



The College of Naturopaths of Ontario

**EXECUTIVE COMMITTEE**  
**Video Conference**  
**January 16, 2023**  
**9:00 a.m. – 10:00 a.m.**

**DRAFT AGENDA**

	No.	Action <sup>1</sup>	Item	Page	Responsible <sup>2</sup>
<b>1</b>	<b>Procedural</b>				
	1.01	Procedural	Call to Order	--	J. Sokoloski
	1.02	Informational	Zoom meeting Norms & Tips	3-5	J. Sokoloski
	1.03	Motion	Review of Agenda	1-2	J. Sokoloski
	1.04	Procedural	Declarations of Conflict of Interest	--	J. Sokoloski
<b>2</b>	<b>Business</b>				
	2.01	Decision	Examination Policy – Accommodations	6-26	E. Laugalys
<b>3</b>	<b>Other Business</b>				
	3.01	Approval	Other Business	--	J. Sokoloski
<b>4</b>	<b>Next Meeting</b>				
	4.01	Discussion	Next Meeting	--	J. Sokoloski
<b>5</b>	<b>Adjournment</b>				
	5.01	Motion	Adjournment	--	J. Sokoloski

<sup>1</sup> Action required informs the Committee as to whether the item is procedural, for discussion or requires a motion.

<sup>2</sup> Indicates who at the meeting will be responsible for leading the initial presentation or discussion.



The College of Naturopaths of Ontario

**Excerpt from the Health Professions Procedural Code  
Regulated Health Professions Act.**

**COLLEGE**

**College is body corporate**

2. (1) The College is a body corporate without share capital with all the powers of a natural person.

**Corporations Act**

(2) The *Corporations Act* does not apply in respect to the College. 1991, c. 18, Sched. 2, s. 2.

**Duty of College**

2.1 It is the duty of the College to work in consultation with the Minister to ensure, as a matter of public interest, that the people of Ontario have access to adequate numbers of qualified, skilled and competent regulated health professionals. 2008, c. 18, s. 1.

**Objects of College**

3. (1) The College has the following objects:

1. To regulate the practice of the profession and to govern the members in accordance with the health profession Act, this Code and the *Regulated Health Professions Act, 1991* and the regulations and by-laws.
2. To develop, establish and maintain standards of qualification for persons to be issued certificates of registration.
3. To develop, establish and maintain programs and standards of practice to assure the quality of the practice of the profession.
4. To develop, establish and maintain standards of knowledge and skill and programs to promote continuing evaluation, competence and improvement among the members.
  - 4.1 To develop, in collaboration and consultation with other Colleges, standards of knowledge, skill and judgment relating to the performance of controlled acts common among health professions to enhance inter-professional collaboration, while respecting the unique character of individual health professions and their members.
5. To develop, establish and maintain standards of professional ethics for the members.
6. To develop, establish and maintain programs to assist individuals to exercise their rights under this Code and the *Regulated Health Professions Act, 1991*.
7. To administer the health profession Act, this Code and the *Regulated Health Professions Act, 1991* as it relates to the profession and to perform the other duties and exercise the other powers that are imposed or conferred on the College.
8. To promote and enhance relations between the College and its members, other health profession colleges, key stakeholders, and the public.
9. To promote inter-professional collaboration with other health profession colleges.
10. To develop, establish, and maintain standards and programs to promote the ability of members to respond to changes in practice environments, advances in technology and other emerging issues.
11. Any other objects relating to human health care that the Council considers desirable. 1991, c. 18, Sched. 2, s. 3 (1); 2007, c. 10, Sched. M, s. 18; 2009, c. 26, s. 24 (11).

**Duty**

(2) In carrying out its objects, the College has a duty to serve and protect the public interest. 1991, c. 18, Sched. 2, s. 3 (2).



The College of Naturopaths of Ontario

**Zoom Meeting  
Council of the College of Naturopaths of Ontario**

**Meeting Norms**

**General Norms**

1. We'll listen actively to all ideas
2. Everyone's opinions count
3. No interrupting while someone is talking
4. We will be open, yet honor privacy
5. We'll respect differences
6. We'll be supportive rather than judgmental
7. We'll give helpful feedback directly and openly
8. All team members will offer their ideas and resources
9. Each member will take responsibility for the work of the team
10. We'll respect team meeting times by starting on time, returning from breaks promptly and, avoid unnecessary interruptions
11. We'll stay focused on our goals and avoid getting sidetracked

**Additional Norms for Virtual Meetings**

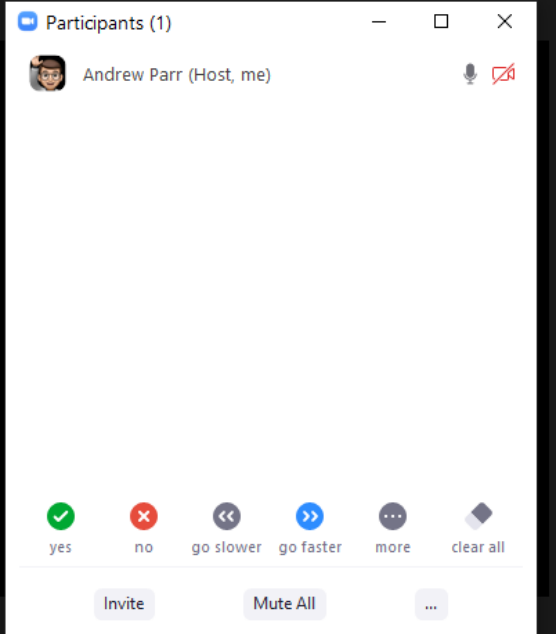
1. No putting the call on hold or using speakerphones
2. Minimize background noise – place yourself on mute until you are called upon to speak and after you have finished speaking
3. All technology, including telephones, mobile phones, tablets and laptops, are on mute or sounds are off
4. If we must take an emergency telephone call, we will ensure that we are on mute and we will stop streaming our video

