy refers to the process of preparing clients for meetings and attending those meetings with them, either as a support or to speak on their behalf. With respect to families, these meetings may be, for example, case conferences at schools or community agencies, and school meetings to plan Individual Educational Plans or Appeals. With adults, the meetings might be with, for example, ODSP, community agencies or employers.
- ii. Chapters may charge a fee for third party advocacy.
- iii. There should be no charge for the initial contact in third party advocacy services.
  - The initial contact and problem solving around what the client needs would be part of resource facilitation for which the Association does not charge fees, while the specific planning for meetings would be part of third-party advocacy and would be subject to a fee for service.
- iv. Chapter staff or volunteers providing third-party advocacy for a fee must have taken the advocacy training (and successfully completed the required case study) provided by LDAO. Additionally, the accreditation training provided by LDAO is also required to be completed.
- v. All chapters who charge a fee for service for third party advocacy must arrange for additional liability insurance coverage through LDAO's insurance agent (contact LDAO for information) and are individually responsible for payment of this additional liability coverage.



- vi. LDAO will develop a letter of understanding that chapters who charge a fee for service must have signed by their respective clients. This letter will define the relationship with the client and will include the fee arrangement, disclosure and release of information issues, a disclaimer clause and provisions as to the maintenance of records.
- vii. Chapters shall strongly encourage but shall not require LDA membership for clients receiving third party advocacy services under this policy. Different scales of fees shall be charged to members and non-members.
- viii. Chapters who do not charge a fee for third-party advocacy services should require membership for this service and should recover reasonable expenses.

**29.3 Scale of Fees**

- a) For third-party advocacy services, a fee of \$25 per hour is recommended.
- b) Where significant travel time is involved, an additional charge for mileage is recommended as well.
- c) When a client is experiencing financial difficulties, the following sliding scale of charges per hour is recommended:

Gross Annual Income 1 Person	Gross Annual Income Family	Suggested Fee Per Hour
\$15,000	\$25,000	\$ 5.00
\$20,000	\$30,000	\$10.00
\$25,000	\$35,000	\$15.00
\$30,000	\$40,000	\$20.00

# Learning Disabilities Association of Ontario

**Governance Policy No. 30**

**Date:**

**Revised Date: Sept 2006**

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**Direct Service Policy**

## **30.1 Direct Services**

- a) The development and delivery of community-based direct services are the responsibility of the Chapters.
- b) Chapters are encouraged to provide a combination of direct and indirect services in their communities.

## **30.2 Direct Service Defined**

- a) Direct services are those services and programs which are developed and delivered to meet the identified needs of individuals with learning disabilities and their families. Such direct services are sometimes divided into two categories:
  - i. Primary direct services are those which serve individuals with learning disabilities
  - ii. Secondary direct services are those offered to families
- b) Direct services are sometimes designed as pilot or demonstration projects, which after an initial period may be assumed or sponsored on a continuing basis by other community-based organizations, agencies or institutions.

## **30.3 Responsibilities**

- a) Chapters are required to respond to their own communities' needs by carrying out regular needs assessments of their membership and/or community and by developing and delivering those requested services which fit their and the LDAO mandate.
- b) The LDAO role is:
  - i. to provide assistance to Chapters in initiating and planning their direct and indirect services and programmes; and
  - ii. to help Chapters meet their Charter Retention Requirements and the Service Standards established by the LDAO Board of Directors.
- c) Chapters who run direct service programs, e.g. social skills and tutoring, shall strongly encourage but shall not require LDA membership for all program participants. The membership dues help to cover the costs to the Chapter and to LDAO of providing service.

- d) Chapters shall ensure that no one is excluded from service because of being unable to afford membership dues and flexible terms should be offered.
- e) Chapters are cautioned that an absolute requirement of membership before providing service may, in certain circumstances, jeopardize the charitable status of LDAO and/or the Chapter.
- f) Chapters may charge a fee for such direct service programs. In charging a fee for direct service, Chapters must follow the Fee for Service Policy.

#### **30.4 Indirect Service Defined**

- a) Indirect services are those services and programs which are developed and delivered by professionals, agencies and the community at large, aimed at enhancing, improving or initiating community-based support and services for people with learning disabilities.

# Learning Disabilities Association of Ontario

**Governance Policy No. 31**

**Date:**

**Revised Date: Sept 2006**

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## **Counselling and Educational Testing Offered by LDAO Chapters**

### **31.1 Counselling**

- a) Chapters may offer short-term, goal-directed counseling only on educational or vocational issues related to learning disabilities, by staff or volunteers who meet the following qualifications:
  - i. Individuals having completed an educational program at the postsecondary level which includes supervised training in counselling (e.g. BSW, MSW, Social Service Worker, MA/Med in Counselling Psychology, DipCS in Assessment & Counselling, B.Ed with additional qualifications in Guidance Counselling).
- b) Chapter personnel doing counselling shall adhere to the Code of Ethics of the Canadian Counselling Association (membership in the Association is encouraged – [www.ccacc.ca](http://www.ccacc.ca)).
- c) Resource facilitating is not to be represented as counselling. (See glossary of terms below).
- d) This policy applies to counselling offered with or without a fee and by Chapter staff or volunteers.

