

PART 4 - COLLEGE ADMINISTRATION

Registrar and chief executive officer

- 4-1 (1) The registrar
- (a) is the chief executive officer of the college and holds final responsibility for all administrative and operational matters for the college, and
 - (b) has the powers and duties assigned to the position of registrar under the Act, the regulations and the bylaws.
- (2) The registrar may designate an officer, employee or agent of the college to exercise any power or perform any duty of the registrar assigned by the registrar.
- (3) An officer, employee or agent of the college referred to in subsection (2) has the same authority as the registrar when the officer, employee or agent is acting on behalf of the registrar, subject to the direction of the registrar.
- (4) The registrar is authorized to establish forms for the purposes of these bylaws, and to require the use of such forms by applicants and licensees.
- (5) The registrar may appoint an employee or contractor whose role is to assist with reconciliation initiatives by the college, including initiatives relating to
- (a) reconciliation with Indigenous peoples and the implementation of the *United Nations Declaration of the Rights of Indigenous Peoples* and the *Declaration on the Rights of Indigenous Peoples Act*,
 - (b) developing and implementing policies designed to increase the number of Indigenous persons who are employed or retained by the college, and
 - (c) enhancing cultural safety for Indigenous licensees and Indigenous clients of licensees, including through preventing and mitigating systemic challenges and advancing anti-racism, anti-discrimination and anti-colonialism measures.
- (6) For the purposes of sections 6-22, 6-29, 6-40, 6-47 and 6-53, the registrar may do any of the following:
- (a) declare an emergency situation;
 - (b) set the period for which such declaration is to be in effect;
 - (c) extend the effective period the declaration any number of times;
 - (d) rescind the declaration at any time.

Deputy registrars

- 4-2 A deputy registrar appointed under section 360(1) or (2) of the Act is authorized to exercise all powers and perform all duties of the registrar
- (a) subject to the direction of the registrar, and
 - (b) without limitation, if the registrar has a conflict or interest or is otherwise unable to act or provide direction for any reason.

Legal counsel

- 4-3 (1) The registrar may retain legal counsel to advise the college, committee or panel or to otherwise assist the board, a committee, panel or working group, the registrar, or any other officer, employee or agent of the college on any college matter.
- (2) The board may retain legal counsel to advise or assist the board on any college matter.

Fiscal year

- 4-4 (1) The fiscal year of the college ends on December 31 in each year.
- (2) The board must do the following, at least once in each fiscal year, having regard to any applicable advice provided by the finance and audit committee under section 4-5:
- (a) approve an operating budget and a capital budget and corresponding fees for the fiscal year;
 - (b) set any limits or conditions the board considers necessary or appropriate on the registrar's authority to make financial commitments on behalf of the college during the fiscal year;
 - (c) establish contingency reserve funds and limits and conditions for the permissible uses of such funds.

Finance and audit committee

- 4-5 The finance and audit committee must
- (a) advise the board on the needs of the college in regard to financial administration and the financial implications of board decisions,
 - (b) advise the board on the application of legislative, regulatory and other financial requirements to the college,
 - (c) recommend, for the approval of the board, financial policies essential to the financial administration of the college,
 - (d) advise the board on financial risk management and audit issues related to the administration of the college,
 - (e) review and report to the board on any financial administration, financial risk management or audit matter referred to it by the board, and
 - (f) serve as a resource to the board in matters pertaining to college financial administration, financial risk management and audit.

Banking, borrowing and investments

- 4-6 (1) The registrar must establish and maintain such accounts, in the name of the college, with a chartered bank, trust company, or credit union, as the board may direct from time to time.

- (2) The registrar may raise money or guarantee or secure the payment of money, in the name of the college, in any manner the board may direct from time to time, to carry out the purposes of the college.
- (3) The registrar may invest funds of the college, in the name of the college, in a manner consistent with sections 15.1 and 15.2 of the *Trustee Act* and in accordance with any investment policy the board may direct from time to time.

Auditor

- 4-7
- (1) The board must appoint a chartered professional accountant as the auditor for the college.
 - (2) The board must, for each fiscal year, direct the auditor to conduct an audit of the college's financial statements.
 - (3) The registrar must submit the college's financial statements to the auditor not later than 60 days after the end of each fiscal year.
 - (4) A copy of the auditor's report must be included in the college's annual report.

Conflict of interest – employees

- 4-8
- (1) If an officer, employee or agent of the college believes that they may have a conflict of interest in relation to a college matter, or if the registrar is satisfied that an officer, employee or agent of the college may have such a conflict of interest, the officer, employee or agent must
 - (a) as soon as reasonably practicable disclose the general nature of the conflict of interest to the registrar, or to a responsible supervisor the registrar may designate from time to time, and
 - (b) follow the directions issued by the registrar or responsible supervisor.
 - (2) When an officer, employee or agent of the college discloses a conflict of interest in relation to a college matter, the registrar or responsible supervisor must determine whether the officer, employee or agent should be directed to refrain from any further participation in that matter.
 - (3) If the registrar or responsible supervisor determines that an officer, employee or agent of the college has a conflict of interest in relation to a college matter, the registrar or responsible supervisor must take measures they consider necessary and appropriate to manage the conflict of interest in a manner that maintains the integrity of college operations, including but not limited to
 - (a) providing a written report to the board chair regarding the conflict of interest, their assessment of it, and any measures taken to address it, and
 - (b) directing the officer, employee or agent of the college
 - (i) to refrain from having any involvement in the matter,
 - (ii) to remove themselves from any meetings in which the matter is considered, and

- (iii) to refrain from attempting to exert any influence with respect to the matter.
- (4) The registrar or responsible supervisor must not presume that any officer, employee or agent of the college has a conflict of interest solely because of the officer, employee or agent's Indigenous identity, race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or age.
- (5) Without limiting subsection (4), the registrar or responsible supervisor must not presume that an Indigenous officer, employee or agent of the college has a conflict of interest in relation to a college matter solely because the matter involves an Indigenous component, or solely because the officer, employee or agent's views on the matter may or will be influenced by their Indigenous worldview, values or perspective.
- (6) If the registrar believes that they may have a conflict of interest in relation to a college matter, the registrar must disclose it as soon as reasonably practicable to a deputy registrar who must
 - (a) determine if the registrar should be directed to refrain from any further involvement in the matter, and
 - (b) perform the duties of the registrar or responsible supervisor under subsection (3).
- (7) The board must establish a *Conflict of Interest Policy for College Employees* to provide further guidance for the identification and management of conflicts of interest for officers, employees and agents of the college.

Notice by the college

- 4-9 Subject to the Act and regulations, where the college is required to deliver a notice, order or other record by personal service,
- (a) if the recipient is an individual, a copy of the notice, order or other record must be physically delivered to them, or
 - (b) if the recipient is a corporation, a copy of the notice, order or other record must be
 - (i) left with a director or officer of the corporation, or
 - (ii) delivered in the manner provided by the *Business Corporations Act* or any enactment relating to service of records in legal proceedings, using either the corporation's registered office or the last address provided by the corporation as its registered office.