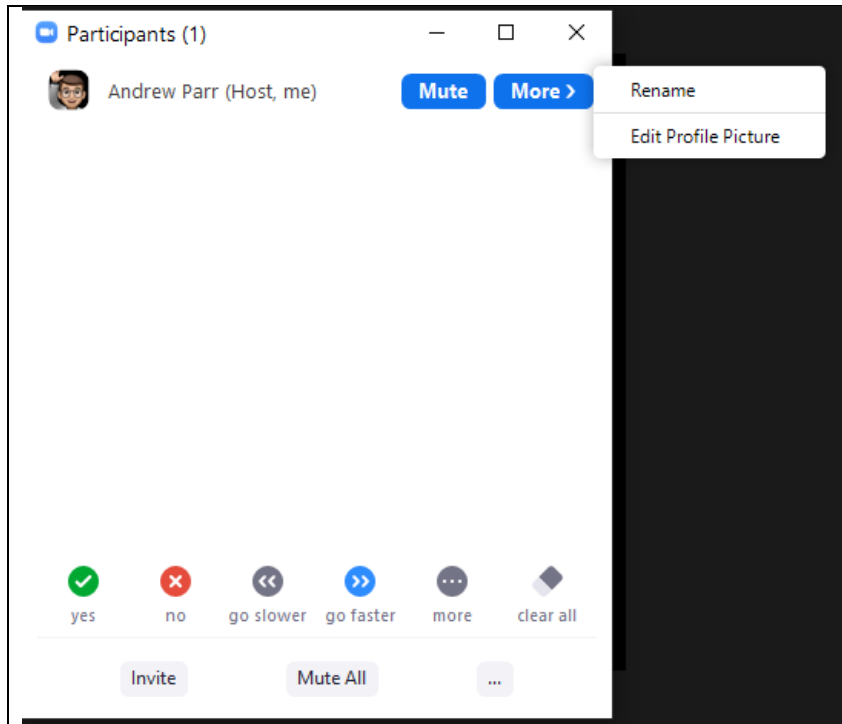
5. Stay present – webcams will remain on (unless we are on a call or there is another distraction on your end)
6. Stay focused – avoid multi-tasking during the meeting
7. Use reactions (thumbs up, applause) to celebrate accomplishments and people
8. Use the Chat feature to send a message to the meeting host or the entire group.

### Zoom Control Bar – Bottom of screen

Reactions	Stop or Start Video	Mute/Unmute	
	 	 	

### Other Helpful Tips

	<ul style="list-style-type: none"> <li>• Use the Participants button on the bottom control button to see a list of participants.</li> <li>• On the Participants Menu, you can use the bottoms to send instant message to the Host... yes or no etc. (Not all of these options will appear if you are not the Host)</li> </ul>
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The screenshot shows a Zoom window titled "Participants (1)". The list contains one participant: "Andrew Parr (Host, me)". A dropdown menu is open next to the "More >" button, showing two options: "Rename" and "Edit Profile Picture". At the bottom of the window, there are buttons for "yes", "no", "go slower", "go faster", "more", and "clear all", as well as "Invite", "Mute All", and a three-dot menu.

- Hover over your name on the Participants list to get more options
- You can rename yourself to your proper name
- You can add or change a profile picture.



The College of Naturopaths of Ontario

## BRIEFING NOTE

### Examinations Policy Amendment

**PURPOSE:** Council is asked to review and approve an amendment to the Examinations Policy.

#### **BACKGROUND:**

Section 5(1)(2) of the *Registration Regulation* sets out a non-exemptible requirement that applicants for registration with the College must successfully complete the clinical examinations that are set or approved by Council, presently these are the Ontario Clinical (Practical) Examinations in acupuncture, manipulation and physical examination/instrumentation.

In accordance with our Examinations Policy (and in compliance with the Ontario Human Rights Code), any candidate registering to sit a College exam may request an accommodation to address a physical or cognitive disability, health issue or religious requirement. The College has a duty to accommodate up to the point of undue hardship, which is loosely defined as being the point at which significant financial hardship would result or where the accommodation would pose a risk to health and safety. There may be instances when although the requested accommodation is considerable, it will not rise to the point of meeting the definition of undue hardship yet would change the structure of the exam to not allow adequate testing for the competencies necessary to ensure the safe practise of certain modalities or controlled acts.

Since section 5(1)(2) merely indicates that an applicant has successfully completed the clinical examinations and since these are further defined in policy as the three individual exams (acupuncture, manipulation and physical examination/instrumentation), all three must be successfully completed to be eligible for registration.

The challenge for the College that arises is when an examination candidate is unable to complete an examination due to a physical disability and seeks an accommodation that would prevent the College from completing a proper assessment of their competency, the candidate is automatically ineligible for registration.

#### **DISCUSSION POINTS:**

##### Applying a Term, Condition or Limitation

The Registration Regulation includes a provision (section 3(4)) that allows the College, through the Registration Committee, to apply a term, condition, or limitation to a certificate of registration in circumstances where an applicant for registration has a physical or mental condition or disorder and it is in the public interest to do so. This provision can only be applied if the applicant has met all of the non-exemptible registration requirements, namely the entry-to-practice examinations including the Clinical (Practical) Examinations.

