

Registration Practices Assessment Report
COLLEGE OF KINESIOLOGISTS OF ONTARIO
2016–2017 Assessment Cycle (Cycle 3)

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AVAILABILITY OF REPORT

This report is provided by the OFC to the regulatory body assessed. The OFC will, upon request, release the report to other parties. The OFC will also post the report on its website. In the interest of transparency and accountability, the OFC encourages regulatory bodies to provide the report to its staff, council members, the public, and other interested parties.

Introduction

Assessment is one of the Fairness Commissioner's mandated roles under the Fair Access to Regulated Professions and Compulsory Trades Act, 2006 (FARPACTA) and the Regulated Health Professions Act, 1991 (RHPA) – collectively known as fair access legislation.

Assessment Cycle

One of the primary ways the OFC holds regulators accountable for continuous improvement is through the assessment of registration practices using a [three-year assessment cycle](#).

Assessment cycles alternate between **full assessments** and **targeted assessments**:

- Full assessments address all specific and general duties described in the fair-access legislation.
- Targeted assessments focus on the areas where the OFC made recommendations in the previous full assessment.

Focus of this Assessment and Report

The 2016-2017 assessment of the Ontario College of Teachers is a full assessment.

The OFC's detailed report captures the results of the full assessment. However, practices related to provision of information are excluded for regulators who have previously completed an assessment. For those regulators, these practices have been removed from the transparency section of the report. This includes: all practices from Information for Applicants, practice 3 from Internal Review and Appeals, practice 1 from Information on Appeal Rights, practice 1 from Documentation of Qualifications, practice 1 from Assessment of Qualifications, practice 2 from Access to Records, and practices 4-11 from Transparency of the Registration Practices Assessment Guide. The assessment summary provides the following key information from the detailed report:

- duties that were assessed
- an overview of assessment outcomes for specific duty practices
- an overview of comments related to the general duty
- commendable practices
- recommendations

Assessment Summary

Specific Duties

Specific duties assessed

The regulator has been assessed in all of the areas below. Recommendations are made for partially demonstrated and non-demonstrated areas. These appear later in this report.

Comments

The regulator has demonstrated all of the practices in the following specific-duty areas:

- Information for Applicants
- Timely Decisions, Responses and Reasons
- Internal Review or Appeal
- Information on Appeal Rights
- Documentation of Qualifications
- Assessment of Qualifications
- Training
- Access to Records

General Duty

Assessment method

The COKO selected the following method for the assessment of the general duty:

a. OFC practice-based assessment (following the practices in the Assessment Guide)	<input checked="" type="checkbox"/>
b. Regulator practice-based self-assessment (following the practices in the Assessment Guide)	<input type="checkbox"/>
c. Regulator systems-based self-assessment (in which it explains systemically and holistically how it meets the general duty)	<input type="checkbox"/>

Principles assessed

The regulator has been assessed on all of the general duty principles: transparency, objectivity, impartiality and fairness.

Comments

Commendable Practices

A *commendable practice* is a program, activity or strategy that goes beyond the minimum standards set by the OFC assessment guides, considering the regulatory body's resources and profession-specific context. Commendable practices may or may not have potential for transferability to another regulatory body.

The regulatory body is demonstrating commendable practices in the following areas:

Specific Duty

Information for Applicants

1. The steps in the registration process are described in stepwise fashion, so that applicants are guided from beginning to end. The pathway begins with documentation requirements that must be submitted by external agencies (transcripts), and then proceeds to documents that must be sourced by the applicant.
2. The pathways page links to a fee schedule page, that lists all fees that are payable to the regulator during the registration process, acceptable forms of payment, and fees that may accrue and that are payable to third-parties. (i.e. language test).

