

College of Kinesiologists of Ontario Council Meeting Minutes	
Date/Time of Meeting	Monday, March 2, 2015 at 9 a.m.
Chair	Lynn Kabaroff
Timekeeper	Lynn Kabaroff
Note taker	Ryan Pestana
Present	Steve Anderson, Lori-Anne Beckford, Elizabeth Chapman, Rosario Colomba (until 3 p.m.), Jonathan Dubberley, Don Halpert, Kalen Johnson, Lynn Kabaroff, Chad McCleave, Michelle Meghie, Mary Pat Moore, Kathie Sharkey, Gennady Vaserbakh Teleconference: Fergal O'Hagan (until 2 p.m.), Robert Ross (from 1- 3:30 p.m.)
Regrets	Daniel Crete, John Gray
Staff in Attendance/ Guests	Staff: Brenda Kritzer, Nancy Leris, Stamatis Kefalianos, Magdalena Reder, Cara Moroney, Lara Thacker, Ryan Pestana Guests: Conny Glenn, R.Kin; Rod Hare, R.Kin; Des Levin, College accountant from Crowe Soberman; Stuart Moulton, OKA Executive Director
Constitution of the Meeting	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.
Conflict of Interest	Jonathan Dubberley declared that one member to be appointed to the Item Writing Committee was a close personal friend and colleague. Rosario Colomba declared that one member to be appointed to the Examination Committee was a colleague within the last year. Both agreed to remove themselves from the room during the vote.
Approval of Agenda	UPON A MOTION duly made by Mary Pat Moore and seconded by Elizabeth Chapman, it was resolved that the agenda be approved as circulated. CARRIED.
Approval of Minutes	UPON A MOTION duly made by Jonathan Dubberley and seconded by Kathie Sharkey, it was resolved that the minutes of December 2 and 3, 2015 be approved. CARRIED.
	Business Arising from the Minutes of December 3 <ol style="list-style-type: none"> 1. Send out letters of appreciation to both successful and unsuccessful candidates who applied to the Discipline Committee- Ryan Pestana-completed 2. Translate the Rules and Procedures for Discipline Committee before sending the document out for public consultation- Ryan Pestana-ongoing 3. Prepare a glossary of terms for Council members for the next Council meeting- Ryan Pestana- completed 4. Explore the possibility of using iMIS or QA software to track training for

	<p>staff, Council and committee members- in-progress</p> <p>5. Edit the <i>Declaration of Interest</i> form in order to make room for individuals to indicate whether or not they are interested in a chair position for a particular committee- Ryan Pestana- completed</p> <p>6. Post 2015 Council meeting dates- Ryan Pestana- completed</p>
	<p style="text-align: center;">Third and Fourth Quarter Reports- Variance and Business Plan</p> <p>The Registrar began with a short presentation of the College’s achievements and challenges throughout 2014/2015. She reviewed the 2014/2015 Business Plan, which contained a third quarter progress report and an interim fourth quarter report.</p> <p>She then reviewed the third quarter and interim fourth quarter statement of cash flows, detailing the College’s revenues and expenses. Des Levin, the College’s accountant, attended the meeting to answer questions regarding treatment of Reserve Funds. Council queried the projected surplus for 2014-15 and asked whether the Ministry of Health and Long-Term Care would require the College to return a portion of the transfer payment. The Registrar indicated that the College is able to account for the expenditure of the complete transfer payment as budgeted. It is permissible for the College to accumulate a surplus from revenues from members’ fees and to reserve funds to guard against unforeseen circumstances. Council asked the Registrar to clarify with the Ministry of Health and Long-Term Care as to whether the Ministry would require the College to return a portion of the transfer payment and to report back to Executive Committee on this matter.</p> <p>MOTION</p> <p>Whereas the Registrar has provided a comprehensive interim statement of cash flows for the fiscal year 2014-15; and</p> <p>Whereas the Registrar has noted that the statement of cash flows is interim in that March 31, 2015 represents the end of the fourth quarter; and</p> <p>Whereas Council has had the opportunity to review the report and ask questions of the Registrar; and</p> <p>Whereas Council has found this report to be satisfactory;</p> <p>Therefore, be it resolved that Council accept the presented financial report.</p> <p>Moved by Jonathan Dubberley, seconded by Kathie Sharkey. CARRIED.</p>
	<p style="text-align: center;">Proposed Business Plan for 2015/2016 and Draft Budget</p> <p>The Registrar reviewed the proposed 2015/2016 Business Plan and highlighted a number of proposals which are not included in the draft budget. The College will consider these projects in the context of direction within the upcoming strategic plan and report back to Council.</p> <p>Council noted that the College was in discussions with the University of Toronto to create a student placement program at the College. Council felt that all universities should be surveyed to see if they would be interested in</p>

