

Appendix F to the CPA Rules & Regulations (Article 9. H. Memorandum of Agreement and Regulation) – Divisions’ Regulation

Divisions Regulation of the Canadian Physiotherapy Association

INTERPRETATION

The Regulation shall be read with all grammatical changes as are necessary to apply to all members.

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WHEREAS:

The Canadian Physiotherapy Association (CPA) is a federal corporation under the Canada Not-for-Profit Corporations Act

CPA’s mission supports the desire of members of the Association with special interests or specific areas of practice in the profession to form identifiable groups within the Association, and CPA wishes to assist and promote these groups, regarding them as important resources and advisors to the Association;

The CPA Bylaw 5(2)a) authorizes the Board of Directors to adopt Rules and Regulations and 5(2)d) to establish provisions for the existence of Association Components;

CPA Rules and Regulations 9.C) and H) define Divisions as special interest groups and set out key provisions regarding Board oversight, recognition, support and regulation of Divisions;

CPA recognizes its responsibility to its members and the public to demand a high degree of validity, accountability and supporting evidence for a special interest/area of practice, and for the group established to be endorsed as a Division within the Association;

Divisions are required to meet the specific criteria, professional and ethical standards of CPA and the groups’ mandate, goals, principles and values will be consistent with those of CPA;

CPA National Office and the Divisions share responsibility for the Divisions’ operations and achievement of goals, within the operational priorities and available resources of the Association and in compliance with its respective policies and procedures;

The Divisions and CPA National Office each value and benefit from two-way, inclusive, and mutually respectful communications,

The CPA Board of Directors, in consultation with the Divisions, has adopted this Regulation:

ARTICLE I FORMATION, RECOGNITION, MAINTENANCE AND DISSOLUTION OF DIVISIONS

1. Divisions are established and dissolved by the Board in accordance with CPA Bylaw 5(2)d), Rules and Regulations 9.C) and the requirements set out herein.
2. Recognition as a Division within CPA is possible only after the following conditions have been met, and are maintained on an on-going basis.
 - a. The Division represents a specific body of knowledge recognized by CPA. This body of knowledge should be reflective of a domain of practice.
 - b. A group of CPA members seeking Division status within CPA will:
 - i. be in existence as a networking/educational group for at least two years prior to application, demonstrating financial viability and sufficient member interest;
 - ii. be recognized by CPA as a networking/educational group by completing the application (Annex 1 to this Regulation) and forwarding it to CPA;
 - iii. have consulted with and received input from the Division Chairs' Committee regarding agreement that the group does represent a domain of practice and should not be considered for sub-group status;
 - iv. at the close of two years as a networking/educational group, be able to document the intent of at least 1% of CPA member physiotherapists committed to joining, should the Group meet the requirements to form a Division;
 - v. Development of an application for Division status should be done in consultation with CPA's National Office to ensure timing and coordination with CPA National Board time lines and requirements.
 - c. Members of the Division must be members of CPA;
 - d. The majority of members of the Division must be physiotherapists;
 - e. Divisions must be committed to the CPA Bylaws, Rules and Regulations, Code of Ethics and the Association's mission, vision and values;
 - f. Divisions shall follow the policies of CPA;
3. CPA will provide support for the formation of a new Division from the time of the initial request from a group of members to the point of approval by the Board, including the following:
 - a. provision of information on the process for the formation of a new group;
 - b. guiding the group through the process and, where space and timing allows, surveying CPA membership to ascertain the level of interest in the potential Division;
 - c. assisting with the application for Division status to the Board;
 - d. assisting with the development of an operational framework for the Division.
4. In the event that a Division is no longer able to meet the above requirements and/or membership within the Division falls below the required minimum numbers, the CPA National Office will, following the consultations set out in 9)C) of the CPA Rules and Regulations and in conjunction with the Division, initiate the dissolution of the Division with the CPA Board of Directors.

ARTICLE II MANDATE

The mandate of Divisions shall be:

1. To unite the members of CPA who are interested in all aspects of their respective body of knowledge;
2. To acquire and make available information and educational materials as related to physiotherapy in their field;
3. To encourage the development and publication of research¹ and knowledge management translation in their field of physiotherapy in Canada and elsewhere;
4. Subject to Association policy and authorization from the Board of Directors, a Division may
 - a. Provide advice
 - b. Represent the Association
 - c. Prepare submissionsto external organizations on matters within their respective area of expertise consistent with the CPA mission, vision, values and strategic priorities.
5. To support the CPA in the achievement of its mission.