Documentation of Qualifications

1. Acceptable alternatives are identified in a separate policy document

Assessment of Qualifications

1. Policies are published and posted for each element of the qualifications assessment process.
2. The examination is subject to a rigorous development process. Subject matter experts develop exam questions based on the exam blueprint and review each question after every exam. Questions are added and subtracted based on psychometric criteria. Psychometric expertise is provided by a psychometric services firm. The Examination Guide posted on the website describes exam development, administration and scoring. The Examination Blueprint links content to competencies.
3. The Examination Appeal Committee offers an additional mechanism of recourse for applicants, and serves as an efficient method to manage procedural issues related to examination complaints and appeals.

Access to Records

1. The College's policy details what constitutes a record, the process for requesting the record, and limits on provision.

General Duty

Transparency

1. The exam preparation page contains study resources, exam procedures, and appeal process.
2. The College website publishes examination pass rates across Ontario academic programs.

Impartiality

1. The College's legal counsel delivers a half-day training seminar to Committee members and staff on the topic of conflict of interest (COI). The session defines COI and describes strategies to manage COI. The session covers a range of scenarios, including fiduciary and interpersonal COI.

Fairness

1. The Alternative Documentation Policy provides clear direction for applicants that are unable to secure original documentation.
2. The Remediation Plan for third exam attempts establishes a threshold of fairness by ensuring that applicants undertake a self-assessment to understand knowledge gaps that have been identified in previous attempts and how to bridge those gaps.

Assessment History

The College of Kinesiologists was launched after the 2nd cycle of OFC assessments; hence, this is their first assessment.

Detailed Report^[1]

Specific Duty

1. Specific Duty — Information for Applicants

RHPA, Schedule 2, s. 22.3

1. The regulator describes requirements for registration on its website. [Transparency]

Assessment Outcome

Demonstrated

2. The regulator describes all the steps in the registration process on its website, including any processes for assessing qualifications. [Transparency]

Assessment Outcome

Demonstrated

Commendable practice

The steps in the registration process are described in stepwise fashion, so that applicants are guided from beginning to end. The pathway begins with documentation requirements that must be submitted by external agencies (transcripts), and then proceeds to documents that must be sourced by the applicant.

3. The regulator provides information on its website about how long the registration process usually takes, including the time required for assessing qualifications. [Transparency]

Assessment Outcome

Demonstrated

4. The regulator publishes a fee scale on its website, showing all registration fees that are under the regulator's control, including the fees required for assessing qualifications. [Transparency]

Assessment Outcome

Demonstrated

Commendable practice

The pathways page links to a fee schedule page, that lists all fees that are payable to the regulator during the registration process, acceptable forms of payment, and fees that may accrue and that are payable to third-parties. (i.e. language test)

5. The regulator ensures that the information required by practices 1-4 in this section is clear, accurate, complete and easy to find. [Transparency]

Assessment Outcome

Demonstrated

2. Specific Duty — Timely Decisions, Responses and Reasons

RHPA, Schedule 2, s.20 (1)

1. If a regulator rejects an application, it gives written reasons to the applicant. [Fairness, Transparency]

Assessment Outcome

Demonstrated

3. Specific Duty — Internal Review or Appeal

RHPA, Schedule 2, s. 15, s. 17, s. 19, s. 22.3

1. The regulator provides applicants with an internal review of, or appeal from, registration decisions. [Fairness]

Assessment Outcome

Demonstrated

2. The regulator implements rules and procedures that prevent anyone who acted as a decision-maker in a registration decision from acting as a decision-maker in an internal review or appeal of that same registration decision. [Impartiality]

Assessment Outcome

Demonstrated

3. The regulator provides information on its website that informs applicants about opportunities for an internal review or appeal. [Transparency]

Assessment Outcome

Demonstrated

4. Specific Duty — Information on Appeal Rights

RHPA, Schedule 2, s. 20, s. 21, s. 22

1. On its website, the regulator informs applicants of their right to request further review of, or appeal from, the review or appeal decision. [Transparency]

Assessment Outcome

Demonstrated

5. Specific Duty — Documentation of Qualifications

RHPA, Schedule 2, s. 22.4(1)

1. The regulator provides information on its website about the documents that must accompany an application to demonstrate qualifications. [Transparency]

Assessment Outcome
Demonstrated
Commendable practice
The College is transparent about existing opportunities for acceptable alternative documentation for applicants. They are laid out in a separate policy document and the policy is posted on the website and can be easily located.

