

The College of Opticians of Ontario proposes to make the following changes to its by-laws:

1. Changing the titles of Council roles and College Members

The College is proposing changes to the titles of Council roles and College Members to make their roles and responsibilities clearer to the public and more consistent with the nomenclature of boards. The College has proposed the following amendments:

Current Terminology	Proposed Terminology
Council of the College	Board of Directors of the College
Council Member(s)	Director(s)
President of Council	Chair of the Board of Directors
Vice-President of Council	Vice-Chair of the Board of Directors
Members	Registrants

1. Introducing a mandatory cooling off period for individuals who held positions within professional associations.

The College is considering a mandatory 3 year cooling off period for any person who has held a position at any professional association for opticians before becoming a council or committee member at the College. This proposal is meant to ensure a clear separation between the College, which has a mandate to protect the public, and the professional opticianry associations, who have a mandate to advocate for opticians.

The following chart sets out the wording of the proposed new by-laws and an explanation for each proposed by-law.

PROPOSED BY-LAW AMENDMENTS

Current Language	Proposed Language	Explanation/Rationale
ARTICLE 1: INTERPRETATION		
1.1 Definitions		
In these by-laws, “ Appointed Committee Member ” means a Member of the College who is not a member of the Council of the College and who is appointed to a statutory or non-statutory committee;	In these by-laws, “ Appointed Committee Member ” means a Member <u>Registrant</u> of the College who is not a member of the Council of the College <u>Director</u> and who is appointed to a statutory or non-	Amended to reflect updated terminology. The reference to statutory and non-statutory committees has also been simplified so that it is consistent with the other definitions in this section.

Current Language	Proposed Language	Explanation/Rationale
	statutory committee <u>Committee</u> ;	
	<u>“Board” or “Board of Directors” means the council of the College within the meaning of section 1(1) of the RHPA and section 7 of the Opticianry Act;</u>	Added to reflect the change in terminology from “Council” to “Board” or “Board of Directors”.
	<u>“Chair” means the chair of the Board of Directors of the College;</u>	Added to reflect the change in terminology from “President” to “Chair”.
“Code” means the <i>Health Professions Procedural Code</i> , being Schedule 2 to the <i>Regulated Health Professions Act, 1991, S.O. 1991, c. 18</i>	“Code” means the <i>Health Professions Procedural Code</i> , being Schedule 2 to the <i>Regulated Health Professions Act, 1991, S.O. 1991, c. 18</i> <u>RHPA;</u>	Amended for clarity/consistency with the other definitions in this section.
“College” means the College of Opticians of Ontario;	“College” means the College of Opticians of Ontario;	No change.
“Committee” means a committee of the College, including a statutory, standing, or ad hoc committee, and includes a panel of that Committee;	“Committee” means a committee of the College, including a statutory, standing, or ad hoc committee, and includes a panel of that Committee;	No change.
“Committee Member” means a member of a Committee, including Elected Council Members, Appointed Committee Members, and Public Council Members;	“Committee Member” means a member of a Committee, including Elected- Council Members <u>Directors</u> , Appointed Committee Members, and Public Council <u>Members</u> <u>Directors</u> ;	Amended to reflect updated terminology.
“Council” means the Council of the College;	“Council” means the Council of the College;	See definition of “Board” or “Board of Directors”.
“Council Member” means an Elected Council Member or a Public Council Member;	“Council Member” means an Elected Council Member or a Public Council Member;	See definition of “Director”.

