

Council Minutes	
Date/Time of Meeting	August 22, 2011, 9:45 a.m.
Chair	Conny Glenn (CG)
Timekeeper	Dianne Aziz
Notetaker	Dianne Aziz
Present:	Conny Glenn (CG), Michelle Meghie (MM), Maureen Ralph (MR), Tony Bauer (TB), Rod Hare (RH), Doug Lafreniere (DL), Elizabeth Chapman (EC), Neil McCartney (NM), Bob Ross (BR)
Regrets	Denise Nadeau (DN)
Staff in Attendance/ Guests	Brenda Kritzer, Dianne Aziz, Sheryl Hobbs-Canning, Nancy Leris GUESTS: Patricia Muenzen from Professional Examination Service (PES); Erin Sargent, Niagara College, Connie Schachtschneilor, Niagara College; Derek Cheung, MOHLTC, Don Gracey, CGMC, Jennifer Shmie, York University, Mary Duggan, CSEP, Jennifer Prosen OSHF.
Constitution of the Meeting	As a notice of the meeting had been duly given in accordance with the by-laws of The Transitional Council for the College of Kinesiologists of Ontario and a quorum was present, the meeting was duly constituted for the transaction of business.
Conflict of Interest	Facilitator: CG None
Approval of Agenda	Facilitator: CG CG advised that the Registration Committee would need further time to meet prior to presenting the committee report. CG requested that the Registration Committee report be moved to later in the agenda following the presentation by the Professional Examination Service and that the Professional Practice and Quality Assurance Committee reports be moved forward. UPON A MOTION duly made by EC seconded by NM and unanimously carried, it was resolved that the Agenda as circulated be amended to move the Registration Committee report to after the presentation by Professional Examination Service (PES) and that the Professional Practice and Quality Assurance Committee reports be moved up.
Approval of Minutes	Facilitator: CG UPON A MOTION duly made by MR seconded by MM and unanimously carried, it was resolved that the Minutes of June 27, 2011 be accepted.
Business Arising	Facilitator: CG <u>Action Items from June 27, 2011 Meeting:</u> Registration and Quality Assurance Committees: <ul style="list-style-type: none"> • Registration Committee to advise the Quality Assurance Committee on their decision regarding the academic class. • The Registration Committee will work toward having a standard on educational requirements to go out to with the registration regulation. Sheryl Hobbs-Canning, Stu McGill, Doug Lafreniere - Completed

	<p>Payment for Observers of Competency Development Working or Focus Groups:</p> <ul style="list-style-type: none"> • Brenda will ask the MOHLTC if the observers who wish to come to observe at the Competency Development working groups will be compensated for attendance at these meetings. • Council members will indicate to Brenda whether they will attend within one week. <p>Council Members, Brenda Kritzer – Completed</p>
<p>Committee Reports</p>	<p style="text-align: center;"><u>Executive Committee</u></p> <p>Facilitator: CG</p> <p>I. President’s Report:</p> <ol style="list-style-type: none"> a. The Committees are working on completing their regulations. The Quality Assurance and Registration Regulations will be re-posted for consultation; the Professional Misconduct Regulation is ready for submission to the Ministry pending Council’s approval today. b. Ayub Hamid and Murtaza Najmudin did not request renewal of their appointments. Both Ayub and Murtaza have been thanked for their contribution to the work of the TCCKO. c. Stu McGill has resigned from Council and as Chair of the Registration Committee. The Registration Committee will elect a new Chair for their Committee today. d. The meeting with officials from the Ministry of Health and Long Term Care (MOHLTC) and Health Force Ontario (HFO) will be held on August 23, 2011. <p>II. Motion regarding publication on the TCCKO website of the feedback received on the draft regulations and of the TCCKO Council Minutes:</p> <ol style="list-style-type: none"> a. CG reviewed the issue/decision note related to the publication of TCCKO minutes and the feedback received during the consultation on the proposed regulations. <p>UPON A MOTION duly made by EC seconded by DL and unanimously carried, it was resolved that approved Minutes of the Transitional Council of the College of Kinesiologists (TCCKO) be posted on the TCCKO’s website effective with the Minutes of June 27, 2011 and that the summary of feedback from the consultation on the proposed regulations be posted verbatim without identifying the author of the feedback.</p> <p>III. Renewal of TCCKO Insurance:</p> <ol style="list-style-type: none"> a. CG reviewed the issue/decision note related to the renewal of the TCCKO’s insurance. <p>UPON A MOTION duly made by MM seconded by NM and unanimously carried, it was resolved that the TCCKO’s insurance be renewed with Marsh Canada until March 31, 2012.</p> <p>IV. Business Case, Project Analyst</p> <ol style="list-style-type: none"> a. CG reviewed the business case for a project analyst to be shared

