

Draft COUNCIL MEETING MINUTES
COO Boardroom – 902-85 Richmond St. W., Toronto
Monday, May 30, 2016

Council Members Present:

Ms. Ingrid Koenig RO, Elected Member
Mr. David Milne, Public Member (*present for agenda items 4.2 – 7.0*)
Mr. Bryan Todd RO, Elected Member
Mr. Omar Farouk, Public Member
Mr. Jeff Fernandes RO, Elected Member (*present via teleconference for agenda items 4.1 – 4.7*)
Ms. Eve Hoch, Public Member
Mr. Joseph Richards, Public Member (*present for agenda items 1.3 – 7.0*)
Ms. Susan Carlyle, Public Member
Ms. Neda Mohammadzadeh RO, Elected Member
Mr. Robert Vezina RO, Elected Member
Mr. Edward Viveiros RO, Elected Member
Mr. Balbir Dhillon RO, Elected Member

Administration:

Mr. Jim Dunsdon, Independent Meeting Chair
Mr. Fazal Khan RO, Registrar
Ms. Bev Sloan, Deputy Registrar
Ms. Patti Latimer, General Counsel
Mr. Stuart Schussler, Executive Assistant (*meeting recorder*)

Regrets:

Mr. Mike Smart RO, Elected Member

Guests:

Mr. Peter Sevitt, Sevitt and Associates (*present for agenda item 3.1 only*)

1.0 Introduction

1.1 Introductions and Announcements

Mr. Jim Dunsdon, Independent Meeting Chair, called the meeting to order at 9:00 am. The Chair sought the consent of Council to allow Mr. Jeff Fernandes to participate via teleconference, which Council granted.

The President welcomed all members of the Council, appointed members, attendees in the gallery, and participants listening online via webinar. She congratulated Mr. Hugh Corbett, Public Member, for his service to the College.

1.2 Conflict of Interest Declaration

No conflicts of interest were declared.

1.3 Adoption of Agenda

MOTION: To approve the agenda as presented.

Moved: O. Farouk

Seconded: B. Todd

VOTE: **CARRIED**

2.0 Minutes

2.1 January 25-26, 2016

MOTION: To approve the January 25-26, 2016 Council meeting minutes as presented.

Moved: B. Todd

Seconded: E. Hoch

VOTE: **CARRIED**

3.0 Finance

3.1 Draft 2015 Audited Financial Statements

Mr. Peter Sevitt, Auditor, addressed Council and reported that the College's audited 2015 financial statements presented fairly. He spoke to the source of budget variances and the prudent allocation of budgetary surplus in specific contingency funds. Council was invited to ask questions.

MOTION: To approve the Draft 2015 Audited Financial Statements as presented.

Moved: E. Hoch

Seconded: S. Carlyle

VOTE: **CARRIED**

3.2 2015 Year End Variance Report

The Deputy Registrar spoke to her report and invited questions of Council, which gave its approval.

3.3 2016 Year to Date Variance Report

The Deputy Registrar spoke to her report, noting that all budgetary expenditures are within a 10% variance. Council gave the report its approval.

4.0 Decisions

4.1 Transparency Initiatives: By-Law Amendments

4.1.1 Amendments proposed by Registration and ICRC

General Counsel briefed Council on the successful implementation of the first phase of by-law amendments recommended by the Advisory Group for Regulatory Excellence (AGRE), aimed at increasing transparency while also promoting consistency between the colleges. She then addressed ongoing initiatives to implement the second phase of recommended amendments, many of which focus on posting to the Public Register criminal charges, Discipline Committee findings, and measures taken by ICRC.

As phase two amendments fall under the purview of both the Registration and Inquiries, Complaints and Reports Committees, the chair of each committee spoke to the details of their proposed amendments.

MOTION: To approve in principle the proposed amendments to the College's By-Law 15.6 and circulate for a 60-day consultation.

Moved: R. Vezina

Seconded: O. Farouk

VOTE:

CARRIED

4.2 Governance Committee: By-law Amendments

4.2.1 Review of Stakeholder Feedback

Council moved in January to circulate for stakeholder feedback a set by-law amendments proposed by the Governance Committee. Taking this feedback into account, the Governance Committee modified various details of its original proposal and submitted the revised amendments to Council.

Council was briefed on these revisions before entering into discussion. Mr. Rob Vezina, Elected Member, proposed three friendly amendments, which were debated in turn by Council:

First, to strike from Article 6.3 (s) the following sentence: “Time served as an Elected Council Member as a result of the filling of a vacancy in between Council elections shall not be included in the calculation.”

