

## DRAFT BOARD MEETING MINUTES

June 3, 2024

11:15 AM to 4:55 PM

by zoom

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Attendees:	Mr. Derick Summers, RO, Chair, Elected Member Mr. Kevin Cloutier, RO, Elected Member Mr. Omar Farouk, Government Appointee Mr. Paul Imola, RO, Elected Member Ms. Peggy Judge, Government Appointee Mr. Stephen Kinsella, Government Appointee Mr. Samir Modhera, RO, Elected Member Ms. Alicia Munian, Government Appointee Ms. Tonya Nahmabin, RO, Elected Member Mr. Carlos Pacheco, RO, Elected Member Ms. Grazyna Sepczynska, RO, Elected Member Mr. Henry Wiersema, Government Appointed Mr. Rob Vezina, RO, Elected Member
Administration:	Mr. Fazal Khan, RO, Registrar, CEO Ms. Amy Stein, Deputy Registrar and General Counsel Ms. Carolyn Robertson, Manager, Communications and Executive Office Ms. Fizza Asad, Human Resources and Accounting Specialist
Guests:	Ms. Karen Elkin, Meeting Facilitator Mr. Malcom Vaz, Auditor, Grewal Guyatt Ms. Sukhanpreet Dhanotta, Auditor, Grewal Guyatt
Regrets:	Mr. Paul Wilk, Government Appointee

### 1.0 Introduction

D. Summers introduced himself, the board members, and the administration. D. Summers then opened the meeting with a land acknowledgment.

K. Elkin then reviewed the meeting norms and high five with the participants.

#### 1.1 Conflict of Interest Declaration

D. Summers provided an overview of the conflict of interest for the board members.

No conflicts of interest were declared.

### *1.2 Adoption of the Agenda*

MOTION: TO APPROVE THE AGENDA

MOVED: K. CLOUTIER

SECONDED: G. SEPCZYNSKA

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

### **2.0 Minutes of the March 3 and 4, 2024 Board Meeting**

MOTION: TO APPROVE THE MARCH 3 AND 4, 2023, MINUTES

MOVED: K. CLOUTIER

SECONDED: S. KINSELLA

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

### **3.0 Financial Reports**

#### *3.1 Financial Variance Report to March 31, 2024.*

F. Asad presented the year-to-date variance report to the Board, covering the period to March 31, 2024.

It was noted that board and committee expenses are below the budgeted amount, but this is expected as we have not had all of our meetings for the year yet.

Under operations and administration, a lot of the expenses occurred at different periods, and this just reflects the activity for the first part of the year.

Investigative costs are highlighted, showing about 60% of the budget but there were unexpected costs of 11,000. The cost was incurred in 2023, however, we were not invoiced until 2024.

Questions were asked about the communications budget, and it was noted that we had sponsorship in the previous year and we have not been invoiced for this year yet but the activity level has remained about the same.

**MOTION:** THAT THE BOARD APPROVE THE FINANCIAL VARIANCE REPORT TO MARCH 31, 2024.

**MOVED:** G. SEPCZYNSKA

**SECONDED:** T. NAHMABIN

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** CARRIED

The meeting was running a few minutes ahead of schedule and while the board was waiting to hear the audit report, they asked E. Borins to present the 2024 Board Action Plan

### **6.0 2024 Board Action Plan**

E. Borins presented the Board Action Plan, noting which items were carried forward from 2023, items that are in progress, and completed items. The board was then invited to ask questions.

**MOTION:** THAT THE BOARD APPROVE THE 2024 BOARD ACTION PLAN.

**MOVED:** G. SEPCZYNSKA

**SECONDED:** O. FAROUK

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** CARRIED

### *3.2 Audit Report Presentation*

M. Vaz and S. Dhanotta presented the *Draft Audited Financial Statements* and the *Audit Findings Report* to the Board. The auditors noted that a clean audit statement was issued and that the College is in a very strong financial position. The audit is substantially completed, and no conflicts of interest were identified by the auditor. The auditors described the audit process including standard benchmarks used to complete the audit and the detailing of any risks.