##### Defining the Issue in Plain Language

A person who has a physical or mental condition must successfully complete the examinations, with or without an accommodation. If they cannot do so, they cannot be registered to practice even though the College might be able to apply a TCL under section 3(4) to restrict their practice.

By way of example, John Doe has a physical disability and seeks accommodation for the acupuncture examination. The accommodation requested would result in the inability of the College to test for competency in this area. A lesser accommodation that might be provided by the College will likely result in a failure of the acupuncture examination because John cannot perform critical components of the examination. By failing this examination, John will be ineligible for registration as successful completion of the Clinical (Practical) Examinations of which acupuncture is a part, is mandatory (non-exemptible).

In this kind of situation, had the person been able to pass the examination, the Registration Committee would still be asked to consider the imposition of a term, condition, and limitation on their person's certificate of registration. The exam failure removes this as an option.

#### Unintended Barrier

An unintended barrier is created in instances where a candidate cannot (due to limitations beyond their control) physically perform certain practical demonstrations within their exams because of a physical disability. In being unable to perform critical exam components (e.g., manipulation adjustments) it's unlikely a candidate could pass the exam. As such, the candidate's physical limitations to perform the exam would bar them from being able to register with the College to practise the profession. This could likely result in a Human Rights complaint, one which may be difficult to defend, as while the non-exemptible requirement to complete entry-to-practise examinations is enshrined in regulation, the specifics of those exams are set out only in College policy.

#### Exam Accommodation Policy Amendment

Rather than waiting for a potential human rights complaint, the Registration Committee is seeking to amend the Examinations Policy now.

The proposed amendment seeks to provide a fair opportunity for individuals with substantiated physical disabilities, to complete their entry-to-practise Clinical (Practical) Examinations without affecting the integrity of the exams or creating undue risk to public protection.

In being granted an accommodation as set out in the amendment, candidates would still be required to complete those components of the examination where their disability does not physically prevent them, which would include but not be limited to the written addendum(s) to the practical exam(s) which assess(es) a candidate's knowledge of safety protocol, indications and contraindications and referral indicators. Candidates would then be graded on those components completed and be required to achieve the minimum passing threshold as set out in policy to be deemed to have passed the exam. For clarity, if the entire exam is scored out of 100 but the components that the candidate's disability prevents them from completing represent 30 of those points, the removal of the components reduces the exam score to 70 and the candidate must meet the minimum passing threshold of this reduced score.

This proposed amendment is limited to the manipulation and acupuncture Clinical (Practical) Examinations as the argument can be made that these associated controlled acts are more elective in nature once registered to practise the profession, unlike physical exam, and the examinations themselves require a certain level of fine (Acupuncture) or gross (Manipulation) motor skills which may be reasonably impacted by a physical disability. Additionally, these modalities lend themselves to the application of a term, condition, and limitation on the candidate's certificate of registration once they become registered.

#### **Public Protection**

While the Clinical (Practical) Examinations are administered to ensure that the public is protected by assessing not only the knowledge and judgement, but also the necessary hands-on practical skills for practicing the profession, risk to the public becomes somewhat moot when a candidate would be physically unable to perform a controlled act in practice, even if they

wished to, due to their disability.

For added assurance, the amendment also proposes that candidates granted an accommodation for a modified examination be required to sign an undertaking with the College that they would not practise the specific controlled act associated with the exam they received the accommodation for if issued a certificate of registration. It's important to note however that the signed undertaking would not replace the need for a referral to a panel of the Registration Committee at point of application for registration to review the applicant's overall ability to practise the profession safely and professionally.

## ANALYSIS

Risk Assessment – The risk assessment is based on the document Understanding the Risk Analysis Terminology, a copy of which is included as part of this briefing. Only those risks that have been identified will be addressed.

- Strategic risk:
  - Reputational: Not approving the policy amendment has the potential to create a reputational risk, with peer organizations, systems partners, and stakeholders particularly in the event of a Human Rights complaint.
  - Reputational: alternately there also includes a risk of harm to the public should an individual be granted the accommodation and regardless attempt to perform the controlled act. This risk is mitigated by the signing of an undertaking and future review by the Registration Committee at point of application.

Privacy Considerations – There are no privacy considerations.

Transparency – The transparency assessment is based on the document Understanding the College's Commitment to Transparency, a copy of which is included as part of this briefing. Only those transparency principles that are relevant have been identified and addressed.

- Balance: The draft amendment seeks to balance the principles of public protection and accountability, with fairness.

Financial Impact – There is no direct financial impact at issue on this matter.

Public Interest – The public interest assessment is based on the document the Understanding the Public Interest, a copy of which is included as part of this briefing. Only those relevant factors have been identified and addressed.

- That operations are fair, objective, transparent and accountable and that individuals are treated with sensitivity and respect. The proposed policy amendment maintains procedural fairness and recognizes that while the profession (and soon to be members of the profession) are generally separated from the public interest to a certain degree, these individuals are also members of the public.

EDIB – The Council and the College have made a commitment to equity, diversity, inclusion and belonging generally and to ensuring that its policies and programs do not include any elements of racism and promote EDIB principles. With respect to this matter, EDIB has been considered by the Registration Committee, to the best of our ability, in the following ways:

- Ensuring College examinations do not become ableist in their assessment of competency for entry-to-practise or pose an unnecessary barrier to accessing the profession.

## RECOMMENDATIONS



The Registration Committee recommends that the Council approve the proposed amendment to the Examinations Policy.

**ACTION ITEMS**

- The CEO and Director, Registration & Examinations will finalize accommodation documentation for a candidate sitting the February 5, 2023, session of the Clinical (Practical) Exams, and the policy and associated exam handbook will be updated and posted on the College website.