participating.

The Registrar discussed the draft budget for 2015/16 in detail. She reviewed revenues and noted that a one-time increase beyond the norm in applications for membership may occur as this is the final year for grandparenting applications. She also noted an increase in the number of people registering for the April 2015 exam which is a positive indicator.

Council reviewed the budget and queried some of the projections. The Registrar was asked to reconsider the projected revenues for the year, to add a separate line in the budget to track a reserve for capital asset replacement and to increase the proposed allocation for Communications.

Council asked that a revised budget be presented to Executive Committee for approval.

Proposed budget for 2015-2016 (TABLED)

Proposed Reserve Fund Policy

The Registrar reviewed proposed revisions to the Reserve Fund Policy that would amalgamate all of the College's reserve funds into one internally restricted fund. This proposal would enable the College to maximize interest on reserve funds and would simplify accounting.

The College's accountant added comments indicating that many regulators take this approach and that given the early stage of development, the College should approach the matter of reserving funds for special purposes, with caution.

Chad McCleave expressed concerns with the amalgamation of the reserve funds, indicating a preference for a multiple reserve fund strategy. Council considered the proposal and Lynn Kabaroff called for a vote on the motion.

MOTION

Whereas in 2014, Council passed a resolution setting aside \$70,000 in Reserve Funds; and

Whereas the College has sought advice from its accountant, Des Levin of Crowe Soberman, regarding treatment of Reserve Funds in in-year variance reporting, and in budget development; and

Whereas the College's accountant has questioned the need for a General Contingencies Reserve Fund noting that the purposes outlined in policy (attached) can equally be met from accumulated surpluses; and

Whereas the accountant has advised that greater flexibility is provided by allowing the accumulated surpluses to build as a result of under-spending in certain areas such as Discipline and Investigations, than with the current approach of creating a Reserve Fund for such restricted purposes; and

Whereas the accountant has further advised that many other health regulators use the approach of establishing one Internally Restricted Fund which allows them to maintain reserve funds within one account with surpluses. Such an

	<p>arrangement enables the money to earn a higher interest rate than if separated into a smaller account. It also simplifies the audit process helping to keep the costs of the audit down; and</p> <p>Whereas the accountant suggests that at this early stage in its life the College should maintain as much flexibility as possible to ensure that funds are available for priorities; and</p> <p>Whereas the College’s Reserve Fund Policy is scheduled to be reviewed in 2015 and the College has presented proposed revisions to the Policy which capture the advice of the College accountant;</p> <p>Therefore, be it resolved that Council approves the revised Reserve Fund Policy renaming it Internally Restricted Fund Policy and approves the recommendation to amalgamate all reserve funds into one Internally Restricted Fund.</p> <p>Moved by Kathie Sharkey, seconded by Michelle Meghie.</p> <p>The motion was defeated. The vote was as follows:</p> <ul style="list-style-type: none"> • 6 opposed • 5 in favour • 3 abstained <p>The existing policy would govern and monies would also be allocated to a reserve for capital asset replacement.</p>
	<p style="text-align: center;">Motion to go in-camera</p> <p>Jonathan Dubberley made a motion that was seconded by Lori-Anne Beckford for Council to go in-camera at 12:30 p.m. to discuss the Registrar’s compensation.</p> <p>Rosario Colomba made a motion that was seconded by Kathie Sharkey to open the meeting back to the public at 1:40 p.m.</p>
	<p style="text-align: center;">President’s Report and Report of the Executive Committee</p> <p>Lynn Kabaroff reported that since the last Council meeting, Executive Committee had met to consider the Registrar’s salary and compensation package. The Committee also reviewed the College’s report to the Ontario Minister of Health and Long-Term Care on its Patient Relations Program, describing measures in place and to be considered to prevent the sexual abuse of patients/clients by kinesiologists. She and Brenda Kritzer attended the Ontario Kinesiology Association’s board of directors’ retreat in January. One priority identified was the need for semi-regular meetings of representatives from both organizations.</p>
	<p style="text-align: center;">Transparency Project Update</p> <p>Cara Moroney provided an overview of the College’s progress to implement phase one of the transparency initiative. Her presentation focused on the definition of “suitability to practice” and how the College will make decisions on making more information public according to this definition. The presentation</p>

