

TRUSTEE CODE OF CONDUCT

- POLICY -

In accordance with the School Act, the Board of Education recognizes its primary mandate to determine policy for the effective and efficient operation of its schools. The Board is committed to providing high quality education for all public school students within a supportive, accessible, and enriching learning environment. The Board is responsible, collectively, for making decisions that improve student achievement, equity and well-being.

As democratically-elected members of the Board, Trustees fully acknowledge the critical trust invested in the Board by the electorate and are dedicated to governing the affairs and business of the School District in a fair, respectful, and professional manner that recognizes and affirms the rights and dignity of students. Trustees represent the broad needs of the entire School District and the community, allocating resources efficiently, inclusively, and responsibly in the best interest of all students.

Trustees advocate for public education and promote the values, goals, and initiatives of the School District to other levels of government and relevant bodies. Trustees will recognize their duty to represent and advocate for the best interests of learners in the community, including Indigenous communities and First Nations on whose traditional territories the School District operates.

Trustees shall abide by the policies of the Board, all applicable legislation and regulations, in particular the School Act and the Oath of Office.”

- REGULATION -

1. Decorum

By working collaboratively and creatively with administrators, teachers, parents, and community leaders, Trustees model and contribute to a positive and receptive learning and working culture both within the Board and the School District. In exercising their duties of governance, Trustees understand the importance of mutual respect, transparency, and impartiality. Committed to ethical practice and principles, Trustees shall act with integrity and be accountable for their actions and decisions. To fulfill the responsibilities of public office effectively, Trustees are

expected to attend all scheduled meetings of the Board; in the event of an unavoidable absence, Trustees shall inform the Board Chair.

2. Decision Making

Trustees shall consider information received from all sources, base their decisions upon all available facts, and vote impartially in every situation. To facilitate effective decision making, Trustees must be knowledgeable about the School Act; statutory requirements; existing Board policy and practices, initiatives, and long-range plans; and current educational issues, both local and provincial. It is expected Trustees shall be diligent in familiarizing themselves with supporting documents, in advance of meetings, in order to make informed and credible decisions.

3. Confidentiality

Trustees shall preserve the confidentiality of information discussed at closed school board or committee meetings and shall not release privileged information in any format to the public until the Board has done so in an official capacity.

4. Working Relationships

Trustees shall work with fellow board members in a spirit of harmony and cooperation and be respectful of differences of opinion. Trustees shall refrain from making discrediting comments about others, engaging in unwarranted criticism, or taking private action that could compromise the integrity or authority of the Board. Trustees shall observe proper decorum and encourage full, open, and courteous discussions in all matters with other Trustees. Information that may be of potential concern should not be concealed or withheld.

5. Public Relations

Trustees welcome constructive engagement and participation from the broad school community in establishing and interpreting policy on school operations, goals, and directions. Trustees will endeavour to share and incorporate the opinions and views of others in the deliberations and decisions of the Board. Timely reporting out of information will be provided to those who are impacted by Board decisions. Trustees shall support anti-racism, reconciliation, and respectful relations with local First Nations.

6. Conflict of Interest

It is the ethical and legal duty of each trustee to avoid conflict of interest in all trusteeship responsibilities. Trustees shall not use the schools or the School District's programs for personal advantage or for the advantage of family and friends. When a trustee becomes aware that he or she is in a position that creates a conflict of interest or a perceived conflict of interest, he or she will declare the nature and extent of the conflict at a public board meeting and abstain from deliberating or voting on the issue giving rise to the conflict.

7. Legal Authority of Individual Trustees

Trustees recognize that, as a Corporate Board, the authority to make decisions must only be made within an official meeting of the Board. Individual Trustees or committees of Trustees may not exercise the rights, duties, and powers of the Board. The Chair is the official spokesperson for the Board; other Trustees shall not speak on behalf of the Board unless authorized to act in such a capacity.

8. Support for Board Decisions

Trustees shall present their views through the process of Board debate. Regardless of holding a minority position in debate or casting an opposition vote, Trustees shall accept and endorse the majority decisions of the Board and be supportive of any proposed action or implementation that will ensure decisions have the intended outcome. Trustees also recognize and uphold the integrity and merits of their predecessors' work and achievements.

