

**TO:** Council

**FROM:** Registration Committee

**DATE:** October 2, 2017

**SUBJECT:** Life Members

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**Background:**

The College permits registered opticians (ROs) who wish to become Life Members to apply to the College for Life Member status. Section 3.1 of the College's by-laws specify the requirements of Life Membership with the College. In the current by-laws, ROs who wish to be Life Members must meet the following criteria:

- a) The College may designate Life Members.
- b) Any person who was a registered optician, having permanently retired from the practice of opticianry, and having the number of years that he or she has been registered with the College and years of age that together total at least 85, may apply to the Registrar, or be nominated for designation as a Life Member, and shall be considered for such designation at the next meeting of Council based on these criteria and additional criteria established by Council from time to time.
- c) An applicant for the designation of "Life Member", in order to be so designated, must be approved for such designation by a two-thirds majority vote of those present at a meeting of Council.
- d) Despite subsection (b), if a Life Member intends to return to the practice of opticianry, the Life Member may apply to the Registration Committee and must satisfy the Registration Committee that the Life Member has sufficient knowledge, skills, and judgment to practise safely and in the public interest and should be permitted to retain the "Life Member" designation.
- e) A person who has been granted the designation of "Life Member" and who is not practising the profession shall be exempted from the payment of the annual fee, and shall be entitled to vote in elections of Council Members and receive all publications of the College at no charge but shall not be a member of Council.

- f) A person who has been granted the designation of “Life Member” and who has returned to the practice of the profession must pay the annual fee required by these by-laws.
- g) Council may revoke a person’s “Life Member” designation if the person is deceased or no longer meets Council’s criteria for life membership.

**Current Issue:**

At its meetings on April 10, 2017 and May 26, 2017, the Registration Committee reviewed the current Life Member by-law criteria and considered whether life members should be able to:

1. Resign from the College and become life members and/or remain life members; and
2. Cease to pay their annual membership fees without facing suspension.

The Committee approved to submit to Council several by-law recommendations and a draft policy setting out Council criteria for life membership. The proposed by-law revisions, with tracked changes and the Registration Committee’s explanation for the new wording is attached. Also attached is the proposed Life Member Policy.

In view of the fact that recent by-law changes have been contemplated by the Governance Committee prior to Council consideration, the Registration Committee submitted its proposed life member recommendations to the Governance Committee for its information. The Governance Committee considered the recommendations, and had no feedback to provide.

**Recommendation:**

The Registration Committee recommends that Council circulate for feedback the proposed changes to the College’s by-laws regarding life members and the Life Members Policy.

<b>MOTION:</b>	<b>To circulate for feedback, proposed changes to the College by-laws regarding life members and the Life Members Policy.</b>
<b>Moved:</b>	
<b>Seconded:</b>	
<b>Vote:</b>	

# PROPOSED AMENDMENTS TO BY-LAW ARTICLE 3: LIFE MEMBERSHIP

Current By-laws	Proposed Changes	Explanation
<b>3.1 Life Membership</b>	<i>No change</i>	
(a) The College may designate Life Members.		
(b) Any person who was a registered optician, having permanently retired from the practice of opticianry, and having the number of years that he or she has been registered with the College and years of age that together total at least 85, may apply to the Registrar, or be nominated for designation as a Life Member, and shall be considered for such designation at the next meeting of Council based on these criteria and additional criteria established by Council from time to time.	(b) Any person who <u>is or</u> was a registered optician, having permanently retired from the practice of opticianry, and having <del>the number of years that he or she has</del> been registered with the College <u>as a registered optician for at least 25 years</u> <del>and years of age that together total at least 85</del> , may apply to the Registrar, or be nominated for designation as a Life Member, and shall be considered for such designation at the next meeting of Council based on these criteria and additional criteria established by Council from time to time.	<p>The Registration Committee felt that both current and former members should be eligible to apply for life membership.</p> <p>The Registration Committee felt that it is unfair and discriminatory for the College to consider a member's age in determining eligibility. For example, a member might retire after 25 years of practice at age 50 because of a disability.</p>
(c) An applicant for the designation of "Life Member", in order to be so designated, must be approved for such designation by a two-thirds majority vote of those present at a meeting of Council.	<i>No change</i>	
(d) Despite subsection (b), if a Life Member intends to return to the practice of opticianry, the Life Member may apply to the Registration Committee and must satisfy the Registration Committee that the Life Member has sufficient knowledge, skills, and judgment to practise safely and in the public interest and should be permitted to retain the "Life Member" designation.	(d) <del>Despite subsection (b), if</del> <u>If</u> a Life Member intends to return to the practice of opticianry, the Life Member may apply to the Registration and must satisfy the Registration Committee Committee that the Life Member has sufficient knowledge, skills, and judgment to practise safely and in the public interest, <u>in accordance with the Registration Regulation and applicable reinstatement policies. A Life Member who returns to practice shall not and</u>	<p>The Registration Committee felt that it is confusing and not in the public interest for life members who return to practice to continue to hold life member status.</p> <p>All other Ontario health colleges that have life members reserve life membership for individuals who are not practising the profession. The Registration Committee felt that this is appropriate and that life members</p>