Current Language	Proposed Language	Explanation/Rationale
“Deputy Registrar” means the Deputy Registrar of the College;	“Deputy Registrar” means the Deputy Registrar of the College;	No change.
	“ <u>Director</u> ” means a member of the Board of Directors of the College;	Added to reflect terminology change from “Council Member” to “Director”.
“Discipline Committee” means the Discipline Committee of the College;	“Discipline Committee” means the Discipline Committee of the College;	No change.
“Elected Council Member” means a Member elected to Council in accordance with the by-laws and includes a Member elected in a by-election or appointed to fill a vacancy created by an Elected Council Member ceasing to be a member of Council prior to the completion of his or her term;	“Elected Council Member <u>Director</u> ” means a Member-Registrant elected to Council <u>the Board</u> in accordance with the by-laws and includes a Member-Registrant elected in a by-election or appointed to fill a vacancy created by an Elected Council Member <u>Director</u> ceasing to be a member of Council <u>the Board of Directors</u> prior to the completion of his or her <u>their</u> term;	Amended to reflect updated terminology. Pronouns amended for gender neutrality.
“Executive Committee” means the Executive Committee of the College;	“Executive Committee” means the Executive Committee of the College;	No change.
“ <i>ex-officio</i> ” means “by virtue of the office” and, for greater certainty, unless otherwise specifically provided for, all <i>ex-officio</i> members of a committee have all of the rights, responsibilities and powers of any other members of the committee, including the right to vote;	“ <i>ex-officio</i> ” means “by virtue of the office” and, for greater certainty, unless otherwise specifically provided for, all <i>ex-officio</i> members of a committee have all of the rights, responsibilities and powers of any other members of the committee, including the right to vote;	No change.
“First Annual Meeting” means the first meeting of Council in each calendar year;	“First Annual Meeting” means the first meeting of Council <u>the Board</u> in each calendar year;	Amended to reflect updated terminology.

Current Language	Proposed Language	Explanation/Rationale
<p>“Fitness to Practise Committee” means the Fitness to Practise Committee of the College;</p>	<p>“Fitness to Practise Committee” means the Fitness to Practise Committee of the College;</p>	No change.
<p>“Governance Committee” means the Governance Committee of the College;</p>	<p>“Governance Committee” means the Governance Committee of the College;</p>	No change.
<p>“Inquires, Complaints and Reports Committee” means the Inquiries, Complaints and Reports Committee of the College;</p>	<p>“Inquires, Complaints and Reports Committee” means the Inquiries, Complaints and Reports Committee of the College;</p>	No change.
<p>“Last Annual Meeting” means the last Council meeting that takes place in each calendar year;</p>	<p>“Last Annual Meeting” means the last Council-Board meeting that takes place in each calendar year;</p>	Amended to reflect updated terminology.
<p>“Life Member” has the meaning ascribed thereto in Article 3.1;</p>	<p>“Life Member” has the meaning ascribed thereto in Article 3.1;</p>	No change.
<p>“Member” means a Member, of any class of registration, of the College. Where the situation requires, Member also includes a person whose certificate of registration with the College is under suspension;</p>	<p>“Member” means a Member, of any class of registration, of the College. Where the situation requires, Member also includes a person whose certificate of registration with the College is under suspension;</p>	See definition of “Registrant”.
<p>“Opticianry Act” means the <i>Opticianry Act, 1991, S.O. 1991, c. 34</i>, and any Act that may be substituted therefore, as from time to time amended;</p>	<p>“Opticianry Act” means the <i>Opticianry Act, 1991, S.O. 1991, c. 34</i>, and any Act that may be substituted therefore, as from time to time amended;</p>	No change.
<p>“Patient Relations Committee” means the Patient Relations Committee of the College;</p>	<p>“Patient Relations Committee” means the Patient Relations Committee of the College;</p>	No change.

Current Language	Proposed Language	Explanation/Rationale
“ President ” means the President of the College;	“President” means the President of the College;	See definition of “Chair”.
“ Professional association ” means an organized group that promotes the interests of the profession but does not include a school whose sole purpose is to educate;	“ Professional association ” means an organized group that promotes the interests of the profession but does not include a school whose sole purpose is to educate;	No change.
“ Public Council Member ” means a member of Council appointed by the Lieutenant Governor in Council;	“ Public Council Member Director ” means a member of Council <u>the Board of Directors</u> appointed by the Lieutenant Governor in Council;	Amended to reflect updated terminology.
“ Quality Assurance Committee ” means the Quality Assurance Committee of the College;	“ Quality Assurance Committee ” means the Quality Assurance Committee of the College;	No change.
	<u>“Registrant” means a member of the College within the meaning of section 1(1) of the RHPA and is a person who holds a certificate of registration with the College in any class of registration. Where the situation requires, Registrant also includes a person whose certificate of registration with the College is under suspension;</u>	Added to reflect terminology change from “Member” to “Registrant”.
“ Registrar ” means the Registrar of the College;	“ Registrar ” means the Registrar of the College;	No change.
“ RHPA ” means the <i>Regulated Health Professions Act, 1991</i> , S.O. 1991, c. 18, and any Act that may be substituted therefore, as from time to time amended and includes the regulations made under it;	“ RHPA ” means the <i>Regulated Health Professions Act, 1991</i> , S.O. 1991, c. 18, and any Act that may be substituted therefore, as from time to time amended and includes the regulations made under it;	No change.