6. Specific Duty — Assessment of Qualifications

RHPA, Schedule 2, s. 22.4(2)

1. On its website, the regulator informs applicants about the process, criteria, and policies for the assessment of qualifications. [Transparency]

Assessment Outcome
Demonstrated
Commendable practice
Policies are published and posted for each element of the qualifications assessment process.

2. The regulator communicates the results of qualifications assessment to each applicant in writing. [Transparency]

Assessment Outcome
Not applicable

3. The regulator gives its assessors access to assessment criteria, policies and procedures. [Transparency]

Assessment Outcome
Demonstrated

4. The regulator shows that its tests and exams measure what they intend to measure. [Objectivity]

Assessment Outcome

Demonstrated

Commendable practice

The examination is subject to a rigorous development process. Subject matter experts develop exam questions based on the exam blueprint and review each question after every exam. Questions are added and subtracted based on psychometric criteria. Psychometric expertise is provided by a third-party psychometric services firm. The Examination Guide posted on the website describes exam development, administration and scoring. The Examination Blueprint links content to competencies.

5. The regulator states its assessment criteria in ways that enable assessors to interpret them consistently. [Objectivity]

Assessment Outcome

Demonstrated

6. The regulator ensures that the information about educational programs that is used to develop or update assessment criteria is kept current and accurate. [Objectivity]

Assessment Outcome

Demonstrated

7. The regulator links its assessment methods to the requirements/standards for entry to the profession or trade. [Objectivity]

Assessment Outcome

Demonstrated

8. The regulator requires that assessors consistently apply qualifications assessment criteria, policies and procedures to all applicants. [Objectivity]

Assessment Outcome

Demonstrated

9. The regulator uses only qualified assessors to conduct the assessments. [Objectivity]

Assessment Outcome

Demonstrated

10. The regulator monitors the consistency and accuracy of decisions, and takes corrective actions as necessary, to safeguard the objectivity of its assessment decisions. [Objectivity]

Assessment Outcome

Demonstrated

11. The regulator prohibits discrimination and informs assessors about the need to avoid bias in the assessment. [Impartiality]

Assessment Outcome

Demonstrated

12. The regulator implements procedures to safeguard the impartiality of its assessment methods and procedures. [Impartiality]

Assessment Outcome

Demonstrated

13. The regulator gives applicants an opportunity to appeal the results of a qualifications assessment or to have the results reviewed. [Fairness]

Assessment Outcome

Demonstrated

Commendable practice

The Examination Appeals committee offers an additional mechanism of recourse for applicants, and serves as an efficient method to manage procedural issues related to examination complaints and appeals.

14. The regulator assesses qualifications, communicates results to applicants, and provides written reasons for unsuccessful applicants, without undue delay. [Fairness]

Assessment Outcome

Demonstrated

15. Regulators that rely on third-party assessments establish policies and procedures to hold third-party assessors accountable for ensuring that assessments are transparent, objective, impartial and fair. [Transparency, Objectivity, Impartiality, Fairness]

Assessment Outcome

Demonstrated

7. Specific Duty — Training

RHPA, Schedule 2, s. 22.4(3)

1. The regulator provides training for staff and volunteers who assess qualifications or make registration, internal review or appeal decisions. [Objectivity, Impartiality, Fairness]

Assessment Outcome
Demonstrated

2. The regulator addresses topics of objectivity and impartiality in the training it provides to assessors and decision-makers. [Objectivity, Impartiality]

Assessment Outcome
Demonstrated

3. The regulator identifies when new and incumbent staff and volunteers require training and provides the training accordingly. [Objectivity, Impartiality, Fairness]

Assessment Outcome
Demonstrated

8. Specific Duty — Access to Records

RHPA, Schedule 2, s. 16

1. The regulator provides each applicant with access to his or her application records. [Fairness]

Assessment Outcome
Demonstrated
Commendable practice
The College's policy demonstrates a strong commitment to transparency and fairness, by detailing what constitutes a record, the process for requesting the record, limits on provision, and provision at no cost to the applicant.

