

Briefing Note

TO: Board of Directors

FROM: Amy Stein, Deputy Registrar and General Counsel

DATE: June 2, 2025

SUBJECT: Legacy Retired Optician Status

☒ For Decision

☐ For Discussion

☐ Monitoring Report

Purpose:

To review and approve the requirements for the new Legacy Retired Optician Status.

Background:

The College of Opticians of Ontario (the "College") currently offers "Life Membership" to registered opticians who have permanently retired from the practice of opticianry and who meet the eligibility criteria set out in Article 3.1 of the College's [by-laws](#) and the [Life Member policy](#). Life Member is an honorific title granted by the College Board in recognition of the registrant's contribution and dedication to the profession of opticianry. Currently, the purpose of offering life membership is to allow retired opticians to stay connected to the profession by voting in College's elections and continuing to receive communications from the College. The Board has the authority to revoke life membership if the registrant is deceased or no longer meets the Board's criteria to hold it.

The changes brought by the new Registration Regulation which came into force on July 1, 2024 triggered the need for action on the part of the College as ROs holding life membership will now be automatically revoked once a three-year period has elapsed. Accordingly, the Registration Committee carried out a review and consultation on whether to cease the Life Membership program altogether, or continue some form of recognition that would be consistent with the new Registration Regulation.

At the March 2025 meeting, the board reviewed a proposal from the Registration Committee to transition from Life Membership to a new form of recognition for long-serving retired opticians: Legacy Retired Optician Status. The Registration Committee presented feedback that was gathered following a consultation with registrants, current Life Members, and other system partners, as well as the results of an environmental scan on the practices of other regulatory bodies.

Following a review of the Registration Committee's proposal, the Board decided as follows:

- To discontinue the current Life Member program.
- To create a Legacy Retired Optician Status that would recognize the contributions and dedication of retired opticians who served the profession for a significant time, and who meet any other eligibility criteria specified by the College.

- To designate a page on the College's website where Legacy Retired Opticians would be recognized (rather than the status appearing on the public register)
- To transition current Life Members to the new Legacy Retired Optician Status, unless they request otherwise.

For Consideration:

The following amendments to policy and by-laws are proposed to give effect to the Board's decision to discontinue Life Member status and create the new Legacy Retired Optician Status:

1. **Rescind Article 3 of the College's By-laws:** It is proposed that the Board **rescind** Article 3 of the College's By-laws, which currently set out the criteria and requirements for Life Membership. See **Appendix A**.
2. **Rescind the Life Member Policy:** It is proposed that the Board **rescind** the Life Member Policy that was initially approved on October 3, 2022. The Life Member Policy specifies the criteria, including conduct-related criteria, for Life Member eligibility. The current Life Member Policy is attached as **Appendix B**.
3. **Approve the new Legacy Retired Optician Policy:** It is proposed that the Board approve the new Legacy Retired Optician Policy. This policy sets out the criteria for individuals to be granted Legacy Retired Optician Status by either the Registration Committee or the Board.

To be granted Legacy Retired Optician Status, the individual must have resigned their registration, or have been automatically revoked for non-renewal. In other words, unlike under the current Life Member program, they will not have the option of seeking reinstatement of their certificate. A Legacy Retired Optician who wishes to return to practice must re-apply as a new applicant, and the Committee or Board could rescind their legacy status if/when re-registration is granted.

The policy includes requirements to ensure that Legacy Retired Opticians are not in default of any orders or requirements to the College, are not the subject of any ongoing proceedings, and have not acted in a manner that would be inconsistent with their ongoing association with the College or that would bring the profession into disrepute (e.g. because of a prior disciplinary finding or other inappropriate conduct).

Under the proposed policy, Legacy Retired Opticians would not have the ability to vote in board elections. Legacy Retired Optician status may be granted to registrants who are deceased.

The proposed Legacy Retired Optician Policy is attached as **Appendix C**.

Public Interest Considerations

The proposed by-law and policy changes will achieve the public interest objectives identified by the Board at their March 2025 meeting, including:

- *Reducing public confusion:* The new name for the status, Legacy Retired Optician, will be more clear than “Life Member” or “Honorary Retired Status” at communicating that these are former registrants who are no longer entitled to practice. Public confusion will also be reduced by moving recognition of the status from the public register to a designated page on the College’s website.
- *Maintaining recognition:* The proposed policy will allow the College to maintain a way to recognize the contributions of retired opticians.