**MOTION:** TO APPROVE THE AUDITED FINANCIAL STATEMENTS FOR 2023.

**MOVED:** G. SEPCZYNSKA

SECONDED: H. WIERSEMA

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

The board then took a 90-minute lunch break.

#### **4.0 Quarterly Policy Review and Updates**

##### *4.1 Reserves Policy*

E. Borins presented the Reserves Policy amendments to the board. This policy outlines what is reasonable in terms of financial reserves to mitigate the impact of potential operating and financial risks to the College and the Registrar CEO's responsibilities in this regard.

Amendments reflect the board's current processes and ensure consistency with existing board policies, and the general reserve was expanded to 12 months of operational expenses, based on direction from the board and the College's accountant.

*Public Interest Consideration:* Reviewing the content of these policies ensures that policies are consistent and effective and that the College is up to date with regulations, technology, and regulatory best practices.

*Risk Management Considerations:* Regularly reviewing the content of governance policies to ensure that they remain relevant and continue to serve the board's needs and strategic objectives aligns with the COO's Strategic Plan and helps to mitigate organizational risk.

The Board agreed with the Public Interest and Risk Management Considerations put forward by the committee. The Governance Committee did not identify any diversity, equity, or inclusion concerns relating to these policies.

MOTION: TO APPROVE THE CHANGES TO THE PROPOSED AMENDMENTS TO THE RESERVES POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE

MOVED: R. VEZINA

SECONDED: C. PACHECO

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

#### *4.2 Human Resources and Relations Policy*

E. Borins presented the briefing note for the Human Resources and Relations Policy. The policy outlines the Registrar, and CEO's responsibilities, to employees including employee relations, compensation, and hiring. No substantive changes are proposed. The changes update the language to bring it in line with other policies.

**MOTION:** THE BOARD APPROVES THE PROPOSED AMENDMENTS TO THE HUMAN RESOURCES AND RELATIONS POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

**MOVED:** T. NAHMABIN  
**SECONDED:** G. SEPCZYNSKA

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** CARRIED

#### *4.3 Board Terms of Reference Policy*

E. Borins presented the briefing note on the Board Terms of Reference Policy. The policy outlines the board composition, accountability, authority, and responsibilities. The proposed changes to the policy are not substantive and ensure consistency with existing board policies.

**MOTION:** THAT THE BOARD APPROVE THE PROPOSED CHANGES TO THE BOARD TERMS OF REFERENCE POLICY.

**MOVED:** S. KINSELLA  
**SECONDED:** A. MUNIAN

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** CARRIED

#### *4.4 Executive Committee Terms of Reference and Mandate Policy*

E. Borins presented the Executive Committee Terms of Reference and Mandate Policy. The policy outlines the composition, accountability, and responsibilities. Proposed amendments align the policy with the changes to the Registrar, CEO Performance Evaluation and Compensation Process Policy. In addition, references to the committee making recommendations on the appointment of appointed committee members to statutory and non-statutory committees have been removed as this responsibility now lies with the Screening Committee.

**MOTION:** THAT THE BOARD APPROVE THE AMENDMENTS TO THE EXECUTIVE COMMITTEE TERMS OF REFERENCE AND MANDATE POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

**MOVED:** K. CLOUTIER

**SECONDED:** P. JUDGE

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** CARRIED

#### *4.5 Governance Committee Terms of Reference and Mandate Policy*

E. Borins presented the briefing note on the Governance Committee Terms of Reference and Mandate Policy. The policy outlines the composition, accountability, and responsibilities. Minor amendments are proposed to align the policy with other board policies but do not change the substantive content of the policy.