detailed the process for receiving and investigating complaints, and how they make their way through the inquiries, complaints and reports process, and potentially discipline. She noted that currently, each and every complaint is considered by the College.

Council was being asked to consider whether it wanted to post all criminal convictions from any jurisdiction reported by and/or known about members to the Public Register, or to post all provincial and federal offences at the discretion of the registrar, as it relates to a member's suitability to practise. Council reviewed and discussed the issue note, and Cara Moroney clarified that the College will still consider all complaints and mandatory reports received, regardless of Council's decision.

MOTION

Whereas there is increased pressure on regulators to improve transparency and provide the public with more and better information regarding members; and

Whereas the mandate of the College is protection of the public interest and the College is accountable to the public; and

Whereas the Minister of Health and Long Term Care wrote to the Colleges in October 2014 asking each College to indicate what measures were already in place with respect to transparency and what efforts would be made in the future; and

Whereas the Minister directed that transparency be a prime focus of strategic planning and encouraged that the policy development undertaken by AGRE on transparency be continued and that appropriate by-law changes be made; and

Whereas the College submitted its transparency report to the Ministry of Health and Long Term Care indicating that the College would move forward in its efforts to increase transparency in the coming year; and

Whereas has approved the transparency principles; and

Whereas the six AGRE colleges have moved forward with Phase 1 By-law changes and the College has provided this information to the Council for review and comparison; and

Whereas the amendments being proposed mainly consist of information already known to the College (re: discipline hearings) or information publicly available (convictions and bail restrictions); and

Therefore, be it resolved that Council approve the following By-law amendments under section 21.06 – the Public Register – as follows:

To post all criminal convictions from any jurisdiction.

Moved by Chad McCleave, seconded by Kathie Sharkey.

The motion was defeated and the vote was as follows:

- 9 opposed

	<ul style="list-style-type: none"> • 5 abstained <p>At this time, Rosario Colomba left the meeting.</p> <p>A revised motion was presented, and it was moved by Elizabeth Chapman, and seconded by Lori-Anne Beckford:</p> <p>Post all convictions for provincial and federal offences and all criminal convictions from any jurisdiction at the discretion of the registrar, and that the by-law amendments be circulated to members and stakeholders for comment for a period of 60 days.</p> <p>The motion passed and the vote was as follows:</p> <ul style="list-style-type: none"> • 9 in favour • 2 opposed • 2 abstained
	<p style="text-align: center;">Record-Keeping Project Update</p> <p>Cara Moroney provided a brief overview of a project that the College has participated in with five other health professions regulators. The group has worked to align practice standards as the six professions (audiologists and speech language pathologists, chiropractors, kinesiologists, massage therapists, occupational therapists, and physiotherapists) often work together. The first standard that the group considered was record-keeping. A tool was developed that could be used by these practitioners to help ensure consistent record keeping practices in multi-disciplinary settings. The tool was set to launch on April 1 on all college websites. A feedback survey has been included.</p>
	<p style="text-align: center;">Regulation of Clinics Project Update</p> <p>Brenda Kritzer provided an overview of the project to explore the regulation of private clinics where members work. The College is participating with other health professions regulators (physiotherapy [project sponsor], audiology and speech language pathology, chiropractic, massage therapy, naturopathy, occupational therapy, and opticians, dental hygienists). It was noted that the College of Chiropodists and Podiatrists may be interested in participating. The goal of this project is to develop a framework to regulate private clinics. The Registrar noted that a meeting will be held in the near future with representatives from the Ministry of Health and Long-Term Care to introduce the project and determine whether the ministry could support the exploration of clinics regulation. Council will be provided with updates as the project progresses.</p>
	<p style="text-align: center;">Registration Committee Report</p> <p>On behalf of Rosario Colomba, Chair of the Registration Committee, Stamatis Kefalianos provided the Committee's report. College membership stood at 1526 members, and 183 applicants were registered for the April 18 examination. Committee conducted an orientation and training for its newest</p>