2. If there is a fee for making records available, the regulator gives applicants an estimate of this fee. [Transparency]

Assessment Outcome
Demonstrated

3. If there is a fee for making records available, the regulator review the fee to ensure that it does not exceed the amount of reasonable cost recovery. [Fairness]

Assessment Outcome

Demonstrated

General Duty

RHPA, Schedule 2, S.22.2

Transparency

- Maintaining openness
- Providing access to, monitoring, and updating registration information
- Communicating clearly with applicants about their status

OFC Comments

The College demonstrates a strong commitment to principles of transparency and accountability, through open governance processes and stakeholder consultations. The College leverages social media channels to disseminate information about College processes.

Openness:

- The College posts Council and Committee information on its website, with links to Council minutes.
- Proposed changes to regulations and by-laws are posted on the website.
- Information about the College's role and mandate is published on its Youtube channel and Twitter account.

Access:

- Policies and procedures and resources are clearly linked to a registration process map on the website.

Clarity:

- Registration information is clearly laid out on the website. The College's Client Service Policy, posted on the website, affirms a commitment to access and clarity through the use of plain language, customer service standards, and posting of key documents in English and French.

Commendable practice

All the information on the College's website is in plain language and clearly marked. As such, it provides all the necessary information that applicants need to know and it can be accessed any time they need it. By posting its key registration policies in a clearly marked section, the College makes it easy for others to see how the College operates. In particular, the exam preparation page contains study resources, exam procedures, and appeal process.

Objectivity

- Designing criteria and procedures that are reliable and valid
- Monitoring and following up threats to validity and reliability

OFC Comments

The College uses effective strategies for achieving consistency and accuracy in its registration decisions. This is evident from a variety of sources, including policy documents, examples of tools for decision-makers, and records of the College's periodic reviews of its own registration criteria, policies and procedures.

Reliability:

To achieve reliability in the registration decisions, COKO:

- has a process to review criteria for clarity
- provides decision-makers with access to the information and tools required to do their job, including a comprehensive resource manual
- provides its file reviewers with criteria that are ordered by measurable units.

Validity:

The College takes acceptable steps to achieve validity in certification decisions. For example:

- makes certification decisions based on evidence measurable through their documented process for file reviewers
- requires its file reviewers to follow documented guidelines and standard tools
- has a process for staff to check files for consistency, with corrective actions to be taken if necessary

Impartiality

- Identifying bias, monitoring, and taking corrective action
- Implementing strategies

OFC Comments

The College has processes to identify bias and deploys strategies to mitigate the impact of potential bias.

Identification of Bias:

The College defines what constitutes a conflict of interest and provides direction for staff about what to do if a conflict of interest arises. Bias is also identified in staff and Committee training sessions.

Strategies:

The College implements the following safeguards help to minimize the risk of bias and discrimination in the decision-making process. For example:

- staff and Committee annual training is assisted by legal counsel. Training covers topics related to conflict of interest, fair access law, and accessibility.
- the College's Accommodation Policy describes the protection of rights of persons with disabilities under various federal and provincial statutes, the duty of the College to provide reasonable accommodation, and the process for requesting accommodation in an examination setting.

Commendable practice

The College's legal counsel delivers a half-day training seminar to Committee members and staff on the topic of conflict of interest (COI). The session defines COI and describes strategies to manage COI. The session covers a range of scenarios, including fiduciary and interpersonal COI.

Fairness

- Ensuring substantive fairness
- Ensuring procedural fairness
- Ensuring relational fairness

OFC Comments

The College's relatively small pool of international applicants facilitates a fair and streamlined registration process. The College established benchmarks of fair registration from the outset, and continues to assist applicants in meeting the registration requirements through programmatic interventions.