### **31.2 Educational Testing**

- a) Chapters may offer educational testing by Chapter staff or volunteers who are qualified to administer the tests used. Educational testing in this policy refers only to the evaluation of academic skills such as reading, writing and mathematics.
- b) Diagnostic assessment for learning disabilities can only be done by a qualified psychologist or psychological associate registered with the College of Psychologists.

### **31.3 Glossary of Terms re Counselling and Educational Testing Policies**

- a) **Resource Facilitating** – providing information about learning disabilities and about community resources and services, ways of accessing those services, and rights to services. Helping parents or individuals understand processes they may need to go

through to access services, and giving them an opportunity to express feelings about their situation.

- b) **Counselling** – entering into an agreement with a client to provide services which may include informing, advising, guiding, educating and/or coaching around a specific area of concern.
- c) **Supervised training in counselling** – involves ongoing regular contacts with a person qualified to provide counseling, to discuss specific client cases.
- d) **Psychotherapy** – providing specialized treatment interventions for mental disorders or serious emotional problems.
- e) **Case Management/Coordination** – coordinating services for a client in a complex situation where more than one organization is involved.

# Learning Disabilities Association of Ontario

**Governance Policy No. 32**

**Date:**

**Revised Date: Sept 2006**

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## **Child Protection in LDAO or Chapter Programs**

### **32.1 General**

- a) It is essential that LDAO and its Chapters lay out the expectations and procedures for volunteers and staff working with children in preventing and reporting abuse of a child or vulnerable person in the care of LDAO or its Chapters.

### **32.2 Definitions re Wordings in this Policy**

For the purposes of this policy

- a) Child means a child under the age of 16.
- b) Parent means a parent, person having lawful custody or person having charge of the child.
- c) Child in need of protection means a child who has been abused or for whom there is a risk that the child is likely to be abused and the parent who knows or ought to know of the abuse is not taking steps to prevent it.
- d) Abuse means physical harm, sexual molestation or exploitation, failure to provide medical treatment when required, emotional harm, failure to provide treatment for a mental, emotional or developmental condition which could seriously impair the child's development.
- e) Reasonable grounds are what an average person, given his or her training, background and experience, exercising normal judgment would suspect.

### **32.3 Reporting:**

- a) Any LDAO or Chapter volunteer or staff who suspect on reasonable grounds that a child is or may be in need of protection shall promptly report the suspicion and the information upon which it is based to the local Children's Aid Society.
- b) The person making the report shall report directly to the Children's Aid Society and shall not rely on anyone else to report on his or her behalf. However it is recommended that volunteers consult with their supervisor before making the report provided that the child is not thereby placed at risk.

### **32.5 Prevention:**

- a) LDAO and its Chapters will implement procedures for recruitment, screening, orientation and supervision of volunteers and staff.
- b) Volunteers and staff working with a child will do so in an environment where there is always another adult present or in close proximity.
- c) Volunteers and staff working with a child in a home environment will ensure that a parent or guardian is present at all times.
- d) Any volunteer or staff of the LDAO and its Chapters that has been reported to the Children's Aid Society (CAS) for investigation into child abuse shall be suspended from duties or given alternative duties away from children until the CAS has completed its investigation.

Please note that this policy does not constitute a legal opinion. When reporting child abuse, one should also advise legal counsel of this action.

# Learning Disabilities Association of Ontario

**Governance Policy No. 33**

**Date:**

**Revised Date: Sept 2006**

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**Harassment in the Workplace**

## **33.1 Definitions:**

The Ontario Human Rights Code recognizes three types of harassment:

- a) A course of vexatious (annoying or irritating) comment(s) or conduct that is known or ought to be reasonably known to be unwelcome.
- b) A sexual advance or solicitation made by a person who is in a position to grant or deny a benefit where such person knew or ought reasonably to have known that the advance was unwelcome
- c) A reprisal or threat of reprisal for the rejection of a sexual solicitation or advance made by a person who is in a position to grant or deny a benefit.

Harassment includes any verbal comment or physical conduct that is unwelcome, embarrassing, demeaning or offensive.