**MOTION:** THAT THE BOARD APPROVE THE GOVERNANCE COMMITTEE TERMS OF REFERENCE AND MANDATE POLICY AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

**MOVED:** R. VEZINA

**SECONDED:** H. WIERSEMA

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** CARRIED

#### *5.1 Adjustment to By-Laws Regarding Elections / Voter Eligibility*

E. Borins presented the briefing note which detailed the amendments to the by-laws. Amendments to the College's Registration Regulation will come into effect on July 1, 2024. The updated regulation will introduce a new Inactive registration class for non-practicing opticians who wish to maintain their license. Registrants in this class cannot practice as opticians or supervise students or intern opticians. If they wish to return to practice, they will be required to undergo an assessment of their currency, based on the number of years since they last practiced.

The committee reviewed the direction other regulators took concerning their Inactive and Non-Practicing classes of registration.

Currently, at the COO running for election, appointments, and voting are restricted to active registrants. Ensuring that those governing the profession are actively practicing, engaged, and aware of the issues is an important public interest and risk management consideration.

*Public interest consideration:* Elections and appointments are a fundamental part of being a self-regulated profession. It is in the public interest for these processes to be clear and transparent. There is a strong rationale for specifying that the profession should be governed by those who are actively practicing.

*Diversity, Equity, and Inclusion Consideration:* The rationale for excluding inactive opticians from eligibility for election, appointment, or voting is to ensure that those governing the profession are actively practicing and aware of the issues that will impact the public interest. This arguably outweighs any concerns about excluding a group of individuals from eligibility.

*Risk Management Considerations:* Those who are actively practicing are in a better position to identify issues and concerns that could impact the safe and ethical delivery of opticianry services to the public.

The board was asked to approve the by-law changes for circulation the proposed by-law amendments. The results would be brought back to the committee for review before a further recommendation comes to the board for a final decision.

The board discussed the proposed changes and the impact on retired opticians or those on maternity leave. It was noted that current by-laws do not consider the new inactive class created by the new bylaws as of July 1, 2024.

**MOTION:** THAT THE BOARD APPROVES THE PROPOSED BY-LAW CHANGES CONCERNING ELIGIBILITY FOR INACTIVE CLASS HOLDERS TO BE CIRCULATED FOR STAKEHOLDER FEEDBACK AS RECOMMENDED BY THE GOVERNANCE COMMITTEE.

**MOVED:** R. VEZINA  
**SECONDED:** K. CLOUTIER

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** CARRIED

## 5.2 Governance Reform for Electoral Districts

E. Borins presented the briefing note which outlines three potential models for reform of electoral districts. Model 1 (Single District), Model 2 (Broader Geographic districts), and Model 3 (Maintain Status

Quo). The scope of the changes do not include removing elections, but rather adjusting the geographic areas where the elections are taking place.

E. Borins noted that currently, there are eight geographical districts in place for board elections. The challenges with multiple electoral districts were also noted, including a lack of diversity in board composition, the more electoral districts, the smaller the candidate pool, a periodic lack of interest in a district leading to a by-election, and the perception that being elected by one's peers constitutes representation to a constituency of professional members rather than to the public. Another challenge that the current 8 districts present is the unequal distribution of registrants within those districts.

The committee considered the approaches other colleges are taking on this issue. Upon review of the three proposed models, the governance committee was undecided on the best possible model and is recommending to the board that the three models be circulated for stakeholder feedback. This would allow the board to hear from registrants before making a decision.

The board discussed the challenges presented by the three models and agreed with the public interest, Diversity, Equity and inclusion, and Risk Management considerations put forward by the committee.

*Public interest consideration:* Good governance is at the heart of effective professional regulation and decision-making in the public interest. Reforming the electoral districts reflects modern governance practices intended to strengthen public trust in the regulatory framework and reduce any misconceptions about the role of professional board members.

*Diversity, Equity, and Inclusion:* Reforming electoral districts is designed to increase diversity on the board by widening the pool of applicants and increasing access to the election process. The Governance Committee considered the impact of electoral reform on geographical diversity and how this could be mitigated.