Substantive Fairness

The College's core competency profile is the basis on which registration requirements are based, for example:

- the exam blueprint links competencies to exam content
- the College participates in a liaison committee with Ontario academic institutions offering kinesiology programs
- the College's language proficiency policy sets out the basis for the requirement; the College has provided additional briefing material that provides a more extensive rationale for the requirement.

Procedural Fairness

The College has established processes to ensure consistent decision making and timely response to applicant queries, such as:

- the Registration Committee reviews all assessment work by staff
- the College's registration information system flags applicant files if an action is required

Relational Fairness

The College takes the following actions to promote relational fairness:

- manages a formal Remediation Plan for applicants that fail 2 on exam attempts, requiring the applicant to submit a study plan before attempting a 3rd write.

- has a process for considering and providing accommodations on the registration exam
- has an 'Alternative Documentation' policy that defines acceptable alternatives where an applicant indicates that he or she cannot get the required documents.

Commendable practice

The Alternative Documentation Policy provides clear direction for applicants that are unable to secure original documentation.

The Remediation Plan for third exam attempts establishes a threshold of fairness by ensuring that applicants undertake a self-assessment to understand knowledge gaps that have been identified in previous attempts and how to bridge those gaps.

Background

Assessment Methods

Assessments are based on the [Registration Practices Assessment Guide: For Regulated Professions and Health Regulatory Colleges](#). The guide presents registration practices relating to the specific duties and general duty in the fair access legislation.

A regulatory body's practices can be measured against the fair access legislation's specific duties in a straightforward way. However, the general duty is broad, and the principles it mentions (transparency, objectivity, impartiality and fairness) are not defined in the legislation.

As a result, the specific-duty and general-duty obligations are assessed differently (see the [Strategy for Continuous Improvement of Registration Practices](#)).

Specific Duties

The OFC can clearly determine whether a regulatory body demonstrates the specific-duty practices in the assessment guide. Therefore, for each specific-duty practice, the OFC provides one of the following assessment outcomes:

- Demonstrated – all required elements of the practice are present or addressed
- Partially Demonstrated – some but not all required elements are present or addressed
- Not Demonstrated – none of the required elements are present or addressed
- Not Applicable – this practice does not apply to the COKO's registration practices

General Duty

Because there are many ways that a regulatory body can demonstrate that its practices, overall, are meeting the principles of the general duty, the OFC makes assessment *comments* for the general duty, rather than identifying assessment outcomes. For the same reason, assessment comments are made by principle, rather than by practice.

For information about the OFC's interpretations of the general-duty principles and the practices that the OFC uses as a guideline for assessment, see the [OFC's website](#).

Commendable Practices and Recommendations

Where applicable, the OFC identifies commendable practices or recommendations for improvement related to the specific duties and general duty.

Sources

Assessment outcomes, comments, and commendable practices and recommendations are based on information provided by the regulatory body. The OFC relies on the accuracy of this information to produce the assessment report. The OFC compiles registration information from sources such as the following:

- Fair Registration Practices Reports, audits, Entry-to-Practice Review Reports, annual meetings
- the regulatory body's:
 - website
 - policies, procedures, guidelines and related documentation templates for communication with applicants
 - regulations and bylaws
 - internal auditing and reporting mechanisms
 - third-party agreements and related monitoring or reporting documentation
 - qualifications assessments and related documentation
- targeted questions/requests for evidence that the regulatory body demonstrates a practice or principle

For more information about the assessment cycle, assessment process, and legislative obligations, see the [Strategy for Continuous Improvement of Registration Practices](#).

References

1. ^ Please note: Suggestions for continuous improvement appear only in the detailed report. Suggestions for improvement are not intended to be recommendations for action to demonstrate a practice, but are made solely to provide suggestions for areas that a regulatory body may consider improving in the future.