Dr. Danielle O'Connor, ND  
Chair, Registration Committee

Erica Laugalys  
Director, Registration & Examinations

December 14, 2022



## The College of Naturopaths of Ontario

### Understanding the Public Interest

In carrying out its objects, the College has a duty to serve and protect the public interest (section 3(3) of the Regulated Health Professions Act, 1991 (RHPA).

The term “public interest” is not defined in any legislation or regulation. What is the public interest?

- It is first and foremost a concept.
- It is contextual, the circumstances of decision-making help determine what it is.
- It is an unbiased concern for society.
- Places the benefit to the whole ahead of the benefit to a group, a few, or any one person.

Serving the public interest means ensuring the following.

- The public has access to professions of choice.
- Individuals are treated with sensitivity and respect.
- There are appropriate standards for the profession.
- There are ethical, safe, competent professionals and services.
- The patient interest is placed over professional interest.
- The principle-driven governance and operations are fair, objective, transparent and accountable.

The public interest is also about public protection and safety. Protecting the public from:

- Harm (physical, psychological, financial).
- Dishonesty and disrespect.
- Poor quality care.
- Sexual abuse.
- Breach of laws.
- Ineffective or unnecessary care.

In its deliberations, Council and Committees should consider the following factors.

- Is the decision fair to all parties?
- Is the decision objective, e.g. evidence-based?
- Is the decision impartial, e.g. made without bias?
- Is the decision transparent, e.g. are all of the relevant considerations clearly articulated and in the public domain?

Considerations/Questions to ask oneself during deliberations include:

- Does the matter relate to the College’s statutory objects (section 3(1) of the Code)?
- Does the decision further one of the College’s four regulatory activities?
- Is the decision being done transparently?
- Who is the primary beneficiary of the initiative?
- Would this better fit into another’s mandate (e.g. the educators, the associations)?
- Who would be unhappy with the initiative and why?

- How would it look on the front page of (any local or national newspaper) or on the evening newscast?
- How would our accountability bodies (e.g. the Government of Ontario, Office of the Fairness Commissioner, Health Professions Appeal Review Board) respond?
- Is our decision consistent with the mandate of the College (e.g. to ensure that Ontarians who wish to receive naturopathic services have access to individuals who have the knowledge, skill and judgment to practice safely, ethically and competently) and with other recent similar decisions.

What the public interest is NOT!

- Advancing the profession's self-interest (e.g. increasing fees charged by or earnings of the profession by limiting the number of members through creating barriers to access to the profession, or by expanding the scope of practice of the profession).
- Advancing personal interests of Council members (e.g. getting good PR in the profession in a re-election year).
- Advancing the interests of a small group of patients who feel that the general health care system is not serving them sufficiently (e.g. patients advocating for expanded scope for illness-specific purposes).

## UNDERSTANDING THE RISK ANALYSIS TERMINOLOGY

The risk analysis provided to Council as part of its briefing process is becoming more sophisticated. New terminology will begin to be introduced that may be unfamiliar to many Council members and stakeholders. The table below provides information to allow a reader to interpret the information being provided.

RISK CATEGORY	Risk Type	Type Description	Indicators
HAZARD	People	Loss of key people.	Sudden and unforeseen loss of CEO or senior staff due to resignation, retirement, death or illness.
	Property	Damage or destruction.	Property damage due to fire, weather event, earthquake etc.
	Liability	Claims, and cost of defense claims.	Cost of defending a liability claim or awards paid due to a liability claim.
	Net Income Loss	Net Income loss from hazards.	Loss of Net Income (after expenses) from any of the above noted hazard risks.
OPERATIONAL	People	Risks from people selected to run an organization.	Education, professional experience, staffing levels, employee surveys, customer surveys, compensation and experience benchmarking, incentives, authority levels, and management experience.
	Process	Procedures and practices of an organization.	Quality scorecards, analysis of errors, areas of increased activity or volume, review of outcomes, internal and external review, identification of high-risk areas, and quality of internal audit procedures.
	Systems	Technology or equipment owned by an organization.	Benchmark against industry standards, internal and external review, and analysis to determine stress points and weaknesses.
	External Events	Failure of others external to an organization.	Suppliers unable to provide or deliver supplies, or consultants unable to complete projects on time or on budget.

FINANCIAL	Market risk	Currency price, interest rates, commodity price, equity price, and liquidity risk.	Interest rates, savings, and return on investments.
	Credit risk	Risk of people in an organization lent money to defaulting.	If the College were to lend money or credit to Registrants, the risk of defaulting.
	Price risk	Risk of prices of an organization's products or services, price of assets bought or sold by an organization.	Price increases of supplies, consultants, and personnel.
STRATEGIC (external to an organization)	Economic environment	GDP changes, inflation, financial crises, and international trade.	GDP, CPI, and Interest rates.
	Demographics	Changing landscape of people, i.e., aging.	Aging population, lower birth rates.
	Political	Changes in the politics where an organization operates.	Changes in government or government policy, locally, regionally, or nationally.
	Reputation	Damage to the reputation of the organization based on decisions taken or perils encountered.	Confidence and trust of stakeholders, the public, and Registrants.