*Risk Management Considerations:* Restructuring the electoral districts would align with best practices in regulatory governance and with the COO's Strategic Plan 2023-2025 to demonstrate regulatory leadership through governance excellence.

**MOTION:** THAT THE BOARD APPROVE CONDUCTING A STAKEHOLDER CONSULTATION PRESENTING THREE MODELS OF PROPOSED ELECTORAL REFORM (MODEL 1 – SINGLE DISTRICT AND MODEL 2 – BROADER GEOGRAPHIC DISTRICTS AND MODEL 3 – THE STATUS QUO).

**MOVED:** S. MODHERA

**SECONDED:** R. VEZINA

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** **CARRIED**

## 7.0 Governance Approach Policy Monitoring Report

O. Farouk presented the Governance Approach Policy monitoring report briefing note to the board. The policy demonstrates the board's commitment to policy governance and the criteria used to measure this include role distinction, explanation, education, evaluation, and enforcement. Policy monitoring, board responsibility, and board discipline are all important elements noted in the policy. No action items were identified, and in most areas compliance was fully achieved.

This was provided for information only.

## 8.0 Board Monitoring Report

### 8.1 Financial Condition Policy

K. Elkin provided context for the board around the monitoring reports, which is to have a risk management system in place to periodically review each one of the board's governance policies to make sure that they're achieving the desired results.

F. Khan presented the Financial Condition Policy monitoring report to the board. The report covered the period from June 2023 to May 2024. The report provides an overview of the financial position of the college, and highlighted the surplus in 2023. In the expenditure section of the report, it was noted that the college is sufficiently liquid that no additional funds were borrowed or loaned in 2023 or Q1 of 2024 and that the reserve funds were not accessed in 2023. F. Khan further noted that financial reporting happens quarterly, first at the Executive Committee and then at the Board level.

The floor was open to questions. No concerns or action items were identified.

**MOTION:** THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE.

**MOVED:** G. SEPCZYNSKA  
**SECONDED:** S. KINSELLA

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** **CARRIED**

**MOTION 2:** THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

**MOVED:** P. IMOLA  
**SECONDED:** T. NAHAMBIN

**FOR:** 13  
**AGAINST:** 0

ABSTAINED: 0

**VOTE: CARRIED**

*8.2 Investment Policy*

F. Khan presented the Investment policy monitoring report to the Board. The Board covered the period from January 2024 to May 2024. The report noted that the College works with an investment advisor from BMO Nesbitt Burns. Investment parameters were also touched on. F. Khan noted that the Deputy Registrar, the Finance Manager, and the Registrar CEO monitor the investments and ensure compliance with the investment management policy. The Board receives regular financial reports with Audited financial statements coming to the board in June.

The floor was open to questions. No concerns or action items were identified.

MOTION: THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE.

MOVED: G. SEPCZYNSKA

SECONDED: A. MUNIAN

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

MOTION 2: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

MOVED: R. VEZINA

SECONDED: P. IMOLA

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

*8.3 Vendor Relations Policy Monitoring Report*

F. Khan presented the Vendor Relations Policy Monitoring report to the Board. The report covered the period from June 2021 to May 2024. The procurement framework the college follows was outlined, along with the protocol for ensuring that no conflict of interest exists. The process for contract review, prospective vendor protection, capital asset acquisition assessment, and vendor payments were also detailed.

The floor was open to questions. No concerns or action items were identified.

**MOTION:** THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE.

**MOVED:** O. FAROUK  
**SECONDED:** H. WIERSEMA

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** CARRIED

**MOTION 2:** THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

**MOVED:** P. IMOLA  
**SECONDED:** G. SEPCZYNSKA

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE:** CARRIED

#### *8.4 Relationship with the Public and Other COO Beneficiaries Monitoring Report*

F. Khan presented the Relationship with the Public and Other COO Beneficiaries Monitoring report to the Board. The report covered the period between May 2021 to May 2024. Public engagement strategies were noted, including social media, livestreaming Board meetings on YouTube, hiring public appointed members, and the public opinion survey from Leger marketing. It was also noted that staff have undergone Cultural Safety and Humility training as well as focusing on relational, plain language communications.