	<p>by the five transitional Councils.</p> <ol style="list-style-type: none"> b. If we are successful in hiring a project analyst, the work plans we have made will be re-visited to reflect when the work will be done. For example, the jurisprudence development will be moved forward because we will be working with the other transitional Councils on the development of this program. c. The project analyst will be supervised by Andrew Parr the Registrar of the Transitional Council of the College of Naturopaths. d. The cost to the TCKCO will be \$34,000.00 over two years; there are sufficient funds in the forecasted budget to cover the cost. <p>UPON A MOTION duly made by NM seconded by DL and unanimously carried, it was resolved that the Business Case for Project Analyst be submitted to the MOHLTC for approval.</p> <p>V. Financial Statement to Year End</p> <ol style="list-style-type: none"> a. DL inquired as to the status of the loan agreement with the MOHLTC. CG reported that the status is unclear. However, she has been advised that the Council should proceed on the assumption that the future college will be expected to repay to monies expended since the inception of the TCKCO. <p>UPON A MOTION duly made by NM seconded by RH and unanimously carried, it was resolved that the Financial Statements to Year End be accepted as presented.</p>
	<p><u>Professional Practice Committee</u></p>
	<p>Facilitator: RH</p> <ol style="list-style-type: none"> I. Chair's Report: <ol style="list-style-type: none"> a. The Chair reported that the draft standards have been reviewed by legal counsel and legal counsel has provided suggestions. b. The Committee will meet on September 12, 2011 to review the draft standards and legal counsel's comments. c. It is anticipated that the draft standards will be presented to Council at their October 17, 2011 meeting and that once approved by Council, will be posted for consultation on the TCKCO website. II. Draft Regulation for Approval to Submit: <ol style="list-style-type: none"> a. The Chair reviewed the proposed changes to the response to the consultation feedback and to the draft regulations. <p>Motion # 1: It was moved by BR, seconded by NM and unanimously approved that the above changes to the consultation feedback response and to the draft Regulation regarding Professional Misconduct be approved by the transitional Council.</p> <p>Motion # 2: It was moved by BR seconded by NM and unanimously approved that the Professional Misconduct regulation in its entirety, dated July 18, 2011, be</p>

	<p>approved as amended for submission to the Ministry of Health and Long –Term Care.</p> <p>Motion # 3: It was moved by BR, seconded by NM and unanimously approved that Part II - Conflict of Interest in the draft Professional Misconduct Regulation, dated July 18, 2011 be approved for submission to the Ministry of Health and Long-Term Care.</p> <p>Motion # 4: It was moved by BR seconded by NM and unanimously approved that Part III – Record-Keeping in the Draft Professional Misconduct Regulation, dated July 18, 2011 be approved for submission to the Ministry of Health and Long-Term Care.</p> <p><u>Recorded Vote:</u> Public Members: Michelle Meghie; Maureen Ralph Professional Members: Elizabeth Chapman; Bob Ross; Rod Hare; Neil McCartney; Douglas Lafreniere; Tony Bauer; Conny Glenn</p>
	<p style="text-align: center;"><u>Quality Assurance Committee</u></p> <p>Facilitator: DL</p> <p>I. Chair’s Report:</p> <ol style="list-style-type: none"> a. The Chair reported that the Committee met on July 25, August 9 and August 22 and will meet again in September. The Committee considered the consultation feedback and has made proposed amendments to the regulation as a result of feedback. b. The MOHLTC has asked that Council consider how the regulation will be implemented from the perspective of being able to be “up and running” at proclamation. The Committee continues to work on this planning. c. DL referred Council members to the summary of changes provided in the package. <p>II. Draft Regulation for approval to circulate</p> <ol style="list-style-type: none"> a. DL referred Council to version 11 of the draft QA Regulation in which the changes made to the Regulation in response to feedback from stakeholders and the MOHLTC were noted. b. DL referred Council to version 10 of the draft QA Program Components document. DL explained that it was intended by QA Committee that this document be posted with the draft QA Regulation and that stakeholders be asked to provide feedback on this. This feedback would inform future policy development. <p>Motion #1 It was moved by EC, seconded by NM and unanimously approved that version 11 of the draft Quality Assurance Regulation dated 9th August 2011 be approved as amended for posting for public consultation.</p> <p>Motion #2 It was moved by MM, seconded by RH and unanimously approved that version 10</p>