### Risk Treatment or Mitigation Techniques

Technique		Description	General Usage?
Avoidance		Stop or never do an activity to avoid any loss exposure	All risk categories
Modify			
	Separation	Isolate the loss exposures from one another to minimize impact of one loss. Relates to correlation of risks.	Financial risk
	Duplication	Use of back up or spares to keep in reserve to offset exposures.	Operational risk
	Diversify	Spread loss exposure over numerous projects, products, or markets.	Financial risk
Transfer		Transfer risk to another organization, typically an insurer.	Hazard risks
Retain		Assume the risk of loss within the organization, typically done when severity and frequency are both low and sometimes when frequency is high, but severity is always low.	Hazard, Operational
Exploit		Use the risk to your advantage	Strategic

To Treat or Not to Treat	Techniques
Do Not Treat	If potential impact is low and likelihood of occurring is low, do not need to treat the risk. May also choose not to treat a risk that has low potential impact and high likelihood in some circumstances.
Treat the risk	Treat a risk that has a high potential impact and high likelihood of occurring. Also treat a risk that has a high potential impact and low likelihood. Treatment methods <ol style="list-style-type: none"><li data-bbox="600 412 772 440">1. Avoidance</li><li data-bbox="600 444 1024 472">2. Change the likelihood or impact</li><li data-bbox="600 477 1470 505">3. Finance risk – transfer (insurance or hedging for market risk) or retain</li></ol>


## UNDERSTANDING THE COLLEGE'S COMMITMENT TO TRANSPARENCY

To help protect the public, the College and its Council are committed to transparency. This means providing Ontarians with the tools to make informed decisions, and ensuring that our own decision-making processes are easily understood.

The College and its Council have adopted the Transparency Principles developed by the Advisory Group for Regulatory Excellence (AGRE), a working group of health regulators, as the framework for its decisions.

The following table summarizes the transparency principles adopted by the Council.


Principle	Description
Information to foster trust.	The mandate of regulators is public protection and safety. The public needs access to appropriate information in order to trust that this system of self-regulation works effectively.
Improved patient choice and accountability.	Providing more information to the public has benefits, including improved patient choice and increased accountability for regulators.
Relevant, credible, and accurate information.	Any information provided should enhance the public's ability to make decisions or hold the regulator accountable. This information needs to be relevant, credible, and accurate.
Timely, accessible and contextual.	In order for information to be helpful to the public, it must be; a) timely, easy to find, understandable and, b) include context and explanation.
Confidentiality when it leads to better outcomes.	Certain regulatory processes intended to improve competence may lead to better outcomes for the public if they happen confidentially.
Balance.	Transparency discussions should balance the principles of public protection and accountability, with fairness and privacy.
Greater risk, greater transparency.	The greater the potential risk to the public, the more important transparency becomes.
Consistent approaches.	Information available from Colleges about Registrants and processes should be similar.

 The College of Naturopaths of Ontario	Policy Type	PROGRAM POLICIES
	Title	Policy No. EX01.05
	Examinations Policy	Page No. 1

Intent/Purpose	To provide a policy governing examinations administered or authorized by the College of Naturopaths of Ontario (the College).	
Definitions	Act	Means the <i>Naturopathy Act, 2007</i> , S.O.2007, Chapter 10, Schedule P, as amended from time to time.
	Applicant	Means an individual who has made a formal application to the College for a Certificate of Registration.
	Biomedical Examination	Means a Council approved registration examination in the biomedical sciences which tests candidate knowledge of body systems and their interactions, body functions, dysfunctions and disease states, required to be eligible for registration with the College to practise naturopathy in the province of Ontario.
	By-laws	Means the by-laws of the College approved by the Council under the authority of section 94 of the Code.
	Candidate	Means any person who has submitted an examination application or is engaged in any examination or appeal, which leads to the recording and/or issue of a mark, grade or statement of result or performance by the College.
	Certificate of Registration	Means a document issued by the College, in either the General Class or Inactive Class, which demonstrates to the public that the holder is a Registrant of the College, registered in the class set out on the Certificate and identifies whether there are any terms, conditions or limitations (TCLs) placed on the Certificate.
	Chief Executive Officer (CEO)	Means the individual appointed by the Council of the College pursuant to section 9(2) of the Code which is Schedule II of the RHPA and who performs the duties assigned to the position of Registrar under the RHPA, the Code, the Act and the regulations made thereunder.
	Clinical (Practical) Examinations	Means Council approved clinical practical examinations in Physical Examination/Instrumentation, Acupuncture and Manipulation, required to be eligible for registration with the College to practise naturopathy in the province of Ontario.
	Clinical Sciences Examination	Means a Council approved examination in the clinical sciences which tests a candidate's knowledge of necessary naturopathic competencies for the treatment of patients, required to be eligible for registration with the College to practise naturopathy in the province of Ontario.
	Code	Means the Health Professions Procedural Code, which is schedule 2 to the RHPA.
	College	Means the College of Naturopaths of Ontario as established under the Act and governed by the RHPA


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Council	Means the Council of the College as established pursuant to section 6 of the Act.
Deferral	Means a granted postponement of a candidate's attempt at one or more examinations.
Debilitated	Means an inability to attend the examinations due to sudden illness, injury or encountered emergency situation that prevents their attendance at an examination.
Disability	Means that as defined in section 10(1) of the Human Rights Code.
Disability Accommodation	Means an adjustment to testing conditions, examination requirements or examination scheduling to address a Candidate's current needs arising from a disability.
Examination Materials	Means examination documents in any medium submitted or used by College staff, exam proctors, examiners or agents of the College for scoring or grading purposes.
Examination Violation	Means a contravention of the College's Examination Rules of Conduct.
Intravenous Infusion Therapy (IVIT) Examination	Means a Council approved examination required of any Registrant who wishes to demonstrate that they meet the Standard of Practice for IVIT in the province of Ontario, as outlined in the College's IVIT Program and Examinations Policy.
Jurisprudence Examination	Means a Council approved Jurisprudence learning module, required to be eligible for registration with the College to practise naturopathy in the province of Ontario
OHRC	Means the Ontario Human Rights Code, R.S.O. 1990, as amended from time to time.
Prescribing and Therapeutics Examination	Means a Council approved examination required of any Registrant who wishes to demonstrate that they meet the Standard of Practice for Prescribing as outlined in the College's General Regulation, and the College's Prescribing and Therapeutics Examinations Policy.
Physical Accommodation Due to Pregnancy	Means an adjustment to testing conditions, examination requirements or examination scheduling to address a candidate's current needs related to pregnancy.
Registrant	Means an individual as defined in section 1(1) of the Code.
Registration Committee	Means the statutory committee of the College responsible for all registration matters referred to it by the CEO. Panels of this statutory committee are responsible for setting plans of exam