Diversity, Equity, and Inclusion Considerations

The proposed policy will provide a way to recognize deceased opticians, which was not possible under the Life Member program.

The Board determined at its meeting in March 2025 that the public interest rationale of limiting participation in board elections to active registrants outweighed any concerns identified during the consultation about the exclusion of retired opticians.

Risk Management Considerations

The proposed changes will achieve the risk management priorities identified by the Board at its March 2025 meeting to avoid misleading the public while also publicly recognizing the achievement of long-serving retired opticians.

Action Required:

That the Board:

1. Rescind Article 3 of the College’s By-laws (**Appendix A**)
2. Rescind the Life Member Policy (**Appendix B**)
3. Approve the new Legacy Retired Optician Policy (**Appendix C**)

ARTICLE 3: LIFE MEMBERS

3.1 Life Membership

- (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 they have 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 the Board based on these criteria and additional criteria established by the Board 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 the Board.
- (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 Directors and receive all publications of the College at no charge but shall not be a Director.
- (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) — The Board may revoke a person’s “Life Member” designation if the person is deceased or no longer meets the Board’s criteria for life membership.

3.0 Revoked June, 2025

REGISTRATION POLICY

Life Membership

Any person who was a registered optician, having permanently retired from the practice of opticianry, and having the number of years that they have been registered with the College of Opticians of Ontario (COO) and years of age that together total at least 85, may apply to the Registrar, or be nominated for designation as a Life Member.

Life Membership Eligibility Criteria

In order to qualify for life membership, the applicant must meet the core eligibility criteria set out in Article 3.1 of the COO by-laws as well as the additional criteria below.

The applicant must:

- Hold or have previously held a certificate of registration as a Registered Optician
- 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

REGISTRATION POLICY

Legacy Retired Optician Policy

Legacy Retired Optician Status

1. The College of Opticians of Ontario (College) may designate former registrants with Legacy Retired Optician Status.
2. Legacy Retired Optician Status is an honorary status to recognize the contributions and dedication of former registrants to the profession of opticianry.

Eligibility for Legacy Retired Optician Status

3. In order to qualify for Legacy Retired Optician Status, the applicant must meet the following eligibility criteria:
 - a. They previously held a certificate of registration as a Registered Opticians, and have either:
 - i. Voluntarily resigned their certificate of registration due to retirement; or
 - ii. Were automatically revoked under section 17(7) of the Registration Regulation (O. Reg. 32/24) under the *Opticianry Act, 1991* due to non-renewal of their certificate of registration following retirement.
 - b. The number of years they were registered with the College and their age together total at least 85.
 - c. They are not in default of fees or any other obligations owed to the College, other than payment of the annual registration renewal fee.
 - d. They are not the subject of proceedings for professional misconduct, incompetence or incapacity in relation to any profession, in any jurisdiction.
 - e. They are not in breach of an order of a College Committee or a panel of a College Committee.
 - f. They are not the subject of an ongoing inquiry or investigation by the Registrar, a College Committee, or another regulatory body in any jurisdiction.
 - g. They have not otherwise acted in a manner that is inconsistent with an ongoing association with the College, or that would bring the profession of opticianry into disrepute.
4. Legacy Retired Optician Status may be granted to former registrants who are now deceased.

Application for Legacy Retired Optician Status

5. Former registrants of the College may apply, or be nominated, for Legacy Retired Optician Status by applying to the Registrar.
6. The Registration Committee and/or the Board of Directors may approve an application for Legacy Retired Optician Status based on the eligibility criteria set out in this policy.

Legacy Retired Optician Status

Date Approved:

REGISTRATION POLICY

Legacy Retired Optician Policy

7. The Registration Committee and/or the Board of Directors may revoke an individual's Legacy Retired Optician Status if the individual no longer meets the criteria for designation.

Conditions of Legacy Retired Optician Status.

8. Legacy Retired Opticians will be recognized on the College's website. Legacy Retired Opticians who are deceased may be included in an In Memoriam section.
9. Legacy Retired Opticians may not practice opticianry or hold out as being entitled to practice opticianry.
10. As former registrants, Legacy Retired Opticians are not entitled to participate in board of director elections.
11. A Legacy Retired Optician who wishes to return to practice will be required to reapply to the College as a new applicant and meet the registration in place at that time.