	<p>of the draft Quality Assurance Program Components document be approved for posting alongside the draft Quality Assurance Regulation and that stakeholders be invited to provide feedback on this document in order to inform future policy development.</p>
	<p style="text-align: center;"><u>Presentation by Professional Examination Services</u></p> <ul style="list-style-type: none"> • Pat Muenzen of the Professional Examination Service (PES) presented an overview of the Competency Profile development process, best practices, and discussed the competency profile in relation to development of licensure examinations. • Members of Council had an opportunity to ask questions about the development and application of the competencies.
	<p style="text-align: center;"><u>Registration Committee</u></p> <p>Facilitator: CG</p> <p>I. Chair's Report</p> <ol style="list-style-type: none"> a. The Chair reported that the Committee met on July 18, August 8, August 22, 2011 and will meet again on September 20, 2011. Committee has focused on considering stakeholder, Ministry and legal counsel's feedback on the draft Registration Regulation and making amendments accordingly. b. Committee has also begun to consider some of the policies that will support the requirements described in the Regulation. c. Committee has given consideration to the development of an entry to practice exam and a jurisprudence course. The Chair described the issues considered by Committee when deliberating on these matters and referred Council to the resolutions pertaining to these. <p>Motion#1 – Procurement for examination development: It was moved by RH, seconded by DL and unanimously approved that:</p> <ul style="list-style-type: none"> ○ The examination for entry to practice candidates be offered two times per year; ○ That a procurement model to acquire the services of a professional examination service with a proven track record in Canada of managing and administering licensure examinations be approved to develop the examination blueprint, item banks sufficient to support two exams, the entry-to-practice examination, and to administer the exam for a period of five years; ○ That the Registration Committee develop, for consideration by Council, an examination management policy which describes a process for ongoing maintenance of the examination item bank, review of the examination blueprint and governance of the examination. <p>Motion #2 – Development of a jurisprudence course: It was moved by RR, seconded by RH and unanimously approved that the content of the jurisprudence course be developed by R. Steinecke of Steinecke, Maciura and LeBlanc at the approximate cost provided to Council.</p>

- d. Registration Committee had considered, in response to requests from stakeholders, the creation of specialty classes. The Chair briefed Council on the issues that had been considered when reviewing this request. Council was referred to the resolution pertaining to this which noted that due diligence is required to determine what specialty classes may be required by the College to better protect the public, and then to determine how applicants would be registered into these. The Chair explained that Committee had noted that Specialty Classes may be considered after proclamation when the College has an opportunity to investigate how such classes might be implemented and regulated by the College to improve the protection of the public.

Motion # 3 – Specialty classes:

It was moved by DL, seconded by NM and unanimously approved that specialty classes not be created at this time.