	<p>member, Daniel Crete, in early December. Three reports are in preparation: one to the Office of the Fairness Commissioner of Ontario on its registration practices; another to the Ministry of Health and Long-Term Care on its membership profile; and a final report to the Labour Mobility Coordinating Group describing the College’s progress to implement provisions with the <i>Agreement on Internal Trade</i>.</p>
	<p style="text-align: center;">Quality Assurance Committee Report</p> <p>Elizabeth Chapman reported that the Self-Assessment Portal went live on December 1, 2014 and all members registered prior to September 1st were required to submit their self-assessment by March 1. Because the College developed the <i>Essential Competencies of Practice for Kinesiologists in Ontario</i> throughout the summer, the self-assessment tool was revised to incorporate any applicable changes. A survey was sent to all members, asking for their feedback on the <i>Essential Competencies</i>. Elizabeth Chapman reported that staff piloted the peer and practice assessment tools with the peer assessors and interested members, and that the tools were being modified to reflect feedback. All assessors receive feedback on their practice assessments. Elizabeth Chapman noted the first peer and practice assessment round is scheduled to launch in May, with one percent of members selected to participate. College staff will conduct webinars with members on the <i>Essential Competencies</i> and the peer and practice assessment process in the spring.</p>
	<p style="text-align: center;">ICRC Report</p> <p>Mary Pat Moore reported that the Health Professions Appeal and Review Board (HPARB) is in the process of reviewing a complaint decided by the College that was appealed by the complainant. The appeal was held on February 11 and Cara Moroney attended via teleconference. The College received no questions regarding its processes or ICRC’s decision-making. The panel is likely to release its decision in three-four months.</p> <p>The Committee met in early January for training of new members. Since its last meeting, Mary Pat Moore reported that the College received one complaint and ICRC would meet in April to consider it. The Committee will also be considering phase two of the transparency project throughout the spring and summer.</p>
	<p style="text-align: center;">Patient Relations Committee Report</p> <p>Kathie Sharkey reported that the Committee had not met since its last meeting, where Committee members considered the issue of whether or not to exempt treatment of spouses from the definition of sexual abuse in the <i>Regulated Health Professions Act, 1991</i>. At that meeting, Committee decided to form a working group to provide guidance on the development of guidelines on treating spouses and family members. A call for participation was distributed to the membership and several members applied. The working group was formed and they will meet on April 10.</p>
	<p style="text-align: center;">Registrar’s Report</p> <p>The registrar reported that the College received correspondence from the</p>

Ontario Association of Athletic Therapists (OATA). OATA was requesting a meeting with the Ontario Kinesiology Association (OKA) and requested that the College attend. OATA wanted to discuss its objectives with both groups, particularly the creation of a specialty class. Council was reminded that the College had previously provided feedback to OATA and the OKA jointly. The College has confirmed that athletic therapists are practising kinesiology and to protect the public, they have been urged to become members of the College. It was also noted that Council had previously committed to considering the matter of specialties, at its strategic planning meeting in May.