9. Trustee Professional Development

Trustees will endeavour to take advantage of educational conferences, workshops, and training sessions made available by local or provincial affiliations. Through participating in professional development opportunities, Trustees can enhance their knowledge of Trustee roles and responsibilities and become acquainted with current educational topics and trends.

10. Scope of Delegated Responsibility

Trustees shall respect the authority vested in the role of the Superintendent of Schools and his/her senior staff and shall give the responsibility to manage and operationalize policies and directions, which have been established and evaluated by the Board, to its executive officers.

Trustees will uphold the commitments articulated in the Trustee Code of Conduct and address any violation(s) through the process outlined in the Administrative Procedures.

The Board shall review this policy within six months of the Inaugural Board Meeting.

- COMPLAINT PROCEDURES -

Trustees are required to conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct (the “Code”). The failure by Trustees to conduct themselves in compliance with the Code may result in the Board of Education instituting sanctions.

To assist the Board of Education in self-governance, Trustees who wish to report an infraction under the Trustee Code of Conduct may follow the processes below.

A Trustee who believes that a fellow Trustee has violated the Code is encouraged to seek resolution of the matter through the Informal Complaint Process when possible prior to commencing an official complaint under the Code.

Informal Complaint Process

It is recognized that a contravention of the Code may occur that is relatively minor, or committed inadvertently or due to an error of judgment made in good faith. In such instances the priority shall be to alert the offending Trustee to the violation and his/her obligations under the Code. Only serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the official complaint procedure. Both the offending and offended Trustee shall seek resolution in an informal, cooperative fashion marked by mutual respect, seeking to understand with an openness to growth and improvement.

1. The Trustee who believes a violation has occurred will engage in an individual private conversation with the Trustee affected.
2. Failing resolution through the private conversation the parties will engage the Board Chair, Vice Chair or designate to gain resolution. If the concern is with the Board Chair, the concern should be raised with the Vice Chair.
3. The Chair and at the Chair’s option the Chair and Vice Chair will attempt to resolve the matter to the satisfaction of the Trustees involved.

It is recognized that for reasons which may include the nature of the issue of concern or the manner in which it has come to a Trustee’s attention, informal measures may not be appropriate.

If resolution through the Informal Complaint Process is not possible, the Official Complaint Process will be followed. Serious and/or reoccurring breaches of the Code by a Trustee should be investigated following the Official Complaint Process.

Official Complaint Process

1. A Trustee who wishes to commence an official complaint under the Code shall file a letter of complaint with the Board Chair within a reasonable period of time following the alleged event occurring or of knowledge of the same and indicate the nature of the complaint and the section or sections of the Code that are alleged to have been violated by the Trustee. The Trustee who is alleged to have violated the Code and all other Trustees shall be forwarded a confidential copy of the letter of complaint as part of the confidential agenda materials for a closed (in-camera) meeting.
2. 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. Public disclosure of the complaint and any resulting decision taken by the Board of Education may be disclosed by the Board Chair only at the direction of the Board of Education, following the disposition of the complaint by the Board of Education at a Code hearing.
3. The Board Chair shall convene, as soon as is reasonable, a closed (in-camera) meeting of the Board of Education to allow for a hearing of the alleged violation of the Code. As with any Board of Education meeting, quorum must be established for the meeting to proceed. For efficiency purposes and due to the potentially limited number of individuals who are able to participate in a vote related to a complaint, all Trustees will make best efforts to attend such meetings of the Board of Education, even in circumstances where such individuals may be in a conflict of interest or may otherwise wish to abstain. Furthermore, a decision as to whether an individual will be permitted to attend a Board of Education meeting related to a Code complaint by telephone may be made in a meeting held in advance of the meeting in which a complaint will be considered.

4. At the closed (in-camera) meeting of the Board of Education, the Board Chair shall indicate, at the commencement of the meeting, the nature of the business to be transacted. Procedural fairness and the rules of natural justice shall govern the formal inquiry. Without limiting what appears below, the Board Chair shall ensure fairness in dealing with the complaint by adhering to the following procedures, which may be adapted by direction of the Board of Education in order to address the circumstances of the complaint, provided that any deviation from this process is consistent with natural justice and procedural fairness:
 - a. The complaint shall be heard at a Code of Conduct hearing, at a closed (in-camera) Board of Education meeting convened for that purpose.
 - b. All preliminary matters, including whether adaptation to the process for the hearing should be amended or whether one (1) or more Trustees may have a conflict of interest in making a decision regarding the complaint, shall be dealt with prior to any submissions about the complaint.

