

# **VIRGINIA BOARD OF SOCIAL WORK**

## **BYLAWS**

### **ARTICLE 1: AUTHORIZATION**

#### **A. Statutory Authority**

The Virginia Board of Social Work is established and operates pursuant to Sections 54.1-2400 and 54.1-3700 of the Code of Virginia. Regulations promulgated by the Board of Social Work may be found in 18 VAC 140-20-10, et seq., “Regulations Governing the Practice of Social Work.”

#### **B. Duties**

The Virginia Board of Social Work is charged with promulgating and enforcing regulations governing the practice of social work and clinical social work in the Commonwealth of Virginia. This includes, but is not limited to: setting fees; creating requirements for licensure; issuing licenses for practice; setting standards of practice; and implementing a system of disciplinary action.

### **ARTICLE II: THE BOARD**

A. The membership of the Board shall consist of nine members, appointed by the Governor as follows: seven persons who are licensed as social workers in the Commonwealth of Virginia who have been in active practice of social work for at least five years prior to appointment and two citizen members.

#### **B. Officers of the Board**

1. The Chairman or designee shall preserve order and conduct all proceedings according to parliamentary rules, the Virginia Freedom of Information Act, and the Administrative Process Act. Roberts Rules of Order will guide parliamentary procedure for the meetings. Except where specifically provided otherwise by the law or as otherwise ordered by the Board, the Chairman shall appoint all committees, and shall sign as Chairman to the certificates authorized to be signed by the Chairman.

2. The Vice-Chairman shall act as Chairman in the absence of the Chairman.

### **ARTICLE III: ELECTION OF OFFICERS**

A. The Nomination Committee shall present a slate of officers for Chairman and Vice-Chairman at the meeting scheduled prior to July 1. Voting shall be by voice vote, roll call, or show of hands. A simple majority of the quorum of the Board shall prevail. Special elections shall be held in the same manner in the event of a vacancy of a position to fill the unexpired term.

B. All officers shall take office on July 1, shall be elected for a term of two years, and may serve no more than two consecutive terms.

#### **ARTICLE IV: MEETINGS**

A. Frequency of Meetings. The full Board shall meet quarterly, unless a meeting is not required to conduct Board business.

B. Order of Business at Meetings

Period of Public Comment

Approval of Minutes of preceding regular Board meeting and any called meeting since the last regular meeting of the Board.

Reports of Officers and staff

Reports of Committees

Election of Officers (as needed)

Unfinished Business

New Business

The order of business may be changed at any meeting by a majority vote.

#### **ARTICLE V: COMMITTEES**

A. General. Members appointed to a committee shall faithfully perform the duties assigned to the committee.

B. The standing committees of the Board shall consist of the following:

Regulatory/Legislative Committee

Credentials Committee

Special Conference Committee

Any other Standing Committees created by the Board.

C. Frequency of Meetings. All standing committees shall meet as necessary to conduct the business of the Board.

D. Regulatory/Legislative Committee

The Regulatory/Legislative Committee shall consist of at least two Board members appointed by the Chairman with the Chairman of the Committee to be appointed by the Chairman of the Board. The Committee shall consider all questions bearing upon State legislation and regulation

governing the practice of social work. The Regulatory/Legislative Committee shall recommend to the Board changes in the law and regulations as it may deem advisable and, at the direction of the Board, shall take such steps as may further the desire of the Board in matters of legislation and regulations. The Chairman of the Committee shall submit proposed changes in the Rules and Regulations of the Board in writing, to all Board members prior to any scheduled meeting of the Board.

#### E. Credentials Committee

The Credentials Committee shall consist of at least two Board members appointed by the Chairman of the Board with the Chairman of the Committee to be appointed by the Chairman of the Board. The Committee shall review applicants' credentials for licensure if they do not appear to meet the requirements of the Board or if there may be information indicating the Board has grounds for denial. The Committee may conduct an informal fact-finding conference at the request of the applicant in accordance with § 2.2-4019 of the Code of Virginia.

#### F. Special Conference Committee.

The Special Conference Committee shall consist of two board members who shall review information regarding alleged violations of the laws and regulations relating to social work and, consultation with the Executive Director, determine if probable cause exists to proceed with possible disciplinary action. The Special Conference Committees shall meet as necessary to adjudicate cases in a timely manner in accordance with agency standards for case resolution. The Chairman of the Board shall also designate another board member as an alternate on this committee in the event one of the standing committee members becomes ill or is unable to attend a scheduled conference date. Further, should the caseload increase to the level that additional special conference committees are needed, the Chairman may appoint additional committees.

#### G. Nomination Committee

There shall be a Nomination Committee composed of at least two members of the Board appointed by the Chairman to consult with Board members and staff to recommend nominee(s) for the Board positions of Chairman and Vice-Chairman. Sitting officers shall not serve on the Nominating Committee.

### **ARTICLE VI: GENERAL DELEGATION OF AUTHORITY**

The Board delegates the following functions:

1. The Board delegates to Board staff the authority to issue and renew licenses and to approve supervision applications for which regulatory and statutory qualifications have been met. If there is basis upon which the Board could refuse to issue or renew the license or deny the supervision application, the Executive Director may only issue a license or grant approval in accordance with delegated authority provided in a guidance document of the Board.

2. The Board delegates to the Executive Director the authority to reinstate a license when the reinstatement is due to the lapse of the license rather than a disciplinary action and there is no basis upon which the Board could refuse to reinstate.
3. The Board delegates to Board staff the authority to develop and approve any and all forms used in the daily operations of Board business, to include, but not be limited to, licensure applications, renewal forms, and documents used in the disciplinary process.
4. The Board delegates to the Executive Director the authority to sign as entered any Order or Consent Order resulting from the disciplinary process or other administrative proceeding.
5. The Board delegates to the Executive Director, who may consult with a special conference committee member, the authority to provide guidance to the agency's Enforcement Division in situations wherein a complaint is of questionable jurisdiction and an investigation may not be necessary.
6. The Board delegates to the Executive Director the authority to review information regarding alleged violations of law or regulations and, in consultation with a member of a special conference committee, make a determination as to whether probable cause exists to proceed with possible disciplinary action.
7. The Board delegates to the Executive Director authority to grant an extension for good cause of up to one year for the completion of continuing education requirements upon written request from the licensee prior to the renewal date.
8. The Board delegates to the Executive Director authority to grant an exemption for all or part of the continuing education requirements due to circumstances beyond the control of the licensee, such as temporary disability, mandatory military service, or officially declared disasters.
9. The Board delegates to the Executive Director the authority to grant an accommodation of additional testing time or other requests for accommodation to candidates for Board-required examinations pursuant to the Americans with Disabilities Act, provided the candidate provides documentation that supports such an accommodation.

#### **ARTICLE VII: AMENDMENTS**

Proposed amendments to these bylaws shall be presented in writing to all Board members, the Executive Director of the Board, and the Board's legal counsel prior to any scheduled Board meeting. Amendments to the bylaws shall become effective with a favorable vote of at least two-thirds of the members present at that regular meeting.