ARTICLE III REGULATION AND STAFF

1. The Divisions shall be under the authority of the CPA Board of Directors, shall be subject to the By-laws and Rules and Regulations of CPA, and will abide by the relevant policies of the Association.
2. The CEO may, on behalf of the Association, engage staff to:
 - a. support the respective Division Executive Committee in the conduct of the ordinary business of the Division National Committee; and
 - b. manage and administer performance of the role of any Division in accordance with the relevant policies and procedures;
 - c. support Provincial Sections in meeting their responsibilities under these Division Regulations.
 - d. Unless the CEO approves otherwise, a Division must not seek legal advice on any matter.
 - i. The Association as a Canadian federal corporation is a single legal entity: the CEO must be informed of any and all legal representation of the corporation.
 - ii. Legal disputes shall follow the provisions of the Canada Not-for-Profit Corporations Act.
3. The CEO must ensure any staff engaged under Division Regulation 4., are:

¹ In this document, research includes three distinct areas or dimensions: basic research, clinical research, and targeted/directed research.

- a. accountable to the CEO for managing and administering performance of the role of any Division;
- b. responsible to the respective Division National Committee for the conduct of the ordinary business of the Division Executive/National Committee; and
- c. responsible to the respective Provincial Sections for supporting their responsibilities under these Division Regulations.

ARTICLE IV MEMBERSHIP, FEES AND ADMINISTRATION

1. The membership shall consist of CPA members who have paid the prescribed fees.
2. This fee is collected by CPA National Office.
3. If membership of a Division falls below 1% of the CPA membership, the Division may be dissolved at the direction of the CPA Board of Directors.
4. Voting privileges shall comply with CPA Bylaws.
5. The Chief Executive Officer of the CPA must ensure the provision by the National Office of the overall administration for the membership process on behalf of the national body and all its components, including:
 - a. Maintaining the national database in accordance with established standards, membership procedures and data entry requirements,
 - b. Collection and deposit of all membership fees and making the necessary banking arrangements
 - c. Provision of timely and accurate information to the Divisions regarding membership fees collected to facilitate budgeting and financial reporting
 - d. Providing access to up-to-date membership data electronically,
 - e. Providing comparative membership reports for Division Chairs' meetings
 - f. Design and production of all membership/affiliation materials in consultation with Divisions;
 - g. Distribution of renewal notices;
 - h. Collaboration on recruitment strategies and activities with Divisions, including supply of recruitment materials as requested;
 - i. The Division representatives must ensure compliance with applicable federal and provincial legislation regarding privacy, protection of personal information and use of member information in commercial activity, using guidelines provided by the National Office.

ARTICLE V OFFICERS, EXECUTIVE COMMITTEE, RESOURCE PERSONS AND THE DIVISION CHAIRS' COMMITTEE

1. OFFICERS

- a. The Officers of the Division shall be Chair or Co-Chairs (as determined by the Division), and Chair Elect / Vice Chair and Past Chair in alternate years;

2. TERMS OF OFFICE

- a. Chair / Co-Chairs
- i. The term of office for Chairs shall be two or three years depending on the decision of the Division Executive, renewable once. No Chair/Co-chair shall be eligible to serve more than two consecutive terms.
 - ii. A Past Chair who had served two consecutive terms shall not be eligible for re-election until that person has ceased to be a Division Officer for at least one year.
- b. Chair Elect / Vice Chair
- i. The term of office for the Chair Elect / Vice Chair shall be one year; and,
 - ii. The Chair Elect / Vice Chair shall be elected by the members one year prior to assuming the office of Chair.
- c. The term of office for the Past Chair shall be one year; and
- d. The term of office for each officer shall commence at the close of the Annual General Meeting of the Association.
- e. For clarity, a volunteer leader of the Association shall not hold more than one elected office in the different Component groups of CPA (National Board, Divisions, Branches and Assemblies) without the express written consent of the Board. In addition, the same approval is required for elected positions in the following organizations:
- i. Physiotherapy regulators
 - ii. Partner organizations who are in a contractual relationship or any type of written agreement with the Association or any of its Components.