	<del>should</del> be permitted to retain the “Life Member” designation.	<p>should be required to be retired and not practising.</p> <p>Note that the College’s by-laws were amended in 2015 to allow life members to return to practise, but no life member has done so to date.</p>
(e) A person who has been granted the designation of “Life Member” and who is not practising the profession shall be exempted from the payment of the annual fee, and shall be entitled to vote in elections of Council Members and receive all publications of the College at no charge but shall not be a member of Council.	(e) A person who has been granted the designation of “Life Member” <del>and who is not practising the profession</del> shall be exempted from the payment of the annual <u>registration fee set out in Article 5.2</u> , and shall be entitled to <del>vote in elections of Council Members and</del> receive all publications of the College at no charge but shall not be <u>entitled to vote in elections of Council members or to be</u> a member of Council.	<p>The by-laws currently state that life members can vote.</p> <p>However, in practice, no life members can vote because life members are always suspended for non-payment of fees, unless they resign from the College. Suspended members are not allowed vote in College elections. Former members (i.e., members who have resigned) also cannot vote.</p> <p>The Registration Committee noted that no other Ontario health college permits life members to vote.</p>
(f) A person who has been granted the designation of “Life Member” and who has returned to the practice of the profession must pay the annual fee required by these by-laws.	<del>(f) A person who has been granted the designation of “Life Member” and who has returned to the practice of the profession must pay the annual fee required by these by-laws.</del>	The Registration Committee recommends that Life Members only be permitted to return to the practice of the profession if they give up their life membership status.
(g) Council may revoke a person’s “Life Member” designation if the person is deceased or no longer meets Council’s criteria for life membership.	No change	

## **DRAFT Life Member Policy**

The College of Opticians of Ontario (COO) allows those who have held a Registered Optician certificate with COO for at least 25 years, and who have permanently retired from opticianry, to apply or be nominated for life membership. Article 3.1 of the College's by-laws sets out the core requirements for becoming a life member.

Council has approved the following additional criteria for life membership with COO:

### **The applicant must:**

- Hold or have previously held a certificate of registration as a Registered Optician<sup>1</sup>
- Be permanently retired from the practice of opticianry and agree not to practise opticianry

### **The applicant must not:**

- Be in default of payment of fees or of any other obligation owed to COO, other than for payment of the annual membership renewal fee
- Be the subject of proceedings for professional misconduct, incompetence or incapacity in relation to any profession, in any jurisdiction
- Be in breach of an order of a COO Committee or a panel of a COO Committee
- Be in violation of a decision of a panel of the Inquiries, Complaints and Reports Committee requiring the member to be cautioned or to complete a specified continuing education or remediation program
- Be the subject of an ongoing inquiry or investigation by the Registrar, a COO Committee, or a panel of a COO Committee
- Have otherwise acted in a manner that is inconsistent with an ongoing association with COO

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<sup>1</sup> Life members who choose to continue to hold a certificate of registration as a Registered Optician will be suspended for non-payment of fees.