

Council Meeting Minutes

Date/Time of Meeting:	December 7, 2020 / 10:30am (9:00am In-Camera Session)
Council Present:	Jennifer Pereira, Chair, Teresa Bendo, Sara Gottlieb, Elwin Lau, Leslee Brown, Victoria Nicholson, Mary Pat Moore, Ryan Wight, Chad McCleave, Candace Glowa, Susan Garfat, Marie Cousineau, Ben Matthie, Ben Phalavong, Graydon Raymer (in-camera only)
Staff Present:	Nancy Leris, Vivian Fragale, Ryan Pestana, Lara Thacker, Danielle Lawrence, Keisha Simpson
Observers:	Don Gracey, the Ontario Athletic Therapist Association; Stuart Moulton, Ontario Kinesiology Association, Michael Robinson, Canadian Athletic Therapists Association; Mélanie Levac, Canadian Athletic Therapists Association; Doug Ross, Ministry of Health and Long-Term Care Health and Stamatis Kefalianos, College of Occupational Therapists of Ontario

1. Call to Order/Introductions

Jennifer Pereira, Chair, welcomed Council and called the meeting to order at 10:30am.

As a notice of the meeting had been duly given in accordance with the By-Laws of the College of Kinesiologists of Ontario and a quorum was present, the meeting was duly constituted for the transaction of business.

Jennifer welcomed new Council member Benjamin Phalavong. In September, Council decided to hold an election in District 6 to fill the vacancy left by a resignation. An election was held in the district from November 16-20, 2020.

Benjamin expressed interest in serving on the Quality Assurance, Registration, Examination Appeals, and Patient Relations committees. Jennifer noted that the Quality Assurance Committee has sufficient membership. Therefore, she recommended to appoint Benjamin to the Registration, Examination Appeals, and Patient Relations Committees.

Jennifer also put forward a recommendation to appoint Mary Pat Moore to the Finance Committee.

*UPON A MOTION duly made by Marie Cousineau and seconded by Sara Gottlieb, it was resolved that Benjamin Phalavong be appointed to the Registration, Examination Appeals and Patient Relations Committees, and that Mary Pat Moore be appointed to the Finance & Planning Committee. **Carried.***

Nancy Leris introduced Danielle Lawrence, the College's new Practice Advisor and Policy Lead who joined the College on October 23, 2020.

2. Conflict of Interest Declarations

Jennifer Pereira asked if any Council members present wished to declare a conflict of interest. There were no declarations.

3. Approval of Agenda

*UPON A MOTION duly made by Teresa Bendo and seconded by Ben Matthie, it was resolved that the agenda be approved as amended. **Carried.***

4. Approval of Minutes

*UPON A MOTION duly made by Ryan Wight and seconded by Susan Garfat, it was resolved that the September 14, 2020 Minutes be approved as amended. **Carried.***

5. Action Items Arising from Previous Meetings

- Conflict of Interest and Code of Conduct forms to be recirculated to Council members for their signatures. COMPLETED
- Section #8 of the Executive Committee Terms of Reference -options to be investigated further and recirculated to Council for final review and approval at the next Council meeting. COMPLETED – agenda item #11
- Review the “cooling off period” of three (3) years for members, Council, etc., who want to become staff - this would require By-Law change if not in place. COMPLETED – agenda item #11
- Committee Slate to be amended. Jennifer Pereira is currently listed as a public member under the Fitness to Practice committee. COMPLETED

6. Committee Reports

Reports were provided in the Council package highlighting committee meetings, activities, changes, and discussions that took place since the September Council meeting. A first quarter financial report and dashboard were also included.

Mary Pat Moore, Chair of the Specialties Committee, provided a brief verbal report. She welcomed Danielle Lawrence, who will be providing support to the committee. She noted that the committee has been meeting regularly. In October, the Ontario Athletic Therapist Association submitted a second report regarding risk of harm. A meeting is scheduled with the Committee and OATA leadership to review the submission. Mary Pat also noted that letters of interest were circulated requesting educational experts to review the education requirements of Sheridan College and York University.

7. Draft Audited Financial Statements

Chad McCleave, Chair of the Finance and Planning Committee, provided a high-level overview of the draft audited financial statements. The auditors presented a clean opinion.

Chad noted that a new line was added in the financial statements because the College took advantage of subsidies available to business to help with the impacts of COVID-19. He also noted that the College should be carrying at least six months' worth of operating expenditures and encouraged Council to have a discussion regarding this in the new year. He also encouraged Council to have a discussion down the line regarding potentially raising membership fees. This can be addressed in 2020.

New notes were added to the financial statements. These included the notes on government assistance and the temporary wage subsidy, as well as contingencies related to a new potential claim.

UPON A MOTION duly made by Vicky Nicholson and seconded by Leslee Brown, it was resolved that the Council of the College of Kinesiologists of Ontario accept and approve for circulation, and submission to the Minister of Health and Long-Term Care, the audited financial statements for 2019/2020. Carried.

8. Annual Report

Ryan Pestana, Communications Manager, provided an overview of the draft 2019/2020 Annual Report.

Council members were pleased with the presentation of the annual Report and its contents, particularly how it highlighted systemic racism and the COVID-19 response.

UPON A MOTION duly made by Sue Garfat and seconded by Leslee Brown, it was resolved that Council accept and approve the draft annual report for 2019/2020 for submission to the Ministry of Health and posting to the College website. Carried.

