



Council Meeting Minutes

Date/Time of Meeting:	March 1, 2021 / 9:00 am (8:00 am-9:00 am In-Camera Session)
Council Present:	Jennifer Pereira, Sara Gottlieb, Elwin Lau, Leslee Brown, Victoria Nicholson, Mary Pat Moore, Ryan Wight, Chad McCleave, Candace Glowa, Susan Garfat, Marie Cousineau, Ben Matthie, Benjamin Phalavong, Graydon Raymer
Staff Present:	Nancy Leris, Wendy Joseph, Ryan Pestana, Lara Thacker, Danielle Lawrence, Keisha Simpson
Facilitator:	Shenda Tanchak
Presenters:	Daniel Faulkner, Registrar, Royal College of Dental Surgeons of Ontario; Rebecca Durcan, Legal Counsel, Steinecke Maciura Leblanc
Observers:	Mélanie Levac, Athletic Therapy, Judith M. Rigby, College of Dental Technologists of Ontario, Stamatis Kefalianos, College of Occupational Therapists of Ontario
Regrets:	Teresa Bendo

1. Call to Order/Introductions

Jennifer Pereira, Chair, welcomed Council and called the meeting to order at 9:10am. She did a roll call of council members and welcomed guests from other Colleges.

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.

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 Susan Garfat and seconded by Chad McCleave, it was resolved that the agenda be approved. **Carried.***

4. Approval of Minutes

UPON A MOTION duly made by Victoria Nicholson and seconded by Leslee Brown, it was resolved that the December 7, 2020 Minutes be approved as amended. Carried.

5. Action Items Arising from Previous Meetings

Action items stemming from previous meetings were reviewed:

- Further research to be conducted by College Staff regarding the Executive Committee terms of reference items to be discussed and investigate term limits cooling off periods and providing the option of the past president to continue serving on the Executive Committee. This work is **ongoing**, and it is tabled for June 2021 Council Meeting.
- College staff to provide an environmental scan into other colleges, into what other colleges are doing in terms of council and committee competency-based assessment in education. This was **completed** and will be discussed later in the meeting.

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 enquired as to whether the Registration Committee made a decision on the University of Ottawa and the University of Guelph application for substantial equivalency of their educational programs. Keisha Simpson, Director of Registration, noted that the Registration Committee deemed the University of Ottawa's 'Honours, BSc in Human Kinetics – Applied Studies in Kinesiology Option' program as substantially equivalent to a four-year bachelors degree in kinesiology from an Ontario university. Ms. Simpson further stated that the Registration Committee did not deem the University of Guelph's 'Bachelor of Science in Human Kinetics' program as substantially equivalent to a four year bachelors degree in kinesiology from an Ontario university.

7. Registrar's Report

Nancy Leris, Acting Registrar/CEO, noted the following:

- The College met with representatives from the post-secondary institutions and professional associations on December 15, 2020 for the annual CKO-Universities Liaison Committee meeting. Participants provided relevant updates in breakout rooms and then reported back to the whole group, and the College also provided its own relevant updates.
- College staff presented to two universities as part of its annual presentations to students. The College also actively participated on the Health Profession Regulators of Ontario's Anti-BIPOC Racism working group, with the College represented on the group by Danielle Lawrence. A one-page update from the working group was included in the meeting package.
- The College is working with other colleges to develop a disaster recovery and business continuity plan. This was driven by an increase in cyber-attacks and separately the College is undertaking updates to maintain its database to ensure that the latest security patches are applied.
- The Office of the Fairness Commissioner of Ontario (OFC) is in the process of updating their database software and modernizing their IT infrastructure. They are digitizing most of their system to help them become more efficient in how they collect and share information and

they expect this process to take several months. This means that the OFC is extending the deadline for submission to Friday, April 2, 2021, because of the database upgrade.

- Lara Thacker was thanked for her work on the governance project. All staff were thanked for their contributions on this project. Ryan Pestana was recognized for his lead on the College Performance Measurement Framework submission. She thanked all staff who provided support and input into this report and ensured that it was completed on time. She thanked the administrative staff who have been providing support.
- She thanked Shenda Tanchak of Magnetic North Consulting for facilitating the Council meeting and providing guidance on the governance reform project.

2021 Council Elections

Ryan Pestana, Communications Manager, updated Council on the 2021 election schedule. One Council member from District 4 (Jennifer Pereira), one Council member from District 5 (Ryan Wight) and the Council member from District 6 (Benjamin Phalavong) were up for election. It was noted that a separate resignation from a Council member from District 4 in December created a long-term vacancy in the District 4. Staff recommended that a by-election also be held in District at the same time as the usual election.

UPON A MOTION duly made by Marie Cousineau and seconded by Elwin Lau, it was resolved that the Council of the College of Kinesiologists of Ontario directs the Registrar to publish the dates of July 13-20, 2021 as the election dates in Districts 4, 5 and 6. Carried.