Staff has a formal style guide and has had training in customer service to ensure that complaints from the public are addressed fairly and respectfully. The process for ensuring confidentiality and the process for an individual who feels they have not been protected under this policy is also outlined.

The floor was open to questions. No concerns or action items were identified.

**MOTION:** THAT THE BOARD APPROVE THAT THE REGISTRAR'S INTERPRETATION OF THE POLICY WAS REASONABLE.

**MOVED:** P. IMOLA  
**SECONDED:** R. VEZINA

FOR: 13  
AGAINST: 0  
ABSTAINED: 0

**VOTE: CARRIED**

MOTION 2: THAT THE BOARD AGREES THAT THE REGISTRAR, CEO COMPLIED WITH THE POLICY.

MOVED: G. SEPCZYNSKA  
SECONDED: A. MUNIAN

FOR: 13  
AGAINST: 0  
ABSTAINED: 0

**VOTE: CARRIED**

## 9.0 Strategic Quarterly Workplan mid-year update

A.Stein presented the strategic agenda/work plan to the board, noting changes and any items that were incomplete or deferred. This was shared for information only.

## 10.0 Registration Policies

### 10.1 Inactive Class Policy

R. Vezina presented the Inactive Class Policy, briefing note to the board, highlighting that the policy will come into effect July 1, 2024. The Inactive Class allows registrants who do not intend to practice for some time to maintain their registration with the college. This may include those on parental, sick, or educational leave.

The proposed policy establishes a fair, transparent process for registrants who wish to transfer to the Inactive class and outlines the application process as well as requirements for maintaining a certificate under the registration regulation.

*Public Interest Consideration:* The Inactive Class policy protects the public interest by setting out conditions for inactive class registrants that accurately reflect their non-practice of the profession and providing transparency to the public regarding optician's non-practicing status.

*Diversity, Equity, and Inclusion Considerations:* The proposed Inactive Class policy considers the needs of non-practising opticians in different life circumstances while allowing them to maintain registration with the COO. The Registration Committee recognizes that, when making a decision, the obligation to uphold

professional standards must be balanced against its obligations under the Ontario Human Rights Code to avoid practices and policies that directly or indirectly discriminate against registrants based on the protected grounds.

*Risk Management Considerations:* The inactive Class policy clarifies the limitations of the inactive status and guides how to convey the non-practising status to the public. The transparency of the policy mitigates potential risks to the COO if/when an optician fails to comply with the conditions imposed on their inactive certificate of registration and engages in unauthorized practice.

The Board agreed with the public interest considerations and the Diversity, Equity, and Inclusion considerations identified by the committee.

The board was invited to ask questions.

MOTION: THAT THE BOARD APPROVE THE PROPOSED INACTIVE CLASS POLICY.

MOVED: G. SEPCZYNSKA

SECONDED: K. CLOUTIER

FOR: 13

AGAINST: 0

ABSTAINED: 0

**VOTE: CARRIED**

#### *10.2 Approved Education Program Policy*

R. Vezina presented the Approved Education Program Policy, briefing note to the board. Under the new registration regulation which will come into effect July 1, 2024, the registration committee has the authority to approve Canadian Opticianry programs. Once a program is approved, graduates of the program are considered to meet the educational requirements for Registration.

*Public Interest Consideration:* The Registration Regulation supports the COO's public protection mandate to ensure that individuals who enter the profession have the knowledge, skills, and judgment to practice opticianry safely, ethically, and competently. Ensuring this regulatory accountability is consistently and effectively applied to opticianry education programs is fundamental to protecting the public.

