

TRUSTEE CODE OF CONDUCT

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the diversity, dignity and worth of each person.

Specifically

1. Trustees shall carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with diligence.
2. Trustees shall respect issues of a sensitive or confidential nature. Confidential information will not be shared or disclosed.
3. Trustees shall work with fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion which may arise during debate.
4. Trustees shall make decisions based on available information from all sources.
5. While elected from specific electoral subdivisions, trustees must represent the best interests of the entire Division.
6. Trustees shall honour their fiduciary responsibility; fiduciary responsibility supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other Boards or staffs, or acting as an individual consumer of the Division's services.
7. Trustees shall reflect the Board's values, priorities, policies and resolutions when communicating with the public; trustees shall uphold the Board's communications protocol at all times.
8. Trustees shall represent the Board responsibly in all Board-related matters with proper decorum and respect for others.
9. Trustees shall disclose the nature of any pecuniary interest, and abstain and absent themselves from discussion or voting on the matter in question.
10. Trustees shall not use their influence to obtain employment within the Division for family members or friends.
11. Trustees shall ensure that any use of electronic devices during a meeting is for the purposes of the meeting.
12. Trustees shall refrain from engaging in private communications while at Board meetings.

13. Trustees will maintain the highest standards of civility and respect, and abstain from criticism of fellow Board members, the Board, employees, students and parents.
14. Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 Appendix – Trustee Code of Conduct Sanctions.

Legal Reference: Section 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 246 School Act

COMMUNICATIONS PROTOCOL

A role of an individual trustee as outlined in Policy 3 – Role of the Trustee is to contribute to a positive and respectful learning and working culture both within the Board and the Division. Paramount in the achievement of this role is communication.

15. As stated in Policy 4 – Trustee Code of Conduct, trustees shall reflect the Board’s values, priorities, policies, and resolutions and be respectful of current Division practices when communicating with the public.
 - 15.1 Trustees shall speak with deliberation and care, understanding that when they speak, the perception often is that the Board is speaking.
 - 15.2 When speaking, trustees will communicate as accurately as possible at all times.
 - 15.3 Trustees may speak about a motion they put forward prior to the debate and Board decision. Once a decision is made, all trustees are expected to publically respect the Board decision.
 - 15.4 A trustee may provide personal opinion or comment as the electoral subdivision trustee on local issues, while recognizing that all local issues may have Division implications.

16. As stated in Policy 5 – Role of the Board Chair, the Board Chair will act as the chief spokesperson for the Board except for those instances where the Board has delegated this role to another individual group.
 - 16.1 The Board Chair will respond promptly to emails addressed to all trustees. The return email will indicate that all trustees are aware that the Board Chair is responding on behalf of the Board. Trustees will not respond if they are copied in an email.

17. As stated in Policy 4 – Trustee Code of Conduct, trustees will maintain the highest standards of civility and respect, and abstain from criticism of fellow Board members, the Board, employees, students and parents.
 - 17.1 Trustees will be respectful of others in the volume of emails sent to colleagues, will read information received from colleagues, will avoid debate by email and will avoid compromising the public nature of debate in sharing information.
 - 17.2 Individual trustees shall refrain from sending emails addressed to all employees unless specifically directed to do so by the Board.
 - 17.3 Public statements will avoid criticism of the intentions or actions of other Board members, the Board, employees, students and parents.
 - 17.4 Recognizing that email is not a secure communication, trustees will not use email to pass along sensitive or confidential information.

- 17.5 Trustees will inform the electoral subdivision trustee prior to contacting or visiting community groups, organizations or MLAs in electoral subdivisions other than their own.
18. As stated in Policy 3 – Role of the Trustee, trustees are to provide for the engagement of parents, students and various communities.
- 18.1 Trustees must be aware of social media etiquette when inviting feedback on Board proposals, including policy, and in modeling the principles of open and transparent governance and inclusiveness in public education.
- 18.2 Trustee personal blogs, websites and social media groups will be respectful of Board values, priorities, policies and resolutions and respect confidentiality. (The expression of personal opinion may impact the range of feedback received or the perception that the trustee is going into a debate with an open mind.)
- 18.2.1 Trustees will consider the accuracy and potential legal liabilities of all posts before posting.
- 18.2.2 Trustees will monitor personal sites.