8. President's Report

Jennifer Pereira provided the following update:

- Over the past few months since the last Council meeting, she has participated in a few webinars and meetings. She participated in the College's webinar on the proposed competency profile.
- She participated in a webinar entitled "Oversight Through Performance Measured" by SML Law, the College's legal counsel.
- She chaired the CKO-Universities Liaison Committee meeting in December.
- She participated in various College committee meetings, which included The Patient Relations, Registration and Finance Committees.
- Business of the College continues in earnest and she remained available and in communication with the Acting Registrar and Council members.

9. Intro to competency-based assessment and education

Jennifer welcomed Shenda Tanchak of Magnetic North Consulting. Shenda was retained to facilitate a large part of the meeting. She thanked Council for the opportunity and provided some information into her background and experience as a facilitator. She gave an update on the introduction to competency-based assessment and education project and outlined the objectives for the meeting.

10. Competency-based assessment and education – Why Now?

Rebecca Durcan, the College's legal counsel, provided an overview of the various drivers for governance reform. She noted several reports that had been written on various regulators across Canada and the recommendations that were prompting many of the changes Council would later consider. She spoke about the intent and purpose of the Ontario Ministry of Health's new College Performance Measurement Framework and the standards it imposes on health regulatory colleges

with respect to meeting suitability criteria and receiving orientation and training. Her presentation highlighted the latest evolution of the regulatory Council, the expectation of the public, and what it means to be an effective regulator.

11. Review of proposed process at high level

Shenda indicated that governance reform was not brand new to the College but recognized that some members were not on Council when these conversations began. CKO identified the need to evolve its Council back in 2019 when it supported the College of Nurses of Ontario (CNO)'s recommendation to the Ontario Ministry of Health with respect to CNO's Vision 2020. Competency-based assessment of Council members was already on CKO's radar then. In its 2019-2022 Strategic Plan, Council committed to increasing its decision-making strength. It set goals of developing a profile to use in the selection of Council and committee members, orientation and training, and increasing openness in the process.

12. Competency-based assessment and education at the Royal College of Dental Surgeons of Ontario (Daniel Faulkner, Registrar, Royal College of Dental Surgeons of Ontario,) Presentation

Daniel Faulkner, Registrar and CEO at the Royal College of Dental Surgeons of Ontario (RCDSO), presented on the RCDSO's implementation of a competency-based assessment and education framework. Daniel provided an overview of the candidate eligibility course, by-law amendments regarding eligibility, and the Eligibility Review Committee composition. Daniel shared lessons learned and spoke about the need to map the induction program to the competency profile, the extent of staff and legal support required, and the role of continuous improvement and communication with the profession around governance reform.

Online Orientation Program and Screening Election Candidates for Eligibility to Serve

Shenda restated that the Ministry has introduced a requirement that members may only stand for election after they have completed an orientation program. Staff are proposing that the program be online. The contents of the program would be in keeping with the CPMF requirements - about the College's mandate and expectations pertaining to the members' roles and responsibilities but would also provide potential Council members with the opportunity to consider whether they meet all of the eligibility requirements for being on Council, which could include the competencies once approved. The orientation program would be educational. Most of the Colleges that responded to the environmental scan survey either already have an online orientation of some kind - which might include a pass/fail quiz or assessment component - or are planning to establish one.

UPON A MOTION duly made by Mary Pat Moore and seconded by Graydon Raymer it was resolved that the Council of the College of Kinesiologists of Ontario codifies the need for orientation and training for all registrants seeking to stand for election to Council and/or be appointed to a College Committee. Carried

Use of Same Orientation Program for Public Members

The Council considered whether to adopt the same orientation program for public members appointed to Council. It was recognized that the College has no authority over the Public Appointment Secretariat and the public appointment process. Public member orientation and training is already occurring. Council broke into smaller groups to discuss the pros and cons of using the same orientation program as professional members, and to identify solutions to problems that may arise. Shenda reviewed the results of the environmental scan with respect to public member

orientation and training. It was recognized that the “30 days” provision is reasonable, allows some flexibility, and ensures training is completed quickly.

UPON A MOTION duly made by Chad McCleave and seconded by Leslee Brown it was resolved that the Council of the College of Kinesiologists of Ontario codifies the need for public appointees to Council to complete orientation and training before they attend their first meeting or 30 days after the first meeting. Carried

Council and Committee Competency Profile

Shenda stated that Council reviewed a draft Competency Profile at its last meeting and provided feedback. Other stakeholders provided feedback throughout the recent external consultation period. All feedback was documented in the package for this Council meeting. Shenda noted that Daniel Faulkner’s statistics during his presentation at this meeting showed that the introduction of competencies did not have the effect of reducing the number of candidates interested in running for election. Shenda reported on the revisions made to the Profile based on stakeholder feedback. Council was asked to provide further feedback on the revised draft Profile.