*Diversity, Equity, and Inclusion Considerations:* The policy recognizes the importance of meeting diverse learners' needs and supports educational institutions' flexibility in developing and improving their education programs and courses.

*Risk Management Considerations:* The policy adds transparency for applicants and educators on the requirements for seeking registration under the approved education category.

The Board agreed with the public interest considerations and the Diversity, Equity, and Inclusion considerations identified by the committee.

The board was invited to ask questions, and a conversation followed around updating the language to reflect that the registration committee can approve programs on an ongoing basis. The cycle of program review for each school was also discussed.

**MOTION:** THAT THE BOARD APPROVE THE PROPOSED APPROVED EDUCATION PROGRAMS POLICY.

**MOVED:** T. NAHMABIN

**SECONDED:** A. MUNIAN

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE: CARRIED**

### *10.3 National Examinations Policy*

R. Vezina presented the National Examinations Policy, briefing note to the board. The administrative functions formerly performed by the College have been taken over by NACOR and both parties have signed a memorandum of understanding to reflect the details of the agreement. The proposed policy outlines the role of the National Examination Committee Representative, the Examination Observer, and the Examiner.

*Public Interest Consideration:* It is paramount that the public has trust in the licensing process for registered opticians. The NACOR examination is developed with subject matter experts and is subjected to rigorous psychometric scrutiny. The exam is administered uniformly across Canada (except Quebec) and is regularly reviewed by the National Examinations Committee. Establishing and adhering to robust criteria for the COO representatives involved in the national examinations and examiners would further enhance the integrity and defensibility of the examination. The COO bears ultimate responsibility for the administration of the national examinations in Ontario and for ensuring that the examinations adhere to the COO's public protection mandate. With the divestment of the examinations to a third party, the COO must articulate clear standards for examination administration in the public interest.

*Diversity, Equity, and Inclusion Considerations:* The College is committed to Diversity, Equity, and Inclusion (DEI) principles concerning the development and delivery of the national examinations. The mission of the individuals selected to represent Ontario at NEC meetings and national examinations is to exercise and promote fairness, integrity, and inclusion in admission to the profession of opticianry.

*Risk Management Considerations:* Establishing a National Examinations Policy ensures that the Board maintains oversight over the administration process being carried out by the third party.

The Board agreed with the public interest considerations and the Diversity, Equity, and Inclusion considerations identified by the committee.

The board was invited to ask questions and a discussion around conflict of interest and participation of the board and appointed members as examiners followed.

**MOTION:** THAT THE BOARD APPROVE THE NATIONAL EXAMINATIONS POLICY.

**MOVED:** S. KINSELLA  
**SECONDED:** C. PACHECO

**FOR:** 13  
**AGAINST:** 0  
**ABSTAINED:** 0

**VOTE: CARRIED**

#### *10.4 Language Proficiency Policy Requirements*

R. Vezina presented the Language Proficiency Policy Requirements, briefing note to the board. Health Regulatory Colleges are required to accept proof of completion of a language test accepted by Immigration, Refugee and Citizenship Canada (IRCC) as proof of English or French Language proficiency. The amendments to the policy include adding the Pearson Test for English, recently approved by the IRCC. The Michigan English Language Assessment Battery is being removed from the policy as it has been discontinued.

*Public Interest Consideration:* The proposed revisions to the policy ensure that the policy complies with the regulatory requirements and that the language proficiency tests listed in the policy are up to date.

*Diversity, Equity, and Inclusion Considerations:* The proposed revisions to the policy ensure that language proficiency tests remain aligned with the requirements set by the federal government thus providing further flexibility to the applicants for testing options.

*Risk Management Considerations:* Inability to communicate in English or French with reasonable fluency may lead to several risks, such as patient safety, quality practice, and governability as a registrant of the College. The Language Proficiency Policy mitigates risks leading to potential liability by ensuring that opticians can render professional services competently.

The board agreed with the public interest considerations and the Diversity, Equity, and Inclusion considerations identified by the committee.

