

September Council Meeting Minutes

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| Date/Time of Meeting: | Tuesday September 17, 2024, 12:20pm |
| Council present: | Benjamin Matthie (unable to participate fully), Victoria Nicholson, Corby Anderson, Teresa Bendo, Heather Westaway, Leanne Smith, Chad McCleave, Alyssa King, Jennifer Yee, Susan Garfat, Matthew Daher, Jane Gage, Oluwashindara Isaac-Oloye, Sara Gottlieb |
| Regrets: | Jotvinder Sodhi, Jana Smith |
| Staff members: | Nancy Leris, Fiona Teape, Brian Fehst, Magdalena Reder, Wendy Fung, Samuel Hanna, Ethan Foerster, Colleen Foster, Lisa Groten |
| Guest presenters: | |
| Guests/Observers: | Tiffany Mak (MOH) |

Let it be noted that Council held an in-camera session from 9:00 am – 11:35 am.

1. Call to order, roll call, welcome.

Victoria Nicholson, Council Vice-President, chaired the meeting on behalf of Benjamin Matthie. Victoria called the meeting to order at 12:23 p.m. and welcomed Council, staff members and guests.

The Chair shared a Land Acknowledgement.

As the 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.

2. Introductions

Victoria Nicholson welcomed Tiffany Mak from the Ministry of Health, along with new Council members Jane Gage and Oluwashindara Isaac-Oloye.

3. Conflict of Interest Declarations

The Chair asked the Registrar whether any Council members wished to declare a Conflict of Interest. The Registrar confirmed that there were no declarations.

The Chair also asked the Council if they knew of anyone who might have a Conflict of Interest. None were raised.

4. Approval of Agenda

UPON A MOTION duly made by Matthew Daher and seconded by Corby Anderson, it was resolved that the agenda be approved. Carried.

5. Approval of Minutes from the June 24, 2024, Council Meeting

UPON A MOTION duly made by Heather Westaway and seconded by Oluwashindara Isaac-Oloye, it was resolved that the minutes of the June 24, 2024, Council Meeting be approved. Carried.

6. Action Items from the June 2024 Meeting

Nancy Leris informed the Council that work is ongoing regarding both action items from the June 2024 meeting. First, the College will explore methods to measure engagement with the Annual Report. Second, the registration team is developing a policy for R.Kins who accept delegated duties from supervisors while licensed under the Emergency Act. Both initiatives are currently ongoing.

7. Registrar's Report

Nancy Leris, Registrar/CEO, presented the Registrar's Report, highlighting the following key points:

- *New Staff Member:* Wendy Fung was formally introduced as the College's newest staff member. Wendy will serve as the Manager of Finance & Operations.
- *Internal Controls Audit:* A meeting of the Planning and Finance Committee to be for October 2024 to discuss the results of the internal controls audit, which has experienced delays.
- *Office Relocation:* The office relocation has been successfully completed. The College extends its gratitude to Fiona Teape for her significant contributions to the relocation process.
- *Strategic Planning:* The Steering Committee for Strategic Planning convened to review the report from facilitator. This report will be finalized and presented for approval at the December 2024 Council meeting.
- *Governance:* The Governance and Nominations Committee met on September 12 to develop a proposed committee slate for 2024-2025. The Annual Evaluation of Council Performance and Effectiveness has been completed.
- Work on the Annual Financial Audit and Annual Report will commence. Drafts of both documents will be presented at the December 2024 Council meeting.

8. President's Report

Victoria Nicholson, Chair, presented the Presidents Report. Victoria Nicholson opened the floor for questions, none presented.

9. Registration Policies

Fiona Teape presented proposed amendments to two Registration Policies, beginning with the Required Documents Policy. This policy aims to provide transparency and clarity regarding the fundamental requirements for registration. The Council approved a three-year review cycle for this policy in December 2022.

The proposed amendments are minor, primarily focusing on stylistic and clarity revisions. A thorough review was conducted, and no major updates were deemed necessary.

