

POLICY

It is the policy of the Board to encourage Trustees to adopt attitudes and conduct that reflect a clear sense of their responsibility to conduct the business of the Board in the best interests of its students, staff and the organization. By committing to a Code of Conduct, Trustees will demonstrate leadership and accountability, and will merit the trust of the public and Board staff.

Administrative Detail

1. It is the responsibility of all Trustees to commit to this Code of Conduct and to act at all times with good faith, and in the best interests of the organization.
2. It is the responsibility of the Chair/Acting Chair of the Board to bring this policy to the attention of all Trustees.
3. This policy operates in conjunction with Board Policies #213 Code of Conduct, #400 Anti-Harassment, #402 Safe Workplaces and Learning Environments, #408 Anti-Harassment, #207 Antiracism and Ethnocultural Equity, #417 Violence in the Workplace, and #504 Equity and Inclusive Education, as well as Board By-law No. 1 (Board Procedural By-Law), the Education Act and its Regulations, the Municipal Conflict of Interest Act, the Municipal Freedom of Information and Protection of Privacy Act, and other relevant legislation.

A. PURPOSE

The purpose of this Code of Conduct is to identify the qualities, attitudes and actions required to carry out the role of public school Trustees in an ethical manner without seeking to circumscribe the conduct of Trustees.

B. ATTITUDES AND CONDUCT

1. During Board activities all Trustees are expected to:
 - a) advocate on behalf of students;
 - b) be punctual and in regular attendance;
 - c) be properly prepared and committed to dealing with the topics in question;
 - d) demonstrate rigor and honesty in debates;
 - e) be prepared to listen and to respect the ideas expressed;
 - f) be involved, frank and transparent in the expression of opinion;
 - g) operate in a collegial manner with fellow Board members;
 - h) seek to make equitable decisions;
 - i) ensure that only items dealing with:
 - the security of the property of the Board;
 - the disclosure of intimate, personal or financial information about a member of the Board or committee, an employee or prospective employee of the Board, or a pupil or his/her parent or guardian;
 - the acquisition or disposal of a school site;
 - negotiations with employees of the Board, and
 - litigation affecting the Board,

are discussed in closed sessions only, as outlined in the Education Act;

- j) demonstrate discretion and confidentiality with respect to information dealt with in closed sessions;
- k) place in priority one's obligation to the democratic process rather than to one's own interests;
- l) respect the Board's established due process;
- m) respect the consultation process;
- n) be supportive of policies adopted by the majority;
- o) refrain from the use of offensive language;
- p) respect the decision of the Chair or Board on points of order;
- q) refrain from making disparaging remarks about another Trustee or group of Trustees;
- r) refrain from speculating on the motives of a Trustee or a group of Trustees;
- s) maintain a focus on issues being discussed without the inclusion of personal or anecdotal comments,
- t) adhere to policy 312 Web Publishing with respect to Trustee websites and follow the direction of the Chairs' Committee.

2. With the Public Community and other levels of Government, all Trustees are expected to:

- a) be consistent and loyal to decisions adopted by the majority of the Board in the interest of the community and its concerns;
- b) adhere to the highest ethical standards in dealing with the community and public;

- c) render decisions based on available facts and independent judgement without surrendering that judgement to the influence of other individuals, special interest groups, agencies and/or other levels of Government;
 - d) when receiving complaints or concerns about the system refer the persons to the appropriate staff as follows:
 - i. all anonymous correspondence to the appropriate official without response;
 - ii. matters concerning individual students to the Principal;
 - iii. unsettled matters concerning individual students, and/or personnel, and problems and questions concerning individual schools to the Principal of the school;
 - iv. unsettled school matters to the Superintendent of Schools;
 - v. issues that are not school based to the appropriate Superintendent or Senior Administrator;
 - vi. if the steps outlined above have not been done or for some legitimate reason are not feasible, the matter should be discussed with the Director of Education who will investigate and take appropriate action, and
 - vii. if Board action is necessary, the Director of Education will refer the matter to the local Trustee, the appropriate Committee, or the Board in accordance with the Board's Procedural By-Law.
3. With Board administrators and staff, all Trustees are expected to:
- a) respect administrative authority;
 - b) be aware of and respect the action plans adopted by the Board and implemented by staff;

- c) seek direction or approval from the Director or the Board for lengthy and detailed reports requested of administration;
- d) establish and maintain courteous relationships, and
- e) respect differing points of view.

C. CONFLICT OF INTEREST

1. Conflict of Interest provisions for elected Board members are set out in the Municipal Conflict of Interest Act as primarily pecuniary interest (a financial or monetary interest, direct or indirect). However, a Trustee should also declare situations involving spouses/partners, family and/or close relatives when discussing issues related to their employment (i.e., staffing, program placement, etc.)
2. All Conflicts of Interest and the general nature of the conflict will be disclosed prior to any consideration of the matter at a Committee or Board meeting.
3. A Trustee declaring a conflict will not take part in the discussion of, or vote on, any questions in respect of the matter, nor seek to influence the outcome.
4. In a public meeting, a Trustee declaring a conflict may choose to absent him/herself from the portion of the meeting in which the matter will be considered.
5. In an "In-Camera" meeting (closed to the public), a Trustee declaring a conflict will absent him/herself from the part of the meeting in which the matter will be considered.