The Registrar reported that a facilitator has been selected through a competitive process, to provide support to and facilitation of the development of the College's strategic plan. Christine Forsyth and Associates have begun work to complete an extensive environmental scan, gathering views and comments from the College's membership and other stakeholders. Council and staff will come together on May 4 and 5 for a strategic planning session.

NEW BUSINESS

Appointments to Committees

Examination

Lynn Kabaroff presented the names of new additions to the Examination Committee.

MOTION

Whereas appointments to the Examination Committee have expired and suitable nominations for re-appointment to the Examination Committee have been received and reviewed by the College, and

Whereas new suitable nominations to the Examination Committee have also been received and reviewed by the College for appointment, and

Whereas the slate of nominees presented by the College includes nominees with diverse areas and years of practice, from various parts of the province, both English and French speaking practitioners, a balance in gender, and qualified educators involved in teaching within degree programs in kinesiology and human kinetics; and

Whereas Council is satisfied that the nominees have demonstrated through their résumés and by being known and respected in the kinesiology community, that they have the knowledge and desire to contribute to the work of Council in developing and managing an exemplary entry-to-practice examination; and

Whereas all members of the two Committees receive training from the company hired by Council, Assessment Strategies Inc., and are required to sign a confidentiality agreement;

Therefore, be it resolved that:

- **Matthew Daher, R.Kin**

- Alisha Gleiser, R. Kin
- Melanie Hood, R. Kin
- Francis Puchalski, R.Kin
- Adam Upshaw, R.Kin
- Tom Hazell, Ph.D.(Academic)
- Stephen Prentice, Ph.D. (Academic)
- Chad Sutherland (Academic)

are appointed to serve for a period of two years, with potential for re-appointment, to the Examination Committee of the College of Kinesiologists of Ontario.

Moved by Mary Pat Moore, seconded by Jonathan Dubberley. CARRIED.

Item Writing

Lynn Kabaroff presented the names of new additions to the Item Writing Committee. Jonathan Dubberley excused himself from this portion of the meeting as one appointee was a close friend and colleague.

MOTION

Whereas appointments to the Item Writing Committee have expired and suitable nominations for re-appointment to the Item Writing Committee have been received and reviewed by the College, and

Whereas new suitable nominations to the Item Writing Committee have also been received and reviewed by the College for appointment, and

Whereas the slate of nominees presented by the College includes nominees with diverse areas and years of practice, from various parts of the province, both English and French speaking practitioners, a balance in gender, and qualified educators involved in teaching within degree programs in kinesiology and human kinetics; and

Whereas Council is satisfied that the nominees have demonstrated through their résumés and by being known and respected in the kinesiology community, that they have the knowledge and desire to contribute to the work of Council in developing and managing an exemplary entry-to-practice examination; and

Whereas all members of the two Committees receive training from the company hired by Council, Assessment Strategies Inc., and are required to sign a confidentiality agreement; and

Whereas Council has determined that additional item writers are required in specific areas of expertise and practice to augment the expertise represented among those nominated to date to ensure that there is not an over-reliance on one or two Committee members to contribute items of a certain nature; and

Whereas Council has determined that continuity and a clear understanding of the roles of the Committee and the responsibilities and requirements of individual committee members requires that appointments to the Committee should be for a period of at least two years,

Therefore, be it resolved that:

- Alexander Allan, R.Kin
- Laura Banks, R.Kin
- Devon Blackburn, R.Kin
- Jennifer Crozier, R. Kin
- Michael Herbert, R.Kin
- Jonathan Kwok, R.Kin
- Calvin Orok, R.Kin
- Holly Wykes, R. Kin
- Michelle Fortier, Ph.D. (Academic)
- Rene Vandenboom, Ph.D. (Academic)

are appointed to serve for a period of two years, with potential for re-appointment, to the Item Writing Committee of the College of Kinesiologists of Ontario.

Moved by Kalen Johnson, seconded by Kathie Sharkey. CARRIED.

Patient Relations

Executive Committee received two statements of interest for appointment to the Patient Relations Committee, and chose to appoint Michelle Meghie.