Second, to allow for flexibility in case of emergency by striking the word “examiner” from Article 7.10 (a) and to instead address concerns through a policy. After discussion, Council agreed to leave “examiner” in the article and introduce Article 7.10 (b): “The Chief Examiner may, under exceptional circumstances, adjust the three-month waiting period for examiners.”

Third, to strike proposed Article 12.2 (a) (xv) and address the desire for a cooling off period for Appointed Members through a policy.

MOTION: To make a friendly amendment by which proposed Article 12.2 (a) (xv) is struck from the omnibus by-law amendments.

Moved: B. Todd

Seconded: R. Vezina

VOTE:

CARRIED

MOTION: To approve, as amended, the College’s by-laws.

Moved: R. Vezina

Seconded: B. Todd

VOTE:

CARRIED

4.2.2 Further Amendments

Council was briefed on further by-law amendments proposed by the Governance Committee, including the correction of article numeration and updated language pertaining to notice provision.

MOTION: To approve in principle the proposed amendments to the College’s By-Laws recommended by the Governance Committee and circulate for a 60-day consultation.

Moved: R. Vezina

Seconded: S. Carlyle

VOTE:

CARRIED

4.3 Clinic Regulation

Council was briefed on the genesis and mission of the Clinic Regulation Working Group. It then discussed the working group’s draft report for submission to the Ministry of Health.

MOTION: To approve the draft Clinic Regulation report for submission to the Ministry of Health.

Moved: D. Milne

Seconded: E. Hoch

VOTE:

CARRIED

4.4 Standards of Practise Amendments

The Registrar requested Council’s approval to amalgamate the Standards of Practice and Standards of Practice, Refraction documents, which Council granted.

4.5 Certified Contact Lens Fitter (CCLF)

Council discussed the need to revise the designation of Certified Contact Lens Fitter, which has not been issued in nearly 25 years. Council desired that the Governance Committee present a proposal on the subject, with the input of the current CCLF District 6 representative.

MOTION: To direct the Governance Committee to address the CCLF and District 6 issue.

Moved: J. Richards

Seconded: O. Farouk

VOTE: **CARRIED**

4.6 Office Relocation

The Chair of the Relocation Ad-Hoc Committee informed Council of progress made during the search process and of committee discussions concerning governance and criteria. The Committee will present Council with a detailed analysis of lease and purchase scenarios at the September meeting and seek a mandate. Council consented to this proposed process.

4.7 Strategic Plan Progress Update

Council was informed of ongoing work and the successful completion of deliverables, as outlined in the Strategic Plan.

4.7.1 Ambassador Program

The Chair of the Patient Relations Committee addressed Council regarding the Ambassador Program, which is included in the Strategic Plan. The Chair made the recommendation to remove this program, noting recommendations emerging from a comprehensive survey of members’ preferred means of interacting with the College that was conducted by Outside In. Council discussed the proposed amendment.

MOTION: To reconsider item 2.7 of the Strategic Plan, the “Ambassador Program,” and instead adopt the recommendations of Outside In.

Moved: I. Koenig

Seconded: N. Mohammadzadeh

VOTE: **CARRIED**

4.7.2 Governance Manual Review

The Chair of the Governance Committee addressed ongoing governance work pursuant of objectives contained in the Strategic Plan. Additionally, although it is not included in the Strategic Plan, the Committee wishes to conduct an update to the Governance Manual in 2017. Council granted its consent to include this project in the Strategic Plan and dedicate time and funds to it.

4.8 Travel Time Honoraria

The President addressed Council, stating that certain Council members had voiced concerns about the calculation of travel time honoraria. Given that this policy was approved by Council, the President asked

whether the requisite two-thirds of Council members have the appetite to reopen the policy and task it to a committee for revision. Council discussed the proposal, including discussion of whether to reopen the entire policy or only those provisions pertaining to time travel honoraria.

MOTION: As per by-law Article 8.22 Council approves the reconsideration of the September 28, 2015 motion approving the changes to the College's Policy on Payment of Honoraria and Expenses for Council and Committee Members by a two-thirds majority vote of Council members present.

Moved: R. Vezina

Seconded: B. Todd

VOTE: **FAILED**

4.9 Life Members

Council was presented with two applications for Life Membership, both of which meet all criteria.

MOTION: Council approves the application for Life Member designation for Mr. Marc Raymond – 337 by a two-thirds majority vote of Council members present.

Moved: I. Koenig

Seconded: D. Milne

VOTE: **CARRIED**

MOTION: Council approves the application for Life Member designation for Ms. Christine Haldane – 777 by a two-thirds majority vote of Council members present.

