



FOR CERTIFIED SCHOOL BUSINESS OFFICIALS:

The disciplinary process is set out in detail in Part 3 of the Professions and Occupational Associations Registration Act, from section 19 through to 37.

The Association is obliged to investigate all complaints received about the alleged conduct of a Certified School Business Official. If an investigated person is found guilty of professional misconduct, appropriate disciplinary action is taken.

The Act provides for the finding and disciplining of unprofessional conduct through the mechanism of the Discipline Committee.

Professional misconduct is defined in section 19 of the Act, as follows:

“19 Any conduct of a member of a registered association that in the opinion of the Discipline Committee or of a governing body reviewing an order pursuant to section 35
(a) is detrimental to the best interest of the public,
(b) harms or tends to harm the standing of the profession or occupation generally, or
(c) displays a lack of knowledge of or lack of skill or judgment in practice of the profession or occupation,
whether or not that conduct is disgraceful or dishonorable,
constitutes either unskilled practice of the profession or occupation,
or professional or occupational misconduct whichever the Discipline Committee or the governing body finds.”

The Chair of the Discipline Committee, Discipline Committee, ASBOA Board of Directors and the Court of Appeal, all have specific sequential roles in the process. A complaint may be concluded at any stage in the process and there is never a presumption that it will proceed to the next level.

A CERTIFIED member may be subject to suspension, expulsion from membership in the Association pursuant to the Association of School Business Officials of Alberta's Regulation (37/2004) and at the discretion of the Discipline Committee and may be struck from the register of members in any of the following instances:

Criteria for Imposing Disciplinary Measures



1. In the member's conduct arising through incompetence or otherwise is incompatible with the best interests of the public or of the members of the Association or tends to harm the stand of the Association generally;
2. If the member is convicted of an offence punishable by imprisonment for five (5) or more years or an offence under section 123, 124, 125 of the Criminal Code (Canada); or
3. If the member fails or refuses to abide by and comply with the Association of School Business Officials of Alberta, the Bylaws of the Association or requirement given to the member by the Board of the Association, Practice Review Committee or the Discipline Committee.
4. If the member created financial risk to the public or to a member of the public;
5. If the member abused a position of trust;
6. If the member directly participated in an illegal or improper act;
7. If the member misappropriated use of funds;
8. If the member directly associated himself with a written document which the member knew or had reason to believe was materially false or misleading or otherwise tending to materially misrepresent the actual situation;
9. If the member made a statement which he knew or should have known was false and misleading;
10. If the member failed to perform services rendered in school management with the degree of care, diligence, and skill that would be exercised in comparable circumstances by a reasonably prudent member suitably trained and experienced for the competent performance of services;
11. If the member fails to sustain his professional competence by keeping himself informed of, and in compliance with, development in professional standards pertaining to the profession;
12. If the member fails to cooperate with the Board of the Association, Practice Review Committee or the Discipline Committee in an investigation into an alleged misconduct on the part of that member.

Criteria for Imposing Disciplinary Measures



13. If the member provides misleading financial information through the structuring of transactions;
14. If the member associated himself with financial statements that he knew or should have known were false or misleading.