D. ECONOMIC INTERESTS

All Trustees are expected to:

- a) refuse direct or indirect hospitality, economic expressions of gratitude, and/or gifts other than those of a nominal value which would be reasonably accepted as a courtesy in a business relationship from individuals, agencies or organizations doing business with the Board, and

- b) take all reasonable steps to avoid a potential conflict by knowingly entering into any personal contractual relationships with an organization doing business with the Board.

Note: For the purposes of this rule, “personal contractual relationships” includes contractual relationships established between an organization doing business with the Board and a corporation or other business organizations owned or controlled by the Trustee in question.

- c) The Board agrees that the above provisions (Section D a) and b) shall “grandfather” the current actions and relationships of any Trustee elected for the 2010-14 term of office. This clause shall expire effective November 30, 2014.

E. COMPLIANCE WITH BOARD POLICIES AND PROCEDURES

All Trustees are expected to:

- a) accept that authority rests with the Board and that they have no individual authority outside the Board, and
- b) adhere to the Policies and Procedures of the Board and relevant legislation.

F. DECLARATIONS, REMOVALS, CENSURES AND/OR RESTRICTIONS

1. A Trustee, who has reasonable grounds to believe that another Trustee of the Board has breached the Board’s Code of Conduct, may bring the alleged breach to the attention of the Board.
2. If an alleged breach is brought to the attention of the Board under subsection (1), the Board shall make inquiries into the matter and shall, based on the results of the inquiries, determine whether the Trustee has breached the Board’s Code of Conduct.
3. If the Board determines under subsection (2) that the Trustee has breached the Board’s Code of Conduct, the Board may impose one or more of the following sanctions:
 - a) censure of the Trustee;

- b) bar the Trustee from attending all or part of a meeting of the Board or a meeting of a Committee of the Board, or
 - c) bar the Trustee from sitting on one or more committees of the Board, for the period of time specified by the Board.
- 4. For greater certainty, the imposition of a sanction under paragraph 2 of subsection (3) barring a Trustee from attending all or part of a meeting of the Board shall be deemed, for the purpose of clause 228 (1) (b) of the Education Act, to be authorization for the Trustee to be absent from the meeting.
- 5. A Trustee of the Board who is barred from attending all or part of a meeting of the Board or a meeting of a Committee of the Board under subsection (3) is not entitled to receive any materials that relate to that meeting or that part of the meeting and that are not available to members of the public.
- 6. If the Board determines that a Trustee has breached the Board's Code of Conduct under subsection (2),
 - a) the Board shall give the Trustee written notice of the determination and of any sanction imposed by the Board;
 - b) the notice shall inform the Trustee that he or she may make written submissions to the Board in respect of the determination or sanction by a date specified in the notice that is at least 14 days after the notice is received by the Trustee; and
 - c) the Board shall consider any submissions made by the Trustee in accordance with clause (b) and shall confirm or revoke the determination within 14 days after the submissions are received.
- 7. If the Board revokes a determination under clause (6) (c), any sanction imposed by the Board is revoked.
- 8. If the Board confirms a determination under clause (6) (c), the Board shall, within the time referred to in that clause, confirm, vary or revoke the sanction.

9. If a sanction is varied or revoked under subsection (7) or (8), the variation or revocation shall be deemed to be effective as of the date the original determination was made under subsection (2).
10. Despite subsection 207 (1) but subject to subsection (11), the part of a meeting of the Board during which a breach or alleged breach of the Board's Code of Conduct is considered may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207 (2) (a) to (e).
11. A Board shall do the following things by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:
 - a) make a determination under subsection (2) that a Trustee has breached the Board's Code of Conduct;
 - b) impose a sanction under subsection (3);
 - c) confirm or revoke a determination under clause (6) (c), and/or
 - d) confirm, vary or revoke a sanction under subsection (8).
12. A Trustee who is alleged to have breached the Board's Code of Conduct shall not vote on a resolution to do any of the things described in paragraphs 1 to 4 of subsection (11).
13. The passage of a resolution to do any of the things described in paragraphs 1 to 4 of subsection (11) shall be recorded in the minutes of the meeting.
14. The Statutory Powers Procedure Act does not apply to anything done under this section.
15. The Board may, by special motion, remove a Trustee from a Committee of the Board, and at the same meeting, elect a new Trustee to fill the vacancy on the committee.

16. The Board may, by special motion, declare the office of the Chair and/or Vice-Chair to be vacant effective as of the date of the passage of resolution, where such person:
 - a) becomes disqualified as a Trustee;
 - b) deliberately breaks any relevant legislation;
 - c) deliberately breaches any Board policy, procedure or practice, and/or
 - d) acts in such a manner as to lose the confidence of the Board.

17. The Board shall, at the same meeting, elect a new Chair and/or Vice-Chair respectively.