9. Registrar's Report

Nancy Leris, Acting Registrar, provided an update on the following:

- Abby Fontaine, a fourth-year kinesiology student from Lakehead University, has been with the College since September 1 and her final day is December 15. Abby has been providing support to communications and has helped with several research and writing projects.
- In September, the Ministry of Health (MOH) unveiled the College Performance Management Framework (CPMF). All colleges were invited to submit feedback on the document from the beginning of September to the end of September. College staff have reviewed the document and a workplan was developed to ensure the document is completed and submitted to MOH by March 31, 2021. All staff have been assigned sections based on their portfolio.

- The College is an active participant in the Health Profession Regulators of Ontario (HPRO) working group on anti-BIPOC racism. Updates and next steps from this working group include:
 - the group will be building a project charter and framework
 - recommendation to add equity, equality, and inclusion into the College Performance Management Framework
 - consideration of how to add zero tolerance regarding racism into colleges' practice
 - discussion/prioritization of college "toolkit" items
 - developing communiques

10. President's Report

Jennifer updated on the following:

- Participation in a meeting with College staff and the Ministry of Health to discuss the College's submission of the system partner domain of the College Performance Management Framework.
- Participation in an orientation session with new Council member, Ben Phalavong.
- To assist staff, she has participated in administrative tasks, including the approval of invoices.
- The lines of communication remain open between Jennifer and the Acting Registrar, Nancy Leris. She noted the great working relationship she has with Nancy and college staff.

11. Draft Terms of Reference - Executive Committee

At the September Council meeting the Registrar presented a draft Executive Committee Terms of Reference. Council requested that staff review the total time that someone may serve on Executive Committee, as well as the "cooling off period" for Council and staff.

Nancy Leris noted that a survey was sent to all colleges. The responses were collated in a chart, which was included in the Council meeting package.

A question was raised as to whether the three-year term limit is too restrictive. It was noted that Council must ensure succession planning and continuity before putting restrictive policies in place. Council discussed several options in addition to allowing the past President to remain on the Executive Committee.

Council decided that more research is warranted and requested that staff contact colleges who did not respond regarding term limits, cooling off periods, and providing the option of the past President to continue serving on the Executive Committee.

12. Council and Committee Competencies Profile

Lara Thacker, Director, Quality Assurance, presented on the competency-based assessment and education for Council and committee members. She covered areas such as the background and reasons for implementing a competency-based model, universal principles of good governance, the competency profile and its purpose, role of Council, the establishment of a Governance Committee, the nomination process, training, evaluation, and other considerations.

A detailed Issue/Decision Note was included in the meeting package.

Lara brought forth the following recommendations for consideration by Council.

That Council:

- Approve the circulation of the proposed By-Law amendments for 30-day external consultation, including Governance Committee terms of reference
- That the Council and Committee Competency Profile presented to Council be approved and adopted in principle, and subsequently revised as necessary by the Governance Committee for approval by Council
- That competency-based assessment and education be developed and implemented as soon as practicable but not later than necessary for use in the next cycle of Council elections and committee appointments
- The Council adopts a formal annual evaluation process that includes a Council/committee performance evaluation, an individual self-evaluation for Council and committee members, and an evaluation of each Council and committee member by their peers
- That a summary report of the evaluation be released publicly by the College

Council participated in a fulsome discussion. The following concerns, questions, suggestions, and comments were provided:

- The proposed timelines are very short.
- An environmental scan to be provided of the content and rationale of other regulatory colleges' Council and committee competency-based assessment and education models including the role and composition of the Screening/Governance Committee, induction programs/courses and quizzes, assessment processes for professional and public members, and eligibility requirements reflected in the by-laws.
- Provide more nuanced by-law amendments regarding eligibility/disqualification criteria for running for election to Council/appointment to committee (e.g., not penalizing individuals for previously resigning with valid reasons by including "at the discretion of Council")
- Several members liked the idea of onboarding online training modules and evaluations and thought they would be helpful.
- It is important to ensure that the way diversity is defined is fulsome enough.

Jennifer noted that the Ministry is heading down the path of competency-based assessment. The College is adding an additional layer to ensure elected committee members have a basis for a foundation. The document is a work in progress and open to revisions and to improvements.

It was also noted that in the last previous strategic planning session, the College decided to move towards a competencies-based assessment for Council and Committees. This was identified as a strategic priority to ensure good governance.

Council expressed comfort in moving forward in getting feedback from membership regarding the proposed competencies, while College staff gather more information and provide an environmental scan.

*UPON A MOTION duly made Ben Matthie and seconded by Leslee Brown, it was resolved to approve the proposed competencies for circulation to membership for feedback, while staff work on presenting the information gathered from the environmental scan. **Carried.***

13. 2021 Council Meeting Dates

Jennifer reviewed the Council meeting dates for 2021. Meetings are scheduled on March 29, June 28, September 13, and December 6. College staff proposed moving the March 29th meeting to March 1st; Council agreed to this change.

14. Review of Action Items

- Further research to be conducted by College staff regarding the Executive Committee Terms of Reference, (i.e., term limits, cooling off periods, and providing the option of the past President to continue serving on the Executive Committee).
- College staff to provide an environmental scan into what other Colleges are doing in terms of Council and committee competency-based assessment and education.

15. Adjournment

Jennifer thanked staff and Council for their continued dedication and wished everyone well during holiday season.

Ben Matthie moved to terminate the meeting at 1:40pm.