



## **AG Bell Academy International Certification Program for Listening and Spoken Language Specialists (LSLS)**

### **PROFESSIONAL CODE**

#### **PREAMBLE**

The AG Bell Academy for Listening and Spoken Language® is dedicated to the purpose of promoting the delivery of comprehensive services to children and adults who are deaf or hard of hearing through certification of professionals involved with enabling and assisting individuals who are deaf or hard of hearing to listen and speak. Establishing the highest standards of professional integrity based on accepted ethical principles and practice is vital to the fulfillment of this purpose.

This Professional Code applies to Academy certification holders who are responsible for the proper delivery of (re)habilitative services to such clients and their families. The Professional Code also seeks to protect persons served and to ensure the integrity of recognized auditory-verbal and audiologic (re)habilitative practices as conducted by Listening and Spoken Language Specialists.

The fundamentals of professional conduct are described in this document as they relate to responsibility to persons served, to the public, and to the professions engaged in the provision of auditory-verbal, educational, and audiologic (re)habilitative services. This Professional Code comprises two separate parts: The Principles of Professional Behavior and the Rules of Conduct. Individuals are expected to adhere to provisions of both parts. The Principles of Professional Behavior are an aspiration and inspirational in nature and, while foundational to LSLS practice, are not actively enforced by the Academy. The Rules of Conduct shall be enforced by the Academy through its Ethics Committee, applying the AG Bell Academy for Listening and Spoken Language Statement of Practices and Procedures. Certain types of conduct may be contrary to both the Principles of Professional Behavior and the Rules of Conduct. That type of conduct is subject to review by the Ethics Committee pursuant to its procedures.

## DEFINITIONS

1. **AG Bell – The Alexander Graham Bell Association for the Deaf and Hard of Hearing**
2. Academy - The AG Bell Academy for Listening and Spoken Language.
3. Rules - Rules of Conduct.
4. Certification - credential awarded by the Academy to a professional in recognition of competency upon satisfactory demonstration of particular knowledge and skills, currently a LSLS Cert. AVT or LSLS Cert. AVEEd.
5. Respondent - The person named in a Complaint.
6. Complainant - The person who files a Complaint.
7. Parties – The Complainant and Respondent.
8. Misrepresentation - any untrue statements or statements that are likely to mislead. Misrepresentation also includes the failure to state any information that is material and that ought, in fairness, to be considered.
9. Individuals - Academy certification holders.

## **PRINCIPLES OF PROFESSIONAL BEHAVIOR**

### **PRINCIPLE I:**

Individuals should honor their responsibility to make fully available to all children who are deaf or hard of hearing those aspects of auditory-verbal, educational, and audiologic-(re)habilitative practices that encourage habitual and maximal use of hearing technology, and are known to have positive effects upon the human auditory system and the subsequent development of verbal communication.

#### *Examples:*

- Individuals should support programs for the early detection and identification of hearing impairment and the auditory management of infants, toddlers and children so identified.
- Individuals should seek to provide the earliest possible use of the most appropriate technology in order that their clients obtain the maximum auditory benefits possible.
- Individuals should seek to instruct primary caregivers in ways to provide optimal acoustic stimulation within meaningful contexts and support the development of the most favorable auditory learning environments for the acquisition of spoken language.
- Individuals should seek to integrate listening into the child's total personality.
- Individuals should view communication as a social act and seek to improve verbal (spoken) interaction within the typical social dyad of infant/child and primary caregiver(s), with the provision that one-to-one teaching is critical to communication development.
- Individuals should work to ensure that the child's emerging speech will be self-monitored through audition to the greatest possible extent.
- Individuals should strive to use natural sequential patterns of auditory, perceptual, linguistic and cognitive stimulation to encourage the emergence of listening, speech and language abilities.
- Individuals should make ongoing evaluation and prognosis of the development of listening skills an integral part of the (re)habilitative process.
- Assuming appropriate consent from a child's parent(s)/guardian(s), individuals should endeavor to mainstream/integrate children who are deaf or hard of hearing into regular education classes with appropriate support services to the fullest extent possible.
- Individuals are expected to adhere to principles established for their certifications.

## **PRINCIPLE II:**

Individuals should honor their responsibility to hold paramount the welfare of persons served in a professional capacity.