II. Draft Regulation amendments and motions to approve for circulation for public comment

- a. CG referred Council to version 27 of the Draft Registration Regulation which noted the amendments recommended by Committee following the public consultation and further feedback from the MOHLTC. Referring also to the document, *Outline of Significant Changes to Registration Regulation May to August 2011*, CG drew Council’s attention to the following significant changes to the Regulation and, for each, outlined the issues considered by Committee:

- Removal of the Academic Class
- Removal of previous currency requirements and subsequent reinsertion of amended requirements.
- Removal of provisions relating to course and content requirements and the inclusion of wording specifying an Ontario university.
- Removal of the provisions regarding 2000 hours of supervised practical experience
- Removal of provision regarding statutory declarations
- Reinsertion of examination provisions

CG referred Council to the proposed resolutions pertaining to the Regulation.

Motion #1 – Significant changes to the draft Registration Regulation:

It was moved by RH, seconded by DL and unanimously approved that the following changes to the draft Registration Regulation be approved by Council:

- That the Academic Class be removed
- That the currency requirements under Section 2. 10. be removed
- That the provisions under Section 4. (1) i. and Section 4. (2) 1. i be revised to read *“the applicant must have successfully completed a four or*



	<p><i>five year university bachelor program in kinesiology at an Ontario university.'</i></p> <ul style="list-style-type: none"> ○ That the supervised practical experience requirement under Section 4. (1) 3. be removed from the Regulation and that the explanation to the Regulation include a statement that the exam guideline will include recommendations for practical experience. ○ That the provision under Section 4. (2) 3. regarding statutory declarations be removed from the requirements pertaining to applications from existing practitioners. ○ That the provisions regarding examinations, formerly included in a separate exam regulation, be included in Section 6. of the Registration Regulation. <p style="padding-left: 40px;">b. CG noted that, following recent feedback from legal counsel and deliberations by Committee, further amendments to version 27 of the Regulation were recommended by Committee. Council was referred to the draft resolution concerning these items.</p> <p>Motion #2 – Further changes to version 27 of the draft Registration Regulation: It was moved by DL, seconded by NM and unanimously approved that the following changes be made to version 27 of the draft Registration Regulation:</p> <ul style="list-style-type: none"> ○ The phrase, <i>'By a Committee of the College'</i>, be added to the provision under Section 2. 7. ○ That currency requirements as described in Appendix 1* to this resolution be added as provision 10 in Section 2. ○ That Section 3. 3. be amended to read, <i>'The member's certificate of registration is automatically suspended if the member's immigration status under the Immigration and Refugee Protection Act (Canada) is inconsistent with the member's certificate of registration.'</i> ○ That the following provision be added to Section 3. of the draft Registration Regulation, <i>'The Registration Committee may move the member to the Inactive Class if the member has not practised the profession over the previous three years'.</i> <p>* Appendix 1.</p> <p><i>10. The applicant, other than an applicant for a certificate of Inactive Registration, must demonstrate currency of knowledge, skill and judgement by</i></p> <ul style="list-style-type: none"> <i>i. Having successfully completed, in accordance with Section 6, the registration examinations approved by the Council, no more than 12 months prior to the date of registration; or</i> <i>ii. Having successfully completed the exam more than 12 months prior to the date of registration and having practised the profession 1500 hours within a three year period that begins no earlier than three years before the date of his or her application; or</i> <i>iii. Having successfully completed after their application an individualised program of upgrading approved by the Registration Committee</i> <p style="padding-left: 40px;">c. CG, having explained that it was recommended by Committee that</p>
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	<p>the draft Registration Regulation be circulated again for public consultation, referred Council to the resolution pertaining to this matter.</p> <p>Motion #3 It was moved by MR, seconded by EC and unanimously approved that version 27 of the draft Registration Regulation be approved as amended for posting for public consultation.</p>
<p>Election of Chair, Registration Committee</p>	<p>Conny Glenn formally accepted Stu McGill's resignation from Council and as Chair of the Registration Committee.</p> <p style="text-align: center;"><u>Motion to have the Chair of the Registration Committee step down temporarily and the Registrar assume the Chair</u></p> <p>UPON A MOTION duly made by NM seconded by BR and unanimously carried, it was resolved that the Chair of the Registration Committee step down temporarily and that the Registrar assume the Chair.</p>
	<p style="text-align: center;"><u>Election of Chair – Registration Committee</u></p> <p>UPON A MOTION duly made by NM seconded by RH and unanimously carried it was resolved that Nancy Leris and Dianne Aziz be appointed as scrutineers for the election of Chair of the Registration Committee</p> <ul style="list-style-type: none"> • The Registrar reported that two members of Council had been nominated to stand for the position of Chair, Registration Committee, Bob Ross and Elizabeth Chapman. • Council members were provided with ballots for the election of Chair, Registration Committee and prepared their votes. • The scrutineers reviewed the ballots and presented their findings to the Registrar. • The outcome of the vote was that Bob Ross was elected Chair of the Registration Committee.
	<p style="text-align: center;"><u>Motion to have the Chair Returned</u></p> <p>UPON A MOTION duly made by NM seconded by RH and unanimously carried, it was resolved that Conny Glenn be returned as Chair of the Registration Committee.</p>
<p>Committee Reports Continued</p>	<p style="text-align: center;"><u>Operations</u></p> <p>I. Registrar's Report:</p> <ol style="list-style-type: none"> a. The Registrar drew Council's attention to the Annual Report which was provided to them in their binders. b. The Registrar has been working closely with the other transitional College Registrars to identify areas where the transitional Colleges may work closely together on joint projects.