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 The College of Naturopaths of Ontario	Policy Type	PROGRAM POLICIES
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remediation.

Registration Regulation Means Ontario Regulation 84/14 as amended from time to time.

Regulated Health Professional Means a member of a self-governing health profession as established pursuant to Schedule I of the RHPA.

Religious Accommodation Means an adjustment to testing conditions, examination requirements or examination scheduling to address a candidate's religious requirements.


RHPA Means the *Regulated Health Professions Act, 1991*, S.O. 1991, c. 18, as amended from time to time.

Supporting Documentation Means official records provided by a court, tribunal, educational institution, licensing or regulating body, other government sanctioned organization, religious leader, or Regulated Health Professional qualified to make an assessment or diagnosis, which provides details surrounding the outcome of an event or the need for accommodation.

Undue Hardship Means the point at which granting an accommodation would impose an unreasonable cost to the College or create a health and safety concern.

General	Guiding Legislation	All aspects of this policy will be managed in accordance with the RHPA, the Act, the Registration Regulation, the Program and Examination Policies of the College, and the OHRC.
	Authority	Pursuant to paragraph 1(i)B of section 5(1) of the Registration Regulation, the Council has the authority to approve the registration examinations, and the body that would administer the examinations on its behalf, that a person must successfully complete in order to qualify for registration with the College.  Pursuant to paragraph 2 of section 5(1) of the Registration Regulation, the Council has the authority to set or approve the clinical examinations which an applicant must successfully complete in order to qualify for registration with the College.
	Clinical (Practical) Examinations	All applicants, with the exception of those deemed to have satisfied subsection 7(1) of the Registration Regulation (labour mobility), must have successfully completed the Clinical (Practical) Examinations as set by the Council and outlined in the Clinical (Practical) Examinations Policy.
	Biomedical and Clinical Sciences Examinations	All applicants, with the exception of those deemed to have satisfied subsection 7(1) of the Registration Regulation (labour mobility), must also have successfully completed the Biomedical and Clinical

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Sciences Exams as set by the Council and outlined in the Clinical Sciences and Biomedical Examinations Policy.

**Jurisprudence Examination**

All applicants must have successfully completed the Jurisprudence examination as set by the Council.

**Examination Attempts**


Number of permitted attempts are handled in accordance with the program policies for each examination noted herein, with the exception of the Jurisprudence examination, which a candidate can retake until they have attained a passing grade.

A candidate who has failed an examination for a second time will be required to complete additional education or training as determined by a panel of the Registration Committee, in order to qualify to attempt the examination for a third time.

Any additional training or education will be determined in accordance with the refresher programs, additional education, and training provisions of the Registration Policy.

Accommodations	Requests	To ensure candidates are provided fair and equal opportunity to sit a Council approved examination, accommodation requests received from any candidate will be considered within the framework set out by the Ontario Human Rights Commission.
		Accommodation requests should be completed in the form set and approved by the CEO.
	Timeframe for Request	Requests for accommodation must be received by the exam registration deadline for the exam session where accommodation is being sought. Requests received after this period cannot be considered; however, candidates may apply for a deferral of the entire examination under this policy.
	Submissions to the College	At the time of registering for an examination and submitting an accommodation request, the candidate must submit any pertinent supporting documentation in relation to the accommodation request as outlined in this policy.
	Form of Accommodation Request	Requests for accommodation must be submitted on the College's Exam Accommodation Request form, which provides specific details of the accommodation required, the reason for the request and the candidate's written authorization for the College to contact the provider of any supporting documentation.
		The CEO and/or their delegate may request further documentation as deemed necessary.
	Supporting Documentation	Supporting documentation submitted must: <ul style="list-style-type: none"> <li>• be dated within six months of the examination registration date.</li> </ul>

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General Requirements

- outline the reason for the accommodation and the specific accommodations required.
- contain the contact information of anyone providing supporting documentation on the candidate's behalf.

Disability Accommodation – Additional Documentation Requirements

In addition to the general requirements as described above, documentation supporting a candidate's accommodation request due to a disability must:

- be provided by a Regulated Health Professional who has or has had a practitioner/patient relationship with the candidate and who is qualified to make an assessment or diagnosis of the condition.
- be provided on the Health Professional Recommendation form which provides the title and professional credentials of the Regulated Health Professional who has made the assessment or diagnosis and provides specific information regarding how the requested accommodation relates to the disability.

Religious Accommodation – Additional Documentation Requirements

In addition to the general requirements as described above, documentation supporting a candidate's accommodation request due to religious requirements must:

- be provided by the candidate's religious leader;
- provide information regarding how the requested accommodation relates to the candidate's religious requirements; and
- provide information regarding the religious holiday if the request is for an alternate examination date due to religious observance.