3. DUTIES

a. Chair / Co-Chairs

- i. The Chair / Co-Chairs shall be charged with the general supervision of the business and affairs of the Division and shall fulfil the responsibilities of the position in accordance with this Regulation, CPA Bylaws, the Rules and Regulations, the applicable policies and procedures of the Association and all relevant legislation; and,
- ii. The Chair / Co-Chairs shall chair all meetings of the Members and the Executive Committee.

b. Chair Elect / Vice Chair or Past Chair

The Chair Elect / Vice Chair or Past Chair shall:

- i. Assist the Chair in carrying out his or her responsibilities;
- ii. Serve in the absence of the Chair;
- iii. Be responsible for annually reviewing the procedures of the Division, in alignment with CPA policies;
- iv. Perform such other duties as may be assigned by the Executive Committee.

4. EXECUTIVE COMMITTEE

a. Composition

- i. The Executive Committee shall consist of the Chair / Co-Chairs, Chair Elect / Vice Chair or Past Chair and other such members appointed by the Chair to fill the needed positions such as Secretary, Treasurer, Newsletter Editor, Division Knowledge Management Committee representative, etc.
- ii. In case of multiple nominees volunteering for positions on the Executive Committee, the Division may hold elections to such positions at its discretion.
- iii. The Officers of the Division shall determine the additional positions necessary to assist in management of the Division and outline the duties and responsibilities; and,
- iv. One Student Member of CPA may be appointed as an advisor to the Executive Committee.
- v. [The National President is ex officio member or all Division Executive Committees.]

b. Authority and Mandate

The Executive Committee is responsible for

- i. Managing the activities of the Division;
- ii. exercising any powers the Board may delegate to it,
- iii. establish provincial Sections of the Division,
- iv. dissolve any provincial Section after consultation with the respective Section
- v. subject to approval by the Board, establish any sub-groups to support the Division's defined roles and responsibilities
- vi. subject to authorization by the Board, a Division Executive Committee may appoint a member of the Division to be the CPA Division Delegate to any relevant WCPT Subgroup.

5. RESOURCE PERSONS

- a. Resource persons² may be appointed by the Executive Committee to the Executive Committee and to other committees of the Division.
- b. If the appointment is to other than the Executive Committee, the appointment is made in consultation with the Committee Chair.
- c. Resource persons, if they are physiotherapists, shall be members of CPA.

6. NOMINATIONS AND ELECTIONS

a. Eligibility

- i. Candidates for the position of Chair Elect / Vice Chair must be individuals at least 18 years of age with power under law to contract;

² Resource persons may be other than physiotherapists e.g. public relations experts, course organizers, etc.

- ii. Candidates for Chair-Elect must have a minimum of 2-years' experience with the Division; and,
- iii. Candidates must be either:
 - a) Qualified Physiotherapists, or
 - b) Life Members or Honorary Members who are physiotherapists.

b. Nominating Committee

- i. The Nominating Committee Chair shall be appointed by the Division Chair; and,
- ii. The Committee shall include at least two other members who shall be appointed by the Division Chair in consultation with the Nominating Committee Chair.

c. Nominations

- i. The Nominating Committee Chair shall submit a list of nominees and their biographies to all Division members for the position of Chair Elect / Vice Chair at least 10 business days prior to the elections; and,
- ii. If the elections are taking place at a member's meeting, further nominations may be made at that meeting provided that any such nominee who is not present has given written acceptance of the nomination.

d. Election

- i. Election of Chair Elect / Vice Chair shall be by ballot or electronic ballot at the discretion of the Division Executive Committee;
- ii. All ballots shall be confidential, and,
- iii. [Where the number of nominations equals the number of positions available, election shall be by acclamation.]

e. Vacancies

- i. If the position of Chair becomes vacant, this position shall be filled by the Chair Elect / Vice Chair or Past Chair depending on the year of the President's term;
- ii. If the position of Chair Elect / Vice Chair becomes vacant, the Chair may appoint a Member of the Division to complete the term of office, but without the automatic rights of succession to the Chair. A Chair shall then be elected by the Members;
- iii. If the office of the Past President becomes vacant, the position shall remain vacant for the remainder of the term.

f. Removal

- i. Any officer, resource person, or member of a committee may be removed in the same manner as is provided herein for his election/appointment; or
- ii. The position shall be vacated upon the occurrence of any of the following events:
 - a) if the person becomes bankrupt or suspends payment of personal debts generally or compounds with creditors or makes an authorized assignment or is declared insolvent;
 - b) if the person is found to be mentally incompetent or becomes of unsound mind;
 - c) if, by notice in writing to the Executive Committee the person resigns, which resignation shall be effective at the time it is received by the Committee or at the time specified in the notice, whichever is later;

- d) if the person acts in contravention of the mission, the Bylaws or the regulations and policies of the CPA; or,
- e) if the person dies.