	<p>c. Two summer students have been hired and started approximately two weeks ago. The students are working on recommendations for systems to be developed to support the registration process. The students will be working with established Colleges to explore their systems which support registration and member activities and information. The result of the research will be used to inform the development of an RFP for system’s development.</p> <p>d. The TCCKO’s draft by-laws will be presented at the October meeting of Council; the by-laws will include a by-law on “the Registry”.</p> <p>e. FHRCO has been invited by the Assistant Deputy Minister to participate in a review of potential fraud in the insurance industry, centered on clients of insurance companies being fraudulent. The project has been reported on in the media. FHRCO has not committed to this project.</p> <p>f. The Registrar is working on the business case for examination development. The proposed business case will be brought forward to the Registration Committee in September.</p> <p>II. Audited Financial Statements:</p> <p>a. The Registrar drew the Council’s attention to the audited financial statements contained in their packages. The Registrar explained that the money which supports the TCCKO flows through Health Force Ontario (HFO). HFO is required to be audited for all spending under their jurisdiction including monies expended on behalf of the Transitional Councils.</p> <p>b. HFO retained the services of Deloitte to perform the audit; the audited financial statement provided to HFO was approved by the Board of HFO. TCCKO is not required to approve the audited financial statement.</p> <p>c. The audited financial statement is required to be submitted to MOHLTC with the TCCKO Annual Report.</p> <p>III. Motion for Council to receive the Audited Financial Statement.</p> <p>UPON A MOTION duly made by NM seconded by EC and unanimously carried, it was resolved that the Audited Financial Statements be received by Council and forwarded to MOHLTC.</p>
	<u>New Business</u>
	Facilitator: CG N/A
	<u>Review of Action Items</u>
	Facilitator: CG
	<p>1. Posting of TCCKO Minutes and consultation feedback on the TCCKO website:</p> <ul style="list-style-type: none"> • The Minutes of the TCCKO meetings will be posted on the TCCKO website effective with the June 27, 2011 minutes. • The feedback from the consultation on the proposed regulations

	<p style="text-align: center;">will be posted on the TCKKO website. The feedback will be verbatim but will not identify the author of the feedback.</p> <p>Brenda Kritzer, 2. The Professional Misconduct Regulation will be formally submitted to the Ministry of Health and Long Term Care.</p> <p>Brenda Kritzer, 3. Brenda will consult with legal counsel on the types of questions which will be developed for the jurisprudence examination in terms of how the questions will be framed to be specific to Kinesiologists and report back to Council.</p> <p>Brenda Kritzer 4. The Audited Financial Statement will be submitted to the Ministry of Health and Long Term Care with the TCKKO Annual Report.</p> <p>Brenda Kritzer</p>
Next Council Meeting Date	October 17, 2011
Motion to Terminate the Meeting	UPON A MOTION duly made by NM seconded by BR and unanimously carried, the meeting was adjourned.