Current Language	Proposed Language	Explanation/Rationale
“ Registration Committee ” means the Registration Committee of the College;	“ Registration Committee ” means the Registration Committee of the College;	No change.
“ Regulations ” means the Regulations promulgated pursuant to the <i>Opticianry Act</i> or RHPA;	“ Regulations ” means the Regulations promulgated pursuant to the <i>Opticianry Act</i> or RHPA;	No change.
“ Signing Officers ” means the President, the Vice-President, the Registrar and the Deputy Registrar;	“ Signing Officers ” means the President Chair , the Vice- President Chair , the Registrar and the Deputy Registrar;	Amended to reflect updated terminology.
“ Standing committee ” means a committee of the College which is not a statutory committee but which is specifically established by the by-laws;	“ Standing committee ” means a committee of the College which is not a statutory committee but which is specifically established by the by-laws;	No change.
“ Statutory committee ” means a committee of the College established by the Code; and	“ Statutory committee ” means a committee of the College established by the Code; and	No change.
	“ Super Majority Vote ” means a <u>vote by the Board which requires 75% or more of Directors present and voting to vote in the affirmative in order for the motion to be carried;</u>	This addition is to give effect to the new proposed Schedule E to the by-laws.
“ Vice-President ” means the Vice-President of the College;	“ Vice-PresidentChair ” means the Vice- President Chair of the <u>Board of Directors of the</u> College;	Amended to reflect terminology change from “Vice-President” to “Vice-Chair”.

Current Language	Proposed Language	Explanation/Rationale
ARTICLE 6: ELECTED COUNCIL MEMBERS¹		
6.3 Eligibility for Election		
<p>A Member is eligible for election to Council in an electoral district if, on the deadline for the receipt of nominations and up to and including the date of the election:</p> <p>(h) the Member has resigned, before being nominated for election, any position such as director, owner, board member, officer or employee that the Member holds with a professional association relating to opticianry;</p>	<p>A Member-Registrant is eligible for election to Council-the Board in an electoral district if, on the deadline for the receipt of nominations and up to and including the date of the election:</p> <p>(h) the Member-Registrant has resigned, <u>at least three years prior to before</u> being nominated for election, any position such as director, owner, board member, officer or employee that the Member Registrant holds with a professional association relating to opticianry;</p>	<p>Amended to reflect updated terminology.</p> <p>Amended to introduce a three-year cooling off period for any person who has held a position at the Ontario Opticians Association or any other professional association for opticians before becoming an elected director or committee member at the College.</p>
ARTICLE 12: COMMITTEE APPOINTMENTS AND PROCEDURES		
12.2 Eligibility for Appointed Committee Members		
<p>(a) A Member of the College is eligible for appointment as an Appointed Committee Member if, on the date of the appointment:</p> <p>(viii) the Member has resigned, before being appointed, any position such as director, owner, board member, officer or employee that the member holds with a professional association relating to opticianry;</p>	<p>(a) A Member-Registrant of the College is eligible for appointment as an Appointed Committee Member if, on the date of the appointment:</p> <p>(viii) the Member-Registrant has resigned, <u>before-at least three years prior to</u> being appointed, any position such as director, owner, board member, officer or employee that the member holds with a</p>	<p>Amended to reflect updated terminology.</p> <p>Amended to introduce a three-year cooling off period for any person who has held a position at the Ontario Opticians Association or any other professional association for opticians before becoming an Appointed Committee Member.</p>

¹ In the event that the amendments to Article 1: Interpretations are approved, the title of this article will be amended to reflect the change in terminology from “Elected Council Members” to “Elected Directors”.

Current Language	Proposed Language	Explanation/Rationale
	professional association relating to opticianry;	