Pregnancy Related Accommodation – Additional Documentation Requirements


In addition to the general requirements as described above, documentation supporting a candidate's accommodation request due to a pregnancy-related condition or issue must:

- be provided by a Regulated Health Professional who has or has had a patient/practitioner relationship with the candidate and who is qualified to make an assessment or diagnosis of the pregnancy related condition or issue.
- be provided on the Health Professional Recommendation form which provides the title and professional credentials of the Regulated Health Professional who has made the assessment or diagnosis and provides specific information regarding how the requested accommodation relates to the candidate's pregnancy-related condition or issue.

Breastfeeding Accommodations – Documentation Requirements

Requests for scheduling accommodations to permit a candidate to breastfeed in between examination components will be considered in the context of the overall exam day schedule, feasibility of the request in comparison to the time constraints of each exam component and any health and safety measures in place at the time of exam registration which may restrict the number of individuals permitted onsite during the examination. Requests must:

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- provide information which speaks to the frequency and duration of feedings, and
- acknowledge and understand that any individual named by the candidate to provide onsite childcare during the exam will be restricted to a designated area and must undergo any and all screening requirements mandated by the exam facility and the College for entry on exam day.

#### Review of Accommodation Requests

The CEO and/or their delegate will review requests for accommodation on an individual basis and will make a final determination.

In their review, the CEO and/or their delegate will consider whether the requested accommodation appropriately addresses the needs of the candidate and will not cause undue hardship to the College.

Where a substantiated need for accommodation, arising from a physical disability, prevents a candidate from completing part or all of the physical demonstration components of either the Manipulation or Acupuncture Clinical (Practical) Examinations, and where the candidate signs an acknowledgement and undertaking with the CEO agreeing to restrict their practice should they be issued a certificate of registration, the CEO or their delegate may adjust the scoring rubric to exclude those components from the overall examination total for the purposes of determining a pass/fail of the examination.

Candidates are advised of the request for accommodation decision within ten business days of the submission date unless the CEO and/or their delegate does not have all necessary information to effectively evaluate the accommodation request. In such instances the candidate is notified of the additional time needed for a decision to be rendered.

In instances where the particular form of accommodation being requested cannot be granted, the CEO and/or their delegate will, wherever possible, provide the candidate with terms for an alternate form of accommodation.


#### Review of Decision of the College

A Candidate may ask a panel of the Examination Appeals Committee to review the CEO's and/or their delegate's decision to deny or modify an accommodation request following an attempt at completing the examination. Should the Examination Appeals Committee overturn the accommodation decision on appeal, the examination result will be nullified, and the attempt will not count as one of the three attempts at the examination.

#### Use of Accommodation-Related


The CEO and/or Registration Committee may use information disclosed for the purposes of seeking an accommodation, in

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	Information by the College	considering applications for initial registration with the College under subsection 3(5) of the Registration Regulation.
Withdrawals from College Examinations	Requests	Any candidate who is registered for an examination may seek to withdraw their exam registration.
	Timing	Requests to withdraw from an examination must be received prior to the close of exam registration. Requests received after this period cannot be considered; however, candidates unable to attend an examination may seek a deferral of the entire examination under this policy.
	Fees	A candidate seeking to withdraw from an examination shall be charged the administrative fee to cover the administrative costs associated with refund transactions. Following receipt of the administrative fee, the full examination fee is reimbursed to the candidate.
Deferrals of College Examinations	Requests	Any candidate who is registered for an examination, with the exception of the Jurisprudence examination which is offered on a continuous basis may seek a deferral, due to illness, injury or emergency which prevents their attendance at an examination.
	Notification	Candidates must notify the College immediately, by telephone or by email, to advise of being unable to attend the examination and the reason. Failure to notify the College will result in a refusal of a candidate's deferral request. Deferral requests cannot be used to seek an accommodation that has been considered and declined.
	Supporting Documentation	Deferral requests must be submitted to the College within two weeks of the original notification date, accompanied by a letter from a Regulated Health Professional or other supporting documentation verifying the circumstances for the missed examination.  Failure to submit the required documentation and fee will result in the forfeiture of the examination fee.
	Review	The CEO and/or their delegate will review all deferral requests on an individual basis. Deferrals are granted based on the validity of the illness, injury or emergency which prevented the candidate's attendance at an examination.
	Emergency or Illness During an Examination	Candidates who become ill or encounter an emergency which necessitates leaving an examination in session must notify College staff immediately and return all examination materials. A note from a Regulated Health Professional substantiating the illness, or other supporting documentation verifying the circumstances for leaving the exam must be obtained, dated within twenty-four hours of the time the candidate left the examination site, and submitted to the College within one week of the examination date.

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Results will be issued for any completed examinations. Examinations, which were not completed due to a substantiated illness or emergency, will not be counted as an examination attempt. Candidates will be provided with an opportunity to sit the examination(s) that they were unable to complete at the next regularly scheduled examination session.


#### Fees

A candidate granted a deferral shall be charged the administrative fee for review of the deferral request. Examination fees paid by the candidate shall not be refunded; however, a credit of the amount paid will be applied to the next regular sitting of the examination by the candidate. In the event that the candidate does not sit the next regularly scheduled sitting of the examination, the examination fee paid will be forfeited.