Council members agreed that both Council and committee members should have some leadership competencies, and that the degree of knowledge required for certain competencies should be changed to “basic” to remove any barriers. Lara Thacker amended the competency profile to reflect “Basic Governance Responsibilities and Fiduciary Duties,” “Basic Financial Literacy,” “Basic Financial Management,” and “Basic Understanding of Health System Knowledge,” and to include leadership competencies for committee members.

UPON A MOTION duly made by Elwin Lau and seconded by Sue Garfat it was resolved that the Council of the College of Kinesiologists of Ontario approves the revised Council and Committee Competency Profile with the suggested amendments. CARRIED. Ryan Wight opposed the motion.

13. Discussion/Workshop – Eligibility Criteria

Shenda commenced discussion regarding eligibility criteria to serve on Council and Committees. Based on feedback from Council at the last meeting, the criteria pertaining to disqualification for previously resigning from Council was amended to “has not resigned from Council within the past three years other than for health or personal reasons acceptable to Council” to allow greater discretion for members who resigned for valid reasons. The eligibility criteria includes: “has successfully completed any qualification process established by Council” to reflect the orientation program that Council approved earlier on in the meeting. The eligibility criteria will be presented to Council at its June meeting in the form of proposed by-law amendments for approval for external circulation. Then revised proposed by-law amendments will be presented to Council for approval in September 2021.

UPON A MOTION duly made by Leslee Brown and seconded by Marie Cousineau it was resolved that the Council of the College of Kinesiologists of Ontario approves drafting amendments to the by-laws to reflect the eligibility criteria as discussed.

Evaluation Framework

Shenda reported that the Council already has an evaluation process in place, and that the CPMF has introduced further standards and indicators with respect to evaluating Council and committee performance, including an evaluation by an external third party. There are a variety of options for

Council and Committee evaluations and the elements that the College adopts will need to be considered carefully. Council was asked to approve development of a recommendation for a process at this meeting. The recommendation would be brought back to Council for consideration and approval.

UPON A MOTION duly made by Susan Garfat and seconded by Elwin Lau, it was resolved that the Council of the College of Kinesiologists of Ontario directs staff to prepare a project plan for development of a Council and committee evaluation framework, to be returned to Council for consideration. Carried

Screening Committee and Terms of Reference

Shenda provided an overview of the screening committee mandate and composition options. Council members broke out into smaller groups to discuss the pros and cons of the various screening options.

Due to time constraints Council agreed to table this component of the project to the June Council meeting for further discussion and approval.

14. CPMF Submission

Ryan Pestana provided an overview of the College Performance Measurement Framework (CPMF) submission. The document must be completed and submitted by March 31, 2021 to the Ministry of Health and posted on the College's website. The CPMF was introduced by the Ministry of Health to standardize reporting and ensure consistent information was provided by all 26 health profession regulators to the Ministry and the public. Council complimented staff on the outstanding work on the document.

UPON A MOTION duly made by Victoria Nicholson and seconded by Ben Matthie, it was resolved that the Council of the College of Kinesiologists of Ontario accept the CPMF for submission to the Ministry and posting to the College website on March 31, 2021. Carried

15. Committee Slate Update

Jennifer presented proposed changes to the 2020/2021 Committee Slate that would see Ben Matthie appointed Chair of the Exam Appeals Committee and Victoria Nicholson appointed to the Patient Relations Committee as Vice-Chair. The changes were made after staff noted that Victoria Nicholson could not serve as Chair of the Exam Appeals Committee while also serving on the Registration Committee. Benjamin Phalavong noted that he was also on the Registration and Exam Appeals committees. Staff would review this and revise the Committee slate accordingly for consideration by the Executive Committee.

UPON A MOTION duly made by Elwin Lau and seconded by Leslee Brown, it was resolved that the Council of the College of Kinesiologists of Ontario approve the following changes to the 2020/2021 Committee slate:

- ***Ben Matthie is appointed Chair of the Exam Appeals Committee***
- ***Victoria Nicholson is appointed to the Patient Relations Committee and is also appointed Vice-Chair.***

Carried

16. Review of Action Items

Wendy Joseph noted the following action items:

- Further research to be conducted by College Staff regarding the Executive Committee terms of reference, items to be discussed and investigated are term limits, cooling off periods and providing the option of the past president to continue serving on the Executive Committee. – This work is ongoing, and it is tabled for June 2021 Meeting.
- Proposed Council and committee eligibility criteria by-law amendments to be presented to Council at June Council meeting.
- Screening Committee and Terms of Reference for a Committee – Council voted to defer this item to the June Council Meeting, before deciding, and approving the Resolution.
- Staff to revise the Committee slate to address Benjamin Phalavong' s appointment to the Exam Appeals Committee. Council noted that Benjamin should not be appointed to any panels of either the Registration or Exam Appeals committees until this is resolved.

17. Adjournment

Before adjourning, Jennifer thanked Lara for her work on the competencies project and all staff and Council for their continued dedication and thanked everyone for joining us today.

Chad moved to terminate the meeting at 3:48pm.