### Examples

- Individuals should maintain high standards of professional competence in rendering services.
- Individuals should provide professional services with honesty and compassion and should respect the dignity, worth, and rights of those served.
- Individuals should use every resource, including referral when appropriate, to ensure that the highest quality service is provided.
- Individuals should not discriminate in the delivery of professional services on the basis of disability, race, sex, religion, national origin, or sexual orientation.
- Individuals should provide accurate information about the nature and management of hearing impairment and about the services and products offered.
- Individuals should evaluate the effectiveness of services rendered and of products dispensed. Individuals should provide services or dispense products only when the individual, in his/her professional judgment, believes that benefits can reasonably be expected.
- Individuals should maintain adequate records of professional services rendered and products dispensed.
- Individuals may make a statement of prognosis, but should not guarantee results, or otherwise mislead or misinform the client and/or families served.
- Individuals should recognize the right of the parent(s)/guardian(s) to select the type of (re)habilitative, communicative or educational system or program they wish for their child.
- Individuals shall charge only for services rendered. They shall not misrepresent, in any fashion, services rendered or products dispensed.

### **PRINCIPLE III:**

Individuals should honor their responsibility to achieve and maintain the highest level of professional competence.

#### *Examples*

- Individuals engaging in any aspect of the profession should perform within the scope of their competence, education, training and experience.
- Individuals should maintain professional competence, including participation in continuing education.
- Individuals should provide appropriate supervision and assume full responsibility for services delegated to their staff.
- Individuals should ensure that all equipment used in the provision of services is in proper working order and is properly calibrated.

### **PRINCIPLE IV:**

Individuals should honor their responsibilities to the public through providing current and accurate information and education, and by developing appropriate services and referrals for unmet needs.

#### *Examples*

- Individuals should not misrepresent their credentials, competence, education, training or experience.
- Individuals should not participate in professional activities that constitute a conflict of interest.
- Individuals should not misrepresent diagnostic information, services rendered, or products dispensed or engage in any scheme or artifice to defraud in connection with obtaining payment or reimbursement for such services or products.
- Individuals' statements to the public should strive to provide accurate and current information about the nature and management of hearing disorders, about the profession, and about professional services.

## **PRINCIPLE V:**

Individuals should honor their responsibilities to their own profession and maintain good relationships with, among others, Academy certified colleagues, members of allied professions, parents and students. Individuals should uphold the dignity and autonomy of the profession, as well as maintain harmonious inter-professional and intra-professional relationships.

### Examples

- Individuals should inform colleagues and the public in a manner consistent with the highest professional standards about products and services they have developed.
- Individuals should assign credit to those who have contributed to a publication, presentation, or product.
- Individuals should not use professional or commercial affiliations in any way that would mislead or limit services to persons served professionally.
- Individuals should provide professional services by exercising independent professional judgment, regardless of referral source or prescription.
- Individuals should not discriminate in their professional roles on the basis of disability, race, sex, religion, national origin, or sexual orientation.

## **RULES OF CONDUCT**

1. Individuals shall hold and maintain all licenses and/or certifications required by their jurisdiction. This includes participation in continuing education requirements, if mandated by the jurisdiction.
2. Individuals shall not reveal any professional or personal information about the person(s) served professionally unless required by law to do so.
3. Individuals shall uphold their monetary commitments to the Academy. It shall be a violation of these Rules for an individual's certification fees to remain unpaid 60 days after becoming due and after 2 notices from the Academy.
4. Individuals shall not be convicted of a felony and/or a crime of moral turpitude that is related to the Individuals' professional practice.
5. Individuals shall not engage in any form of intentional misrepresentation in connection with their professional activities.
6. Individuals shall cooperate with Academy disciplinary and other proceedings.
7. Individuals shall not engage in materially false and/or misleading practices in connection with their professional activities.
8. Individuals shall not commit any act or omission in the course of their professional dealings that demonstrates gross negligence and/or willful misconduct.

## PRACTICES AND PROCEDURES OF THE ETHICS COMMITTEE

The Ethics Committee is charged by the Academy with the responsibility to administer and enforce the Rules of Conduct . A fundamental precept that guides the Ethics Committee in the discharge of its responsibility is the orderly and fair administration and enforcement of Rules. Accordingly, the Academy hereby adopts the following practices and procedures to be followed in administering and enforcing the Rules.