Moved: I. Koenig

Seconded: D. Milne

VOTE: **CARRIED**

4.10 Registration Regulation

Council was briefed on further changes to the Registration Regulation, as proposed by the Registration Committee. After having received stakeholder feedback on a draft registration regulation approved by Council in May 2015, the Committee adopted various suggestions. Given that it is also proposing further, substantive changes, the Committee proposed that the Regulation be recirculated for stakeholder feedback.

MOTION: Approve the amendments to the draft registration regulation and recirculate the draft regulation for a 90-day consultation.

Moved: R. Vezina

Seconded: D. Milne

VOTE: **CARRIED**

4.10.1 Legal – In Camera Session, Under RHPA, Schedule 2, Section 7 (e)

MOTION: To proceed to an in camera session.

Moved: D. Milne

Seconded: E. Viveiros

VOTE: **CARRIED**

Council proceeded to an in camera session at 1:25 pm.

MOTION: To rise from the in camera session.

Moved: E. Hoch

Seconded: D. Milne

VOTE:

CARRIED

The public Council meeting resumed at 1:45 pm.

4.11 New Policies to be Approved by Council

4.11.1 Registration Policy: Non-Practising Status

The Chair of the Registration Committee addressed Council regarding a proposed change to terminology concerning non-practising status.

MOTION: To approve the proposed Policy: Non-Practising Status as recommended by the Registration Committee.

Moved: R. Vezina

Seconded: E. Hoch

VOTE:

CARRIED

4.11.2 Registration Policy: Retiring or Resigning from the College

The Chair of the Registration Committee addressed Council regarding a proposed change to the process of retiring or resigning from the College.

MOTION: To approve the proposed Policy: Retiring or Resigning from the College as recommended by the Registration Committee.

Moved: B. Todd

Seconded: J. Richards

VOTE:

CARRIED

4.12 Proposed By-Law Amendment: Reinstatement Applicant Fees

The Chair of the Registration Committee addressed Council regarding a proposed by-law amendment to equalise competency assessment and Prior Learning Assessment Recognition fees.

MOTION: To approve in principle the proposed amendment to the College's By-law 5.3 and circulate for a 60-day consultation.

Moved: I. Koenig

Seconded: O. Farouk

VOTE:

CARRIED

4.13 Committee Composition

The President addressed Council on the need to appoint an interim member to the Inquiries, Complaints and Reports Committee (ICRC) during Mr. Mike Smart's absence. Council chose to nominate Mr. Alain Chow, who accepted the nomination.

MOTION: To appoint Mr. Alain Chow, Appointed Member, to sit on ICRC on an interim basis until such time as Mr. Mike Smart is available to resume duties on this committee.

Moved: I. Koenig

Seconded: E. Viveiros

VOTE:

CARRIED

5.0 Reports

5.1 Registrar's Report

The Registrar spoke to his report. Council was welcomed to ask questions and deemed the report satisfactory.

- 5.2 Committee Reports
- 5.2.1 Discipline Committee
- 5.2.2 Executive Committee
- 5.2.3 Fitness to Practise Committee
- 5.2.4 Governance Committee
- 5.2.5 Inquiries, Complaints and Reports Committee
- 5.2.6 Patient Relations Committee
- 5.2.7 Registration Committee
- 5.2.8 Quality Assurance Committee
- 5.2.9 Relocation Ad Hoc Committee
- 5.2.10 National Meetings Report
- 5.2.11 Georgian/Seneca Advisory Committee

Committee Chairs spoke to their reports. Council was welcomed to ask questions and deemed the reports satisfactory.

MOTION: To adopt all reports as presented.
Moved: D. Milne
Seconded: E. Viveiros
VOTE:

CARRIED

5.3 Examinations

The Chief Examiner spoke to his report. Council was welcomed to ask questions and deemed the report satisfactory.

MOTION: To adopt the report as presented.
Moved: N. Mohammadzadeh
Seconded: I. Koenig
VOTE:

CARRIED

6.0 **Legal** – In Camera Session, Under RHPA, Schedule 2, Section 7 (e)

MOTION: To proceed to an in camera session.
Moved: D. Milne
Seconded: I. Koenig
VOTE:

CARRIED

Council proceeded to an in camera session at 3:00 pm.

MOTION: To rise from the in camera session.
Moved: B. Todd
Seconded: S. Carlyle
VOTE:

CARRIED

The public Council meeting resumed at 3:10 pm.

7.0 **Adjournment**

MOTION: To adjourn the Council meeting.
Moved: D. Milne

Seconded: O. Farouk

VOTE:

CARRIED

The Council meeting adjourned at 3:11 pm.