Legal Reference: Section 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 246 School Act

TRUSTEE CODE OF CONDUCT SANCTIONS

19. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.
20. A trustee who believes that a fellow trustee has violated the Code of Conduct must seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Conduct.
 - 20.1 The trustee shall seek resolution of the matter through appropriate conciliatory measures with the fellow trustee within ten (10) days of the alleged event or knowledge of the event occurring.
21. The trustee who sought resolution of the matter through appropriate conciliatory measure but still wishes to commence an official complaint, under the Code of Conduct shall:
 - 21.1 File a letter of complaint with the Board Chair within thirty (30) days of the alleged event or knowledge of the event occurring and indicate the nature of the complaint, the section or sections of the Code of Conduct that are alleged to have been violated by the trustee, and why conciliatory measures did not resolve the matter.
 - 21.2 The trustee who is alleged to have violated the Code of Conduct and all other trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice-Chair, within five (5) days of receipt by the Board Chair of the letter of complaint.
 - 21.3 If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair.
22. When a trustee files a letter of complaint, and a copy of that letter of complaint is forwarded to all trustees; the filing, notification, content and nature of the complaint shall be deemed to be strictly confidential, the public disclosure of which shall be deemed to be a violation of the Code of Conduct. Public disclosure of the complaint and any resulting decision taken by the Board may be disclosed by the Board Chair only at the direction of the Board, following the disposition of the complaint by the Board at a Code of Conduct hearing.
23. To ensure that the complaint has merit to be considered and reviewed, at least one (1) other trustee must provide to the Board Chair within three (3) days of the notice in writing of the complaint being forwarded to all trustees, a letter indicating support for having the complaint be heard at a Code of Conduct hearing. Any trustee who forwards such a letter of support shall not be disqualified from attending at and deliberating upon, the complaint at a Code of Conduct hearing convened to hear the matter, solely for having issued such a letter.

24. Where no letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the complaint shall not be heard. The Board Chair shall notify all other trustees in writing that no further action of the Board shall occur.
25. Where a letter supporting a hearing is received by the Board Chair in the three (3) day period referred to in section 5 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to allow the complaining trustee to present his/her views of the alleged violation of the Code of Conduct.
26. At the special meeting of the Board, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted and that the complaint shall be heard in an in-camera session of the special meeting.

Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures.

- 26.1 The Code of Conduct complaint shall be conducted at an in-camera session, Code of Conduct hearing, of a special Board meeting convened for that purpose. All preliminary matters, including whether one (1) or more trustees may have a conflict of interest in hearing the presentations regarding the complaint, shall be dealt with prior to the presentation of the complaint on behalf of the complaining trustee.
- 26.2 The sequence of the Code of Conduct hearing shall be:
 - 26.2.1 The complaining trustee shall provide a presentation which may be written or oral or both;
 - 26.2.2 The respondent trustee shall provide a presentation which may be written or oral or both;
 - 26.2.3 The complaining trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
 - 26.2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
 - 26.2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
 - 26.2.6 The complaining trustee shall be given the opportunity to make final comments; and
 - 26.2.7 The respondent trustee shall be given the opportunity to make final comments.
- 26.3 Following the presentation of the respective positions of the parties, the parties and all persons other than the remaining trustees who do not have a conflict of interest shall be required to leave the room, and the remaining trustees shall deliberate in private, without assistance from administration. The Board may, however, in its discretion, call upon legal advisors to assist them on points of law or the drafting of a possible resolution.
- 26.4 If the remaining trustees in deliberation require further information or clarification, the parties shall be reconvened and the requests made in the presence of both parties. If

- the information is not readily available, the presiding Chair may request a recess or, if necessary, an adjournment of the Code of Conduct hearing to a later date.
- 26.5 In the case of an adjournment, no discussion by trustees whatsoever of the matters heard at the Code of Conduct hearing may take place until the meeting is reconvened.
 - 26.6 The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
 - 26.7 The presiding Chair shall reconvene the parties to the Code of Conduct hearing and request a motion to revert to the open meeting in order to pass the resolution.
 - 26.8 All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements.
 - 26.9 The presiding Chair shall declare the special Board meeting adjourned.
27. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
- 27.1 Having the Board Chair write a letter of censure to the offending trustee on the approval of a majority of those trustees present and allowed to vote at the special meeting of the Board, that provides reasons for the decision, and is marked “personal and confidential”;
 - 27.2 Having a motion of censure passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
 - 27.3 Having a motion to remove the offending trustee from one (1), some or all Board committees or other appointments of the Board passed by a majority of those trustees present and allowed to vote at the special meeting of the Board, for a time not to exceed the trustee’s term as trustee.
28. The Board may, in its discretion, make public its findings at the special meeting or at a regular meeting of the Board where the Board has not upheld the complaint alleging a violation of the Board’s Code of Conduct or where there has been a withdrawal of the complaint or under any other circumstances that the Board deems reasonable and appropriate to indicate publicly its disposition of the complaint.

Legal Reference: Section 60, 61, 68, 72, 80, 81, 82, 83, 84, 85, 86, 246 School Act