### A. CASE FILING AND INITIAL REVIEW

1. **Complaint.** The Case Review process will begin with the submission of a Complaint to the Ethics Committee that alleges a violation of the Rules. The Complaint must identify the Complainant and Respondent, including the professional address for each, and set forth the allegations in sufficient detail to provide notice of any factual allegations and Rule violation. The Complaint must be typed and written in English. The Complaint may be in the form of a letter but must be dated and signed by the Complainant. Individuals or members of the Ethics Committee may file a Complaint. If a member of the Ethics Committee is the Complainant, the member may not participate in any review of the Case.
2. **Review Panel.** Upon receipt of a Complaint, the Ethics Committee shall appoint a Review Panel consisting of three (3) disinterested members of the Ethics Committee.
3. **Answer.** If the Review Panel determines that it has jurisdiction over the Respondent and the alleged violation described in the Complaint, the Review Panel shall notify Respondent of the Complaint in writing and shall advise Respondent that an Answer to the Complaint must be submitted to the Ethics Committee not later than 45 days after service of the Complaint. The Respondent must admit or deny the allegations set forth in the Complaint and should set forth any explanation that the Respondent wants the Review Panel to consider. The Answer must be typed and written in English. The Answer may be in the form of a letter but must be dated and signed by the Respondent. Voluntary surrender of the certification by the Respondent shall not preclude the Review Panel from continuing to process the alleged violation to conclusion, and the notice from the Review Panel to Respondent requesting an Answer shall so advise Respondent.
4. **Initial Consideration.** The Review Panel shall consider all information set forth in the Complaint and Answer, and any additional information provided in response to a request from the Review Panel. The final decision of any state, federal, regulatory, or judicial body concerning the Respondent may also be considered by the Review Panel. After review and consideration of the information submitted for review, the Review Panel shall either issue Initial Findings or a No Action Letter and send copies to the Parties.
5. **No Action Letter.** The Review Panel may issue a No Action Letter and close a Case without further proceedings if it determines: (i) no violation of the Rules occurred; (ii) there is insufficient evidence to find a violation of the Rules; or (iii) it would not be in the best interests of the Academy to pursue a particular Complaint. A No Action Letter is final and not subject to further review. A No Action Letter does not bar any Individual from later



filing a Complaint against the same Respondent based upon new factual allegations or Rule violations.

6. **Initial Findings.** The Review Panel may issue Initial Findings if it finds a violation of the Rules. The Initial Findings shall explain the reasoning of the Review Panel for finding a violation of the Rules and specify an appropriate Sanction. The Review Panel shall advise the Respondent of the right to have the Initial Findings reviewed by the Ethics Committee. Initial Findings shall become a Final Decision of the Ethics Committee if a Request for Review is not requested by the Respondent in a timely manner.

## **B. REVIEW OF INITIAL FINDINGS**

7. **Request for Review.** A Respondent may request a review of Initial Findings by filing a Request for Review with the Ethics Committee. The Request for Review must be submitted to the Ethics Committee not later than 30 days after issuance of Initial Findings.
8. **Review Committee.** Upon receipt of a Request for Review, the Ethics Committee shall empanel a Review Committee consisting of the Ethics Committee except that the following members of the Ethics Committee must exclude themselves from the Review Committee:
  - Members who filed or participated in the investigation of a Complaint.
  - Members on the Review Panel that issued the Initial Findings.
  - Members who have any interest whatsoever (whether personal, economic, or otherwise) in the outcome of the case or who have any knowledge of the case other than through their role on the Ethics Committee.
9. **Review Statement.** The Respondent must submit a Review Statement with the Request for Review. The Review Statement may be either (a) in writing, signed by the Respondent, not to exceed 25 pages in length, or (b) a videotape or DVD of the Respondent giving a statement, not to exceed 15 minutes in length. The Respondent must set forth, in detail, the basis for the review, the reasons supporting the review and the relief requested, which might include an alternative Sanction. The Respondent may bring new evidence to the attention of the Review Committee in the Review Statement. The Review Committee may, in its sole discretion, request clarification of arguments presented in the Review Statement or request additional briefing or evidence from the Respondent on any issue.
10. **Reply Statement.** The Review Committee may, in its sole discretion, request a Reply Statement from the Complainant or other party. The Review Committee may request a reply on all or limited issues presented in the Review Statement or additional evidence and it shall set a deadline for the submission of a Reply Statement and the form of the Reply Statement.
11. **Decision of the Review Committee.** In making its decision, the Review Committee shall consider the Complaint, the Answer, the Initial Findings, the Review Statement, Reply Statements (if any), and all the evidence submitted to the Review Committee. The Review Committee may, in its sole discretion, conduct a telephone interview of the Parties. Within 60 days after the Request for Review and Review Statement are submitted to the Ethics Committee, the Review Committee shall render a Final Decision and notify Respondent. In

the absence of a timely appeal to the Executive Board, the Final Decision shall be the final ruling of the Academy.