## **33.2 Policy**

- a) LDAO and its Chapters are committed to providing a work environment where the dignity of each person is respected and where all staff and members of the Association can enjoy the freedom to carry out their duties free from harassment because of sex, race, ancestry, place of origin, ethnic origin, citizenship, creed, sexual orientation, age, record of offences, marital status, family status, or disability.
- b) Without restricting the generality of the Human Rights Code definition, harassment may be further defined as any unwelcome conduct, comment, gesture or contact of a sexual nature which has the purpose, or the effect of creating a work environment that is intimidating, humiliating or uncomfortable; any implied or expressed condition or promise for complying with sexually oriented requests. Harassment includes behaviour that the individual knows or reasonably should know is offensive. Harassment does not refer to accepted social behaviour. However, tolerance for such behaviour varies and accordingly good judgement must be exercised.
- c) Harassment is prohibited on the part of all those who are volunteers or are employed by LDAO and its Chapters or have a contract agreement or privileges with LDAO and its



Chapters.

- d) Employees who are found to be engaging in sexual harassment will be subject themselves to progressive disciplinary action up to and including discharge.

### **33.3 Prevention of Harassment**

- a) LDAO and its Chapters will ensure that all members, staff and volunteers refrain from harassment in their dealings with one another while engaged in activities for LDA on LDA premises or elsewhere.
- b) LDAO and its Chapters will implement the procedures for recruitment and screening, orientation and supervision of staff and volunteers set out in these policies.
- c) Orientation will include a review of this policy on prevention and reporting of harassment and a copy of the policy will be given to each new staff member and volunteer.

### **33.4 Procedure for Reporting of Harassment**

- a) LDAO and its Chapters shall have a specific section in their Personnel Manuals that outlines the specific procedure for reporting

# Learning Disabilities Association of Ontario

**Governance Policy No. 34**

**Date:**

**Revised Date: Sept 2006**

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**Policy Re Volunteer Recruitment, Screening, Orientation and Supervision (also staff)**

## **34.1 General Statement**

- a) The use of volunteers in program delivery is an acceptable way for LDAO and its Chapters to best utilize the human resources they have at their disposal. It is important that policies respecting the recruitment, screening, orientation and supervision of volunteers who work directly with clients in program delivery be established to protect the Association, the volunteers and ultimately the client.

## **34.2 Recruitment**

- a) Recruitment shall be done in traditional ways, including through volunteer centres, community contact and reputable organizations and any local recruiting methods.
- b) A volunteer application shall be presented to each person wishing to be accepted as a volunteer.
- c) Volunteers shall have a standardized interview conducted by LDAO or Chapter personnel before being accepted.
- d) A Police Records Check shall be obtained for any staff or volunteer who will be working with children, vulnerable adults, going into anyone's home or handling money or valuables. LDAO and the Chapters will decide on whether to pay for such checks or to require the staff/volunteer to obtain and pay for it.
- e) All private information, including Police Records Checks shall be kept in secure personnel files available only to the Chair and/or Chief Executive Officer.

## **34.3 Orientation**

- a) Each new staff person or volunteer will be given a standardized orientation session before starting his/her duties.
- b) The orientation will include a review of the harassment policy and a copy of the policy will be given to the staff/volunteer.

#### **34.4 Supervision**

- a) Each staff or volunteer will report to and be supervised by a staff person, Board member or the full Board. The line of supervision will be decided upon and explained to the staff or volunteer during the orientation session.
- b) Supervision will include regular contact by the supervisor and evaluation done collaboratively by supervisor and staff/volunteer.

# Learning Disabilities Association of Ontario

**Governance Policy No. 35**

**Date:**

**Revised Date: Sept 2006**

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**Amendments to LDAO Policies**

## **35.1 Policy Amendments**

- a) The policies of the Learning Disabilities Association of Ontario may be amended from time to time as follows:
  - i. The Board of Directors will cause any proposed amendment to policy, deletion of policy or new policy to be circulated to the Chapters for comment allowing a minimum period of three months before a decision is made by the Board of Directors.
  - ii. The amended policy, deletion of policy or new policy as approved by the Board of Directors shall come into effect immediately upon approval by the Board but be in effect only until the next general meeting of members.
  - iii. The amended policy, deletion or new policy will remain in effect only if approved at the general meeting of members.
- b) If Chapters disagree with Board decisions or policy, it is their right and responsibility to express their views through appropriate channels, as follows:
  - i. The Chapter Chair, who must be a member of the Association and duly recorded in the LDAO files, shall contact the Chair of LDAO.
  - ii. The Chapter views and concerns will be given due consideration provided the Chair's statements reflect the views of the Chapter Executive as approved by a properly constituted quorum of the Chapter Executive. Minutes of the Executive meeting at which the dissenting decision was taken must be available to the LDAO Chair and/or Board upon request.
  - iii. Major contentious issues shall, at the request of the Chair of LDAO, be presented in writing and shall be reviewed by the Executive Committee of LDAO.
- c) The LDAO staff has been directed not to discuss policy issues but to refer such inquiries to the LDAO Chair.
- d) The purpose of this policy is designed to ensure that responsibility for dealing with chapter concerns is exercised by the elected directors of LDAO.