*UPON A MOTION duly made by Heather Westaway and seconded by Matthew Daher it was resolved that Council approves the revisions to the Required Documents Policy. **Carried.***

Fiona Teape also presented proposed amendments to the Professional Liability Insurance Policy. She outlined the proposed amendments, which include updating the policy to align with current sections of the *Regulated Health Professions Act, 1991 (RHPA, 1991)* and replacing references to the Financial Services Commission of Ontario with the Financial Services Regulatory Authority of Ontario (FSRA).

Fiona requested that the Council either approve the proposed amendments or return the draft to the Registration Committee for further revision.

*UPON A MOTION duly made by Alyssa King and seconded by Jane Gage it was resolved that Council approves the amendments to the Professional Liability Insurance Policy. **Carried.***

10. Risk Management Plan Review

Nancy Leris provided a high-level overview of the Risk Management Plan, highlighting issues related to specific risks faced by the College.

The risk management plan includes changes to risk mitigation strategies, emphasizing areas of concern. Each amendment was accompanied by the rationale and details regarding the current risk landscape. The risk management plan, with, proposed amendments, has been reviewed by the Planning and Finance Committee.

The Chair then opened the floor for questions. One Council member noted that during the Planning and Finance Committee discussions, it was acknowledged that the budget would need to be revised to effectively mitigate some of these risks. It was suggested that the College develop a cost estimate for implementing these changes and present it to the Planning and Finance Committee.

No further questions were raised.

*UPON A MOTION duly made by Oluwashindara Isaac-Oloye and seconded by Sara Gottlieb it was resolved that Council approves the amendments to the Risk Management Plan. **Carried.***

11. Operational Policies

Investment Strategy Policy

Fiona Teape delivered a high-level presentation on proposed amendments to the Investment Strategy Policy, which included an overview of the recent environmental scan conducted by the College.

Fiona Teape noted that some amendments, characterized as "housekeeping" changes, have been proposed and were previously discussed with the Planning and Finance Committee.

The Chair opened the floor for questions. A Council member inquired whether the Planning and Finance Committee has specific guidance on investments. Nancy Leris responded that the College utilizes a third-party investment advisor to assist in guiding investment decision-making.

*UPON A MOTION duly made by Teresa Bendo and seconded by Heather Westaway it was resolved that Council approves the amendments to the Investment Strategy policy. **Carried.***

Reserve Funds Policy

Fiona Teape delivered a high-level presentation on the College's Reserve Funds Policy, which included an overview of the recent environmental scan.

The Reserve Funds Policy outlines the nature and purpose of the College's reserve funds, specifying both minimum amounts for these funds and the maximum aggregate amount. Fiona discussed the proposed amendments to the Reserve Funds Policy, noting that these amendments were addressed during the recent Planning and Finance Committee meeting.

A Council member requested clarification regarding the reserve funds. Nancy Leris explained that the College should maintain a reserve fund equivalent to 12 months of operational expenses to adequately cover any unexpected significant costs.

*UPON A MOTION duly made by Matthew Daher and seconded by Corby Anderson it was resolved that Council approves amendments to the Reserve Funds Policy. **Carried.***

12. Election of Officers

Nancy Leris formally introduced the Election of Officers. The composition of the Executive Committee is outlined in the College's by-laws (By-law 13.01), which stipulates a total of five members: the President, the Vice-President, and three members of the Council elected by



Council. The bylaw also specifies that three members shall be members of the College and two members shall be public members.

Nancy Leris announced that Benjamin Matthie is acclaimed as President of the College, with Victoria Nicholson acclaimed as Vice-President.

For the remaining three positions on the Executive Committee, Teresa Bendo is acclaimed as a Public Council member of the Executive Committee. The following Professional Council members were nominated for election to the remaining two Executive Committee positions: Susan Garfat, Leanne Smith and Heather Westaway.