Exam Appeals	General	Examination appeals are handled in accordance with the Examination Appeals Policy
Rules of Conduct for Examinations Set by the College	General	<p>All candidates are required to comply with the Examination Rules of Conduct as established by the CEO.</p> <p>Examination invigilators, examiners, and staff of the College present at the examinations are responsible for enforcing the Rules of Conduct.</p>
	Allegations of Violation	<p>The examination proctors, examiners or College staff will document any alleged examination violations. Each is responsible for recording and reporting all observations of potential violations to the College.</p> <p>Indications that an examination violation may be occurring during the examination period may result in immediate removal of the candidate from the examination at the discretion of the CEO.</p>
	Notification and Response	<p>The candidate shall be informed in writing of the nature of the allegation and be provided with a reasonable opportunity to respond to the allegation. This response may be submitted as a formal letter or involve a meeting between the CEO, and/or their delegate, the candidate, and, if the candidate requests in advance, another party chosen by the candidate to act as the candidate's advisor.</p> <p>If the candidate fails to provide a response to the allegation in the allotted time frame or to participate in the process, the CEO may proceed to make a determination.</p>
	Review Process	The CEO will review all pertinent information provided in relation to the alleged examination violation along with the candidate's response. A determination will then be made as to whether sufficient information exists to support the allegation.

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Notification of the CEO's finding regarding the alleged examination violation will be provided to the candidate in writing and is appealable to the Examination Appeals Committee.

#### Consequences

A finding that an examination violation has occurred will result in a fail of the examination, which shall be recorded as one of a total of three attempts to successfully complete the examination.


If evidence is found of a breach in the security of the examination materials before the administration of an examination, and such evidence suggests that the behaviour is organized and/or may involve a number of candidates, the College reserves the right to cancel the examination session.

If evidence is found of a breach in the security of examination materials after the administration of an examination, and such evidence suggests that the behaviour was organized and/or may have involved a number of candidates, the College reserves the right to disqualify the exam results of some or all candidates.

The College may also take special measures at any subsequent examination to prevent the reoccurrence of the violation at the expense of any candidates involved in the security breach, seek damages from any persons involved in a security breach, and/or take any other action appropriate in the circumstances.

Passing Requirements	General	Passing thresholds for each examination are managed in accordance with the College's Program and Examinations Policies for Clinical (Practical) Examinations, Clinical Sciences and Biomedical Examinations, IVIT Examination, and the Prescribing and Therapeutics Exam.
Examiners for College Examinations	General	Examiners are Registrants of the College in good standing, who meet the criteria established by this policy.
	General Examiner Criteria	<p>A Registrant is eligible for selection as an examiner if, on the date of application and throughout each applicable examination session for which they are selected to participate, the Registrant:</p> <ul style="list-style-type: none"> <li>• holds a General Certificate of Registration with the College with no terms, conditions or limitations on their certificate of registration.</li> <li>• has actively practiced naturopathy for at least two years.</li> <li>• has a strong working knowledge of the modality they wish to examine in.</li> <li>• is not in default of payment of any fees set out in the by-laws or any fine or order for costs to the College imposed by a College committee or court of law.</li> <li>• is not in default of completing and returning any form required by the College.</li> <li>• is not the subject of any disciplinary or incapacity proceeding.</li> </ul>
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- has not had a finding of professional misconduct, incompetence or incapacity against him/her in the preceding five years.
- is not a Council or Committee member.
- is not employed by the College.
- is not employed as an administrative faculty member or instructor at a naturopathic educational institution.
- is committed to the College's mandate of public protection and the principles of equity, diversity, and inclusion.
- is able to be objective, impartial, transparent, fair, and consistent when making exam assessment decisions.

#### Intravenous Infusion Therapy (IVIT) Examiner Criteria

A Registrant shall be eligible for selection as an IVIT examiner, if on the date of application and throughout each applicable examination session for which they are selected to participate, the Registrant:

- meets all of the general examiner criteria requirements for selection as an examiner for the College.
- has met the College's Standard of Practice for IVIT.
- has actively practiced IVIT for at least two years.
- is not employed as an instructor or teaching assistant for any Council approved IVIT training course.

#### Examiner Application

A Registrant may apply to the College for consideration as an examiner by submitting a Volunteer Application to the College.

#### Examiner Considerations

When appointing examiners, the College will consider:

- whether the Registrant has met the criteria as outlined in this policy.
- the need for examiners with expert knowledge in a particular modality.
- any additional professional qualifications and expertise the Registrant possesses.
- the Registrant's experience.
- languages spoken by the Registrant.
- the Registrant's ability to be objective, impartial, transparent, fair and consistent.
- any additional qualifications and characteristics the Registrant possesses that complement the College's mandate of public protection and commitment to the principles of equity, diversity, and inclusion.
- any possible conflicts of interest the Registrant may have which may hinder their ability to be objective, impartial or fair.


#### Appointments

Examiners will be appointed by the CEO and/or their delegate for an initial term of three years and may be re-appointed at the discretion of the CEO and/or their delegate.

#### Conflicts of Interest

For the purposes of this policy, a conflict of interest is defined as outlined in section 16 of the by-laws. Without limiting the definition, a real or perceived conflict of interest between an examiner and candidate exists when a prior personal or professional relationship exists between the examiner and candidate.

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Prior to the examination schedule for each examination being finalized, examiners will be asked to review the names of all candidates and shall declare any conflict of interest.

The CEO and/or their delegate may perceive a conflict of interest between an examiner and a candidate, due to professional or personal affiliation, or a prior examination attempt, for each examination session to ensure a fair and impartial process.

The CEO and/or their delegate shall subsequently adjust the examiner schedule or, if necessary, remove an examiner from the schedule in order to resolve any conflicts.

#### Examiner Disqualification

A Registrant will be discharged as an examiner if they:

- breach one of the qualifications required to become an examiner as outlined in this policy.
- breach confidentiality of any information learned through participation in the administration of the College's examinations.
- fail to properly declare a real or perceived conflict of interest.
- fail to be in attendance at an examination for which they are scheduled without providing sufficient notice.
- is advised as such by the CEO.

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