The board was invited to ask questions.

MOTION: THAT THE BOARD APPROVE THE PROPOSED AMENDMENTS TO THE LANGUAGE PROFICIENCY POLICY.

MOVED: G. SEPCZYNSKA  
SECONDED: T. NAHAMABIN

FOR: 13  
AGAINST: 0  
ABSTAINED: 0

**VOTE: CARRIED**

#### *10.5 Student and Intern Policy Requirements*

R. Vezina presented the Student and Intern Policy Requirements, briefing note to the board. Under the new Registration Regulation, The College of Opticians of Ontario will no longer have a student class of registration. Current student certificates will be canceled as of July 1, 2024. It was noted that this policy still governs students who are enrolled in an opticianry program, and they can still be supervised by registered opticians. The policy outlines the requirements for opticians supervising students.

*Public Interest Consideration:* The proposed revisions to the policy ensure that the policy is up to date and reflects the amendments to the Registration Regulation.

*Diversity, Equity, and Inclusion Considerations:* The proposed revisions are not expected to result in substantive changes to student/intern supervision practices; Therefore, no diversity, equity or inclusion concerns have been identified.

*Risk Management Considerations:* Aligning the policy with the requirements of current regulation ensures that opticians are informed of the change of the registration status of the students they supervise, and the jurisdiction students fall under and helps mitigate the risks should a complaint arise regarding the actions or conduct of the student. The board agreed with the public interest considerations and the Diversity, Equity, and Inclusion considerations identified by the committee.

The board was invited to ask questions.

MOTION: THAT THE BOARD APPROVE THE PROPOSED AMENDMENTS TO THE LANGUAGE PROFICIENCY POLICY.

MOVED: G. SEPCZYNSKA  
SECONDED: T. NAHAMABIN

FOR: 13  
AGAINST: 0  
ABSTAINED: 0

**VOTE: CARRIED**

*10.6 Registrant and Stakeholder Consultation Proposed By-law Changes*

R. Vezina presented the Registrant and Stakeholder Consultation Proposed By-law Changes briefing note to the board. The proposed changes are related to the renewal process, Emergency Class fees, and the administrative fee for document requests.

Proposed changes include confirming the date Registered Opticians, Inactive, and Emergency classes must renew their certificate of registration annually. The deadline for the Registrar to open the renewal portal will also be confirmed as are the penalties for late renewal.

Other proposed changes include establishing a fee for the emergency class to make it in line with the Inactive class fee as well as establishing a \$25 administrative fee for document requests.

*Public Interest Consideration:* To regulate the profession effectively, it is necessary for there to be a clear and transparent process for the annual renewal of certificates of registration. Setting these details out in by-law (rather than regulation) will enhance the COO's transparency and flexibility. The Emergency Class of registration is intended as a measure to ensure uninterrupted access to opticianry services in the event of an emergency. Therefore, fees for this registration class should avoid creating undue financial strain on potential applicants. Conversely, this must be balanced against the COO's need to cover its administrative costs.

*Diversity, Equity, and Inclusion Considerations:* Some survey respondents raised concerns regarding financial challenges that opticians aged 55 and older may face following the implementation of additional administrative fees. In reviewing stakeholder feedback, the Registration Committee took a considered approach in assessing the financial impact of the proposed fee on registrants. The Committee determined that introducing new administrative fees was unlikely to cause hardship to the registrant base due to the infrequent nature of service requests and the minimal proposed cost thereof.

*Risk Management Consideration:* The Registration Committee considered several risk management areas associated with the proposed by-law changes:

- Renewal by-laws: Effective July 1, 2024, the Registration Regulation will no longer set out the process for annual renewal. It is of critical importance to have the by-laws in place by July 1 to govern the renewal process.
- Extending the renewal deadline: Moving the renewal deadline carries the risk of initial confusion (e.g. registrants confusing renewal and professional portfolio submission deadlines). This has been flagged to the Quality Assurance Committee for its consideration.