7. DIVISION CHAIRS' COMMITTEE

- a. The Chairs of the National Divisions, together with the Board liaison to the Divisions and representatives of the CPA National Office form the Division Chairs' Committee (DCC). The DCC may form subcommittees and include their Chair(s) in its membership.
- b. The role of the Division Chairs' Committee is to assist Divisions in achieving their mandate, and to collaborate with the Board of Directors and other CPA Components to support the Association in the achievement of its Mission.
- c. The DCC shall be under the authority, and report to the CPA Board of Directors, in compliance with the operational rules set out in its Terms of Reference.

ARTICLE VI DIVISION WORKING GROUPS

1. OTHER COMMITTEES

a. Composition

- i. The Chair shall be appointed by the Executive Committee;
- ii. Committee members and resource persons shall be appointed by the Executive Committee in consultation with the Committee Chair; and
- iii. All committee members and resource persons who are physiotherapists shall be members of CPA.

b. Authority and Mandate

The authority and mandate of all committees shall be as established by the Executive Committee.

ARTICLE VII MEETINGS

1. EXECUTIVE COMMITTEE MEETINGS

- a. The Executive Committee shall hold a minimum of four meetings per year³, which may be conducted in person or by teleconference or videoconference.
- b. The meetings shall be called by the Chair / Co-Chairs, or by the Executive Committee at the written request of three members.
- c. A majority of the officers and members shall constitute a quorum.

2. MEMBERS' MEETINGS

³ This is the minimum number of meetings considered to be feasible for all the business to be dealt with by the Executive Committee.

- a) A Members' Meeting may be called by the Chair / Co-Chairs in consultation with the Executive Committee, [or at the written request of ten members];
- b) The members' meeting shall normally be held
 - i. during the Congress of CPA, or
 - ii. During the Division's annual conference/symposium, or
 - iii. via electronic means in May or June of any calendar year
- c) Notice of the members' meeting shall be given to members at least 7 calendar days prior to the date of the Meeting.
- d) Notice of Meetings shall be given via e-blasts or e-mails, and the date of the e- mail or e-blast shall constitute the date of the notice.

ARTICLE VIII FINANCE

1. FISCAL YEAR

The fiscal year shall be from January 1 to December 31⁴.

2. BANKING AND INVESTMENT

- a. All monies received by the Division are to be deposited in the name of the Division in a deposit taking institution where deposits are insured by the Canada Deposit Insurance Corporation, in accordance with the Division Financial Management Policies and Procedures Guidelines; and,
- b. Investments must be made in instruments of deposit taking institutions providing the total of the investments in each institution does not exceed the amount protected by the insurance of that institution. Investment income earned will be reinvested in the Division.

3. BUDGETARY CONTROL

- a. The Executive Committee shall monitor the finances of the Division through its examination of bank reconciliations and financial statements provided by the National Office.
- b. The financial statements shall be discussed at Executive Committee meetings;
- c. The Treasurer, and two other officers appointed by the Executive Committee, shall be the signing officers of the Division;
- d. The signatures of any two signing officers shall be required for all payments;
- e. The Treasurer shall be responsible for examining all supporting documentation rendered to the Division and submitting them to the Executive Committee;
- f. In accordance with the CPA Policies and Procedures, the Treasurer shall be responsible to submit electronic copies of accounts to CPA National.

⁴ The period for the fiscal year (the calendar year) is the same period for CPA and for its components. This facilitates comparisons of audits, budgets, and other financial matters.

4. AUDIT

Financial information of the Divisions shall be included in the scope of the annual external audit of CPA.

5. BORROWING AND LENDING

Borrowing or lending in the name of the Division shall only be permitted between the Division and CPA/CPA components.

