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**Background:**

The Board commits itself and its members to conduct which meets the highest ethical standards. This includes proper use of authority and appropriate decorum in group and individual behaviour. It is expected that all personal interactions, communications and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

**Guidelines**

1. Trustees shall follow all Board policies and carry out their responsibilities as detailed in Policy 3 – Role of the Trustee with reasonable diligence.
2. Trustees shall endeavour to work with fellow Board members cooperatively and with respect.
3. Trustees shall commit themselves to dignified, ethical and professional conduct.
4. While trustees have the same rights afforded to all individuals, trustees are required at all times to maintain the integrity of public office and conduct themselves in a manner that enhances public confidence and trust, and positively affects the public's perception of their ability to do their job in an impartial and professional manner.
5. Trustees shall support the Board's policies and resolutions when communicating with the public.
6. Trustees shall keep confidential any personal, privileged or confidential information obtained in their capacity as a trustee and not disclose the information except when authorized by law or by the Board.
7. While elected from specific wards, trustees shall represent the best interests of the entire Division.
8. Trustees shall honour their fiduciary responsibility to the Board which 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.
9. Trustees having a pecuniary interest as defined in the Education Act in a matter before the Board, shall follow the requirements in Policy 7: Board Operations.
10. Trustees shall not use their influence to advance personal, family or friends' interests or the interests of any organization with which the trustee is associated.
11. Trustees recognize that the Board Chair is the official spokesperson of the Board.
12. Trustees shall not attempt to exercise individual authority over the Superintendent of Schools or any member of the staff.



## POLICY 4 TRUSTEE CODE OF CONDUCT

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### TRUSTEE CODE OF CONDUCT COMPLAINTS

13. A trustee who believes that a fellow trustee has violated the Code of Conduct may seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Conduct.
14. A trustee who wishes to commence an official complaint under the Code of Conduct shall file a letter of complaint with the Board Chair within fifteen (15) days of the alleged violation of the Code of Conduct occurring. If the complaint is with respect to the conduct of the Board Chair, the letter of complaint shall be filed with the Vice-Chair. The letter of complaint must indicate the nature of the complaint and the section or sections of the Code of Conduct that are alleged to have been violated by the trustee. 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 by the Vice-Chair where otherwise applicable, within five (5) days of receipt by the Board Chair or Vice Chair of the letter of complaint. The communication forwarding the letter of complaint to the other trustees shall be by e-mail to the trustees' RVS e-mail accounts.
15. 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.
16. To ensure that the complaint has merit to be considered and reviewed, at least one 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 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.
17. Where no letter supporting a hearing is received by the Board Chair within the three (3) day period referred to in section 14 above, the complaint shall not be heard. The Board Chair shall notify all other trustees in writing by email to each trustees' RVS email account that no further action of the Board shall occur.
18. Where a letter supporting a hearing is received by the Board Chair within the three (3) day period referred to in section 14 above, the Board Chair shall convene, as soon as is reasonable, a special meeting of the Board to conduct a Code of Conduct hearing.
19. 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. The Board Chair shall also confirm that trustees may optionally take paper notes for their own use but otherwise, there will be no recording of the



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proceedings. The notes, if any, shall be retained until the matter has been disposed of by way of a resolution of the Board, following which the notes will be destroyed, and the resolution will be the only record relating to the proceedings.

20. Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures.
  - 20.1 All preliminary matters, including whether one 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 complainant trustee.
  - 20.2 The sequence of the Code of Conduct hearing shall be:
    - 20.2.1 The complainant trustee shall provide a presentation which may be written or oral or both;
    - 20.2.2 The respondent trustee shall provide a presentation which may be written or oral or both;
    - 20.2.3 The complainant trustee shall then be given an opportunity to reply to the respondent trustee's presentation;
    - 20.2.4 The respondent trustee shall then be provided a further opportunity to respond to the complaining trustee's presentation and subsequent remarks;
    - 20.2.5 The remaining trustees of the Board shall be given the opportunity to ask questions of both parties;
    - 20.2.6 The complainant trustee shall be given the opportunity to make final comments; and
    - 20.2.7 The respondent trustee shall be given the opportunity to make final comments.
  - 20.3 Following the presentation of the respective positions of the complainant trustee and respondent trustee, the complainant trustee and respondent trustee and all persons other than the remaining trustees 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.
  - 20.4 If the remaining trustees in deliberation require further information or clarification, the parties shall be recalled, 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.



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- 20.5 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.
- 20.6 The remaining trustees in deliberation may draft a resolution indicating what action, if any, may be taken regarding the respondent trustee.
- 20.7 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 consider motion(s), if any. The respondent trustee and complainant trustee would be ineligible from voting on the motions.
- 20.8 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.
- 20.9 The presiding Chair shall declare the special Board meeting adjourned.

### **TRUSTEE CODE OF CONDUCT SANCTIONS**

21. A violation of the Code of Conduct may result in the Board instituting, without limiting what follows, any or all of the following sanctions:
  - 21.1 Having a motion of censure naming the respondent passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
  - 21.2 Having a motion to remove the offending trustee from one, some or all Board committees or other appointments of the Board for a time not to exceed the trustee's term as trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board;
  - 21.3 Having a motion to disqualify the offending trustee passed by a majority of those trustees present and allowed to vote at the special meeting of the Board.

Legal Reference: Education Act Sections 33, 34, 51, 52, 53, 64, 67, 85, 86, 87, 88, 89, 90