- Emergency Class fees: Currently, there is no fee associated with the Emergency Class of registration. If the Emergency Class needs to be opened, there will be an immediate financial impact on the COO as it will be processing the applications without the ability to charge a registration fee. The purpose of the Emergency Class fee is to mitigate this risk.
- Administrative Fee for Service: Currently, there is no fee for retrieving documents on file; however, processing these requests carries administrative costs. The purpose of the administrative fee is to mitigate this risk.

The board was invited to ask questions.

**MOTION:** THAT THE BOARD APPROVE THE PROPOSED BY-LAW CHANGES RELATING TO THE EXTENSION OF RENEWAL DEADLINE EMERGENCY CLASS FEES AND THE ADMINISTRATIVE SERVICE FEE.

**MOVED:** K. CLOUTIER

**SECONDED:** P. JUDGE

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE: CARRIED**

#### **11.0 Recess**

The Board meeting was recessed to the following day.

**DRAFT BOARD MEETING MINUTES****June 4, 2024****9:45 AM to 11:30 AM****by zoom**

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**Attendees:** Mr. Derick Summers, RO, Chair, Elected Member  
Mr. Kevin Cloutier, RO, Elected Member  
Mr. Omar Farouk, Government Appointee  
Mr. Paul Imola, RO, Elected Member  
Ms. Peggy Judge, Government Appointee  
Mr. Stephen Kinsella, Chair, Government Appointee  
Mr. Samir Modhera, RO, Elected Member  
Ms. Alicia Munian, Government Appointee (attended online)  
Ms. Tonya Nahmabin, RO, Elected Member  
Mr. Carlos Pacheco, RO, Elected Member (attended online)  
Ms. Grazyna Sepczynska, RO, Elected Member  
Mr. Henry Wiersema, Government Appointed  
Mr. Rob Vezina, RO, Elected Member

**Administration:** Mr. Fazal Khan, RO, Registrar, CEO  
Ms. Amy Stein, Deputy Registrar and General Counsel  
Ms. Carolyn Robertson, Manager, Communications and Executive Office  
Ms. Fizza Asad, Human Resources and Accounting Specialist

**Guests:** Ms. Karen Elkin, Meeting Facilitator

**Regrets:** Mr. Paul Wilk, Government Appointee

The meeting resumed from the previous day at 9:45 am and D. Summers welcomed everyone.

**13.0 To Go in Camera**

**MOTION:** TO GO IN IN CAMERA UNDER S.7 (2) E OF THE HEALTH PROFESSIONS PROCEEDURAL CODE TO DISCUSS PERSONNEL MATTERS.

**MOVED:** O. FAROUK

**SECONDED:** H. WIERSEMA

## 14.0 Department Spotlight – Conduct Department

The Board heard from the conduct Department Manager and support staff to understand the day-to-day operations.

## 15.0 Reports

### 15.1 Registrar's Report

F. Khan presented the Registrar's Report to the board. The report covered government relations, an update on the examinations, and external relations including the dates for upcoming events. The report also touched on ongoing collaboration and space-sharing efforts. An update was provided on the upcoming election opening on June 7, 2024.

### 15.2 NACOR Report, 15.3 Examinations Report 15.4 Committee Reports, 15.5 Communications Report

**MOTION:** TO APPROVE THE NACOR, EXAMS, COMMITTEE REPORTS, AND COMMUNICATIONS REPORT AS PRESENTED.

**MOVED:** G. SEPCZYNSKA

**SECONDED:** O. FAROUK

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

**VOTE:** **CARRIED**

## 13.0 Adjournment

**MOTION:** TO ADJOURN

**MOVED:** H. WIERSEMA

**SECONDED:** K. CLOUTIER

**FOR:** 13

**AGAINST:** 0

**ABSTAINED:** 0

The board meeting ended at 11:30.

DRAFT

DRAFT