ARTICLE IX SUB-GROUPS, SECTIONS AND UNITS

1. DEFINITIONS AND REGULATION

- a. Sub-Groups, Sections and Units are defined at 9)D) of the CPA Rules and Regulations. Components under the authority of the national Divisions or the provincial Sections shall support the mandate of the Division and Section, respectively, and report annually to their Executives.
- b. Components under the authority of the national Divisions or provincial Sections shall comply with the CPA Bylaws, Rules and Regulations, Code of Ethics and the Association's mission, vision and values, and follow the policies and procedures established by the Association.

2. FORMATION, MAINTENANCE AND DISSOLUTION

(1) Sub-groups

- a) When at least ten (10) members of a Division identify the need/desire for formation of a Sub-group, they will approach the national Division Executive Committee with a proposal outlining the Sub-group's:
 - i. proposed name
 - ii. statement of purpose
 - iii. proposed activities (education, networking, etc.) and structure
 - iv. a budget specifying anticipated expenses and sources of revenue
 - v. number of Division members currently expressing interest in Sub-group formation
 - vi. proposed method of identifying and communicating with Division members interested in participation
 - vii. primary and secondary contact persons for the Sub-group
 - viii. expectations for administrative support
 - ix. proposed method(s) for fostering evidence based practice and promoting research within their area of practice
- b) The Division Executive Committee, in collaboration with CPA National, will review the request for Sub-group status, and provide any recommendations to the Sub-group based on the proposal.
- c) The Division Executive Committee will advise other Division Chairs of the application to keep Division leaders apprised of emerging sub-groups and to avoid any potential duplication.
- d) When CPA National and the national Division are satisfied that the proposal is effective and achievable from a resource perspective, the Division Executive Committee will inform the Sub-group of the recognition of its status.

(2) Sections and Units

- a) When at least five (5) members of a Division in a province/territory, or five (5) members of a Section in a local area identify the need/desire for officially establishing a Section or Unit, they will approach the Division Executive Committee or the Section Executive Committee, respectively, with a request for recognition.
- b) The Division Executive Committee or the Section Executive Committee, in collaboration with CPA National, will review the request and provide any recommendations
- c) When CPA National and the national Division/provincial Section are satisfied that the proposal is effective and achievable from a resource perspective, the Division/Section will inform the member group of the recognition of its status.

(3) Dissolution

In the event that a Sub-group, a Section or a Unit of a Division is no longer able to meet the requirements and/or membership within the Sub-group falls below minimum numbers as specified in sub-sections (1) and (2) above, the Sub-group, Section or Unit will notify the National Division in writing of its intent to dissolve. Members of the Sub-group/Section/Unit, the Division, and the CPA National Office will be notified of the dissolution.

A decision to dissolve a Sub-group or Section shall be made by the Division in consultation with CPA National and the members of that Sub-group or Section. A decision to dissolve a Unit shall be made by the Section, or in the absence of a Section, by the Division, in consultation with the members.

3. ORGANIZATION, ADMINISTRATION AND FINANCE

- a) The election and mandate of officers, committee organization and meetings of Sub-Groups, Sections and Units shall follow the provisions set out in Articles V, VI and VII of this Regulation.
- b) Principles for provisions on administration and oversight: with regards to professional content and activities, these Components report to the national Division. They receive administrative services with regards to membership and finance from the National Office, with information provided to the national Division.
- c) Levies and budgeting:
 - i. Members of Sub-groups, Sections and Units shall not be required to pay fees over and above the Division membership fee.
 - ii. Any annual levy may be paid by all members and collected, budgeted and expended by the Sub-group/Section/Unit.
- d) At least one Division Executive member will be appointed as a liaison to the Sub-group or Section and/or vice versa. This individual will be responsible for maintaining a communication link between the Sub-group/Section and the National Division, and will be the official Division representative when required (e.g., certification of courses for income tax receipt purposes).

REV: 08/18

Annex 1 to Appendix F to the CPA Rules & Regulations – Divisions Regulation of the Canadian Physiotherapy Association

Questions to be considered by a Potential Division

1. What is the purpose of the group?
2. Who will be the group’s members? Are there individuals/professions other than physiotherapists that may be included? If yes, how will the membership of these individuals be administered?
3. How will the group function?
4. How will leadership be determined and in what structure?
5. How will the group communicate with its members?
6. What resources will be required and how will the group ensure financial accountability and sustainability?
7. Do you currently have members who are interested in this group?

Title of Proposed Division

Date

Name

Address

City

Province

Postal Code

Telephone Number

Email Address

Please answer these questions and add any other information you deem necessary and submit to:

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