UPON A MOTION duly made by Oluwashindara Isaac-Oloye and seconded by Corby Anderson it was resolved that Brian Fehst and Samuel Hanna be appointed as scrutineers for the election of Officers of the College. Carried.

Prior to the voting taking place, Susan Garfat withdrew her nomination for Executive Committee. Leanne Smith and Heather Westaway were therefore acclaimed as Professional Council members of the Executive Committee.

Nancy Leris read the resolution and provided Council with the updated Executive Committee composition for the 2024-2025 fiscal year.

UPON A MOTION duly made by Jane Gage and seconded by Sue Garfat it was resolved that Council approves the new Executive Committee composition for 2024-2025. Carried.

13. 2024-2025 Committee Slate

Samuel Hanna, Communications Officer, provided an overview of the proposed revisions to the Committee slate for the 2024-2025 fiscal year. The slate included in the meeting package was recommended by the Governance and Nominations Committee in August 2024.

Benjamin Matthie took the position of chair as the re-elected President of Council. Benjamin Matthie then opened the floor for questions, suggestions, or recommendations regarding the potential 2024-2025 Committee Slate. No questions or comments were brought forward.

UPON A MOTION duly made by Sara Gottlieb and seconded by Alyssa King, it was resolved that the Council of the College of Kinesiologists of Ontario approves the proposed 2024-2025 Committee slate. Carried.

Long-term Vacancy in District 2

In September 2024, a vacancy arose in District 2 due to the resignation of a Professional Member of Council from Electoral District 2 prior to the completion of their term. This term of office was set to end in 2026. According to College By-law 10.33, since the seat became

vacant more than 12 months before the expiration of the member's term, it is classified as a long-term vacancy.

Samuel Hanna presented three potential options for addressing this vacancy to the Council.

Benjamin Matthie then opened the floor for questions.

In response to a question regarding whether a by-election may be necessary, and whether such a by-election may proceed with modifications to the typical election process and timing, Nancy Leris clarified that any by-election must still be formally opened and proceed in accordance with the by-laws. Such a by-election will incur costs very similar to those of a regular election. Another member asked if the election had been budgeted. Nancy Leris noted that it was not included in the budget, as the resignation was not anticipated.

UPON A MOTION duly made by Alyssa King and seconded by Matthew Daher it was resolved that Council approves to move forward with a by-election to fill the vacancy in electoral district 2. Carried.

14. Committee Reports

Benjamin Matthie reviewed the various Committee reports included in the meeting package, which comprised reports from the Governance and Nominations Committee, the Inquiries, Complaints and Reports Committee (ICRC), Patient Relations Committee, Quality Assurance Committee, Registration Committee, the Steering Committee - Strategic Planning, and the Planning and Finance Committee.

Benjamin Matthie then opened the floor for questions or concerns. A member asked a question regarding the increase in both registrations and resignations, inquiring if there is an underlying reason for this trend.

Fiona Teape responded that the number of resignations at the end of fiscal year 2024 was an increase compared to fiscal year 2023. Fiona Teape noted that several factors contribute to this situation and emphasized that a thorough assessment will take place at the Council meeting in December 2024, once all the relevant data is collected and available.

Benjamin Matthie inquired about the progress of the ICRC. Ethan Foerster confirmed that everything is progressing as expected, although there is currently an ongoing review by HPARB.

15. Review of Action Items

- **Ongoing** – Registration working on a policy for kinesiologists who accept delegation of duties from supervisors while holding an Emergency Class Certificate of Registration.
- **Ongoing** – Continuing to monitor engagement rate of the College's Annual Report. To support this, the College will be conducting an environmental scan of other Colleges that are part of Health Professions Regulators of Ontario (HPRO) to determine a benchmark for engagement rate of annual reports and reporting back to Council.



Termination

*UPON A MOTION duly made by Jennifer Yee, seconded by Chad McCleave, the Council meeting of September 17, 2024 was terminated at 2:14 pm. **Carried.***