### **C. APPEAL OF A FINAL DECISION**

1. **Notice of Appeal.** Respondent may appeal a Final Decision to the Academy Board. The Notice of Appeal must be submitted to the Ethics Committee no later than thirty (30) days after the issuance of the Final Decision.
2. **Appeals Panel.** Upon receipt of the Notice of Appeal, the Academy shall appoint an Appeals Panel consisting of three disinterested Academy Board members appointed by the President of the Academy.
3. **Issues on Appeal.** Grounds for appeal are limited to (i) a showing that the Review Committee did not adhere to procedural requirements, or (ii) that the decision of the Review Committee was arbitrary and capricious and without any evidentiary basis. The Appeals Panel may not hear or consider new evidence.
4. **Appeal Statement.** Respondent must file an Appeal Statement with the Notice of Appeal. The Appeal Statement must set forth, in detail, the basis for the appeal. The Appeal Statement may be either (a) in writing, signed by the Respondent, not to exceed 25 pages in length, or (b) a videotape or DVD of the Respondent giving a statement, not to exceed 15 minutes in length..
5. **Hearing.** The Respondent has the option to request an oral hearing before the Appeals Panel. The hearing shall be conducted by telephone conference at a date and time set by the Appeal Panel.
6. **Decision of the Appeals Panel.** The Appeals Panel shall render its decision in writing within thirty (30) days of the Hearing. The decision of the Appeals Panel shall be final and shall be subject to normal or Special Publication as determined by the Academy.

### **D. NOTICES AND SUBMISSIONS**

Each notice, submission or other communication required or allowed by the Practices and Procedures shall be effective (i) if given by fax, when such fax is transmitted to the fax number on file with the Academy and the appropriate confirmation of a successful fax is received, (ii) if given by mail, three days after such communication is deposited with Federal Express and addressed to the party at the address on file with the Academy, (iii) if given by hand delivery, upon confirmed delivery to the address on file with the Academy, or (iv) if given by e-mail, when such e-mail is sent to the proper e-mail address on file with the Academy. All such notices and submissions to the Ethics Committee shall be sent to (address)(fax)(email).

## **E. SANCTIONS**

Sanctions shall consist of one or more of the following: Reprimand; Censure; Withhold, Suspend, or Revoke Certification; or other measures deemed appropriate for the violation of the Rules. Sanctions may not include fines.

## **F. DISCLOSURE**

If wrongful conduct is found and after the exhaustion of all Ethics Committee procedures and all appeals, the Academy may publish in an AG Bell publication in a redacted format the nature of the wrongful conduct and sanction assessed. Cases resulting in reprimand as the appropriate sanction shall not be publicized to persons other than those involved in the case, , each of whom shall be advised that the decision is strictly confidential and that any breach of that confidentiality by any Individual is, itself, a violation of the Rules. In cases resulting in censure, or the withholding, suspension, or revocation of certification, the Ethics Committee may provide its Final Decision to any state agency that licenses or credentials speech-language pathologists, educators, or audiologists, and which the Respondent is licensed or credentialed by, or is an applicant for licensure or credentialing, provided that such disclosure is required by federal, state, and/or local law or regulation.

## **G. REINSTATEMENT**

Persons whose certification has been revoked may apply for reinstatement at the completion of the revocation period. Reinstatement requires a two-thirds vote of the Ethics Committee. The applicant for reinstatement must meet all certification standards and requirements that are in effect at the time of the Reinstatement Order.

In all cases, the applicant bears the burden of demonstrating with appropriate documentation that conditions that led to revocation have been rectified and that, upon reinstatement, the applicant will abide by the Rules. The Ethics Committee's deliberations will be guided by the premise that reinstatement must be in the best interests of AG Bell and AG Bell Academy and of persons served professionally.

## **H. AMENDMENT**

The Academy Board of Directors may from time to time amend this Statement of Practices and Procedures. All such changes will be given appropriate publicity.