MOTION

Whereas the College By-Laws require that two publicly appointed members to Council sit on the Patient Relations Committee; and

Whereas Council accepted the resignation of a publicly appointed member in October 2014; and

Whereas this member sat on the Patient Relations Committee and a vacancy was created;

Therefore, be it resolved that Council appoint Michelle Meghie to the Patient Relations Committee.

Moved by Gennady Vaserbakh, seconded by Steve Anderson. CARRIED.

Inquiries, Complaints and Reports

Prior to the vote, Elizabeth Chapman noted that Deny Brulotte was a member of the Board of the Ontario Kinesiology Association. Lynn Kabaroff asked Cara Moroney to confirm this. Council would vote on his appointment electronically once they heard from Cara.

MOTION

Whereas the College By-Laws require that at least one member of the College who is not a member of Council sit on the Inquiries, Complaints and Reports Committee (ICRC); and

Whereas Laiza Ravarra resigned from the Committee and a vacancy was

created; and

Whereas the College invited members to submit their interest to sit on the Committee; and

Whereas two members expressed interest and one member chose to sit instead on the Patient Relations working group; and

Whereas the other interested member, Deny Brulotte, indicated experience being on the ICRC of the College of Massage Therapists of Ontario; and

Whereas the Chair of the ICRC, Mary Pat Moore, reviewed Deny Brulotte' s resume;

Therefore, be it resolved that Council appoint Deny Brulotte to the Inquiries, Complaints and Reports Committee for a period of one year.

Moved by Michelle Meghie, seconded by Lori-Anne Beckford.

Mr. Brulotte's appointment will be confirmed once Cara Moroney determines his involvement with the OKA.

2015 Council Election Date

Lynn Kabaroff informed Council that an election was to take place this year in District 4 (one member of two), District 5 (one member of two), and in District 6. She spoke to John Gray and Kathie Sharkey, the two members representing District 4, and John Gray indicated his desire to step down from Council at the end of the term. She also spoke to Elizabeth Chapman and Jonathan Dubberley, the two members representing District 5, and Elizabeth Chapman indicated her desire to step down from Council at the end of the term. Both were thanked for their hard work and contributions.

Lynn Kabaroff presented a motion to direct the Registrar to set the date for the next election.

MOTION

Whereas the College is required under By-Law 10.06 to hold an election of members to Council in 2015 and in every third year after that for one Council member from electoral districts 4 and 5 and the member from Electoral District 6; and

Whereas the Council is required under By-Law 10.07 to direct the registrar to set the date for elections; and

Whereas the Registrar has proposed the dates of election as July 14-15, 2015 to ensure consistency with the time period established for the previous two elections;

Therefore, be it resolved that the Council of the College of Kinesiologists of Ontario directs the Registrar to publish immediately the election dates of July 14-15, 2015.

	Moved by Elizabeth Chapman, seconded by Jonathan Dubberley. CARRIED.
	<p style="text-align: center;">Review of Action Items</p> <ul style="list-style-type: none"> • Brenda Kritzer to clarify with the Ministry of Health and Long-Term Care as to whether the College’s surplus will cause the Ministry to ask the College to pay back a portion of its transfer payment. She will report back to Executive Committee on this matter. • Brenda Kritzer to amend Business Plan to indicate that all universities will be surveyed to gauge their interest in participating in a mentorship program. • Brenda Kritzer to review financial projections as they relate to membership projections for 2015/2016 and thereafter and to make any necessary corrections/revisions and present o Executive Committee. • Executive Committee to review revised budget projections and approve on behalf of Council to allow for ongoing operations. • Brenda Kritzer to amend communications to OATA indicating that the College has no further comments at this time on the matter of specialties and removing references to CATA (the certifying authority for athletic therapists). • Ryan Pestana to create online poll to confirm Deny Brolotte’s appointment to ICRC as necessary and once his involvement with the OKA was determined.
Adjournment	Motion to adjourn the meeting at 4:50 p.m. made by Elizabeth Chapman.