A conflict of interest is as defined in the Code and as may be determined by an individual or a majority of those Trustees present at a Code of Conduct hearing. A conflict of interest is ordinarily raised only in circumstances where a Trustee has a personal interest in the outcome. It would not typically be raised in circumstances where a Trustee has been a witness to conduct that is the subject matter of a complaint since it is expected that all Trustees will conduct themselves in accordance with the Code and in the interests of the School District. If it is determined that a Trustee is in a conflict of interest, the Trustee shall not participate in deliberations or vote in respect of any resolution however the Trustee shall be present as required in order to maintain quorum of the Board of Education.

- c. The sequence of the Code of Conduct hearing shall be in keeping with the following which is intended to provide a fair opportunity for both parties to be heard and to respond as appropriate. Neither party is obligated to make submissions or to respond to questions.

- i. The complaining Trustee shall provide a presentation which may be written or oral or both. The complaining Trustee may opt to rely on the written complaint in place of this presentation;
 - ii. The respondent Trustee shall provide a presentation which may be written or oral or both;
 - iii. The complaining Trustee shall then be given an opportunity to reply to the respondent Trustee's presentation;
 - iv. The respondent Trustee shall then be provided a further opportunity to respond to the complaining Trustee's presentation and subsequent remarks;
 - v. The remaining Trustees of the Board of Education shall be given the opportunity to ask questions of both parties;
 - vi. The complaining Trustee shall be given the opportunity to make final comments; and
 - vii. The respondent Trustee shall be given the opportunity to make final comments.
- d. 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 staff. The Board of Education may, however, in its discretion, call upon legal advisors to assist them on points of law or upon staff in respect of any points of information or to provide administrative direction or for assistance in the drafting of a resolution.
- e. 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 hearing to a later date.
- f. If an investigation by an external party is requested by a majority of Trustees taking part in the deliberations (the "Voting Trustees"), such investigation will be conducted in accordance with the procedures of natural justice and a report of the same will be made to the Board of Education upon the hearing reconvening, with an opportunity for submissions to be made by the parties in respect of

the same. The Board of Education may, in its discretion, call upon legal advisors to assist them in the event an investigation is requested.

- g. The Voting Trustees in deliberation may draft a resolution(s) indicating what action, if any, may be taken regarding the complaint and any party.
- h. The presiding Chair shall reconvene the parties and any other Trustees to the Code of Conduct hearing.
- i. The presiding Chair shall call for a resolution(s) to be placed before the Board of Education and a vote will be conducted. Only the Voting Trustees shall be able to vote on any resolution(s). In the event that any of the Voting Trustees requests that the vote occur by secret ballot, the vote will proceed by secret ballot for all Voting Trustees with the exception of any Voting Trustees who participate by telephone. Any Voting Trustees who are permitted to participate by telephone are deemed to waive the right to a secret ballot upon participating by telephone.
- j. The presiding Chair shall declare the closed (in-camera) Board of Education meeting adjourned.
- k. All documentation that is related to the Code of Conduct hearing shall be returned to the Superintendent or designate immediately upon adjournment or conclusion of the Code of Conduct hearing and shall be retained in accordance with legal requirements. This includes all notes taken by Trustees other than the parties in relation to the submissions or deliberations.
- l. In the case of an adjournment for any reasons, no discussion by Trustees whatsoever of the matters heard at the hearing may take place until the meeting is reconvened. Only those members present for all submissions made in a Code of Conduct hearing will be permitted to deliberate or vote in respect of any resolution of a complaint.

- m. If a party to a complaint does not attend a Code of Conduct hearing where appropriate notice has been provided, the matter will be adjourned in the first instance. If a complaining Trustee indicates they will not attend a Code of Conduct hearing or does not attend for the second Code of Conduct hearing where appropriate notice has been provided, the complaint will be deemed to be withdrawn. If a respondent Trustee indicates they will not attend a Code of Conduct hearing or does not attend for the second Code of Conduct hearing where appropriate notice has been provided, the Code of Conduct hearing will proceed in the absence of the respondent Trustee and the respondent Trustee will be deemed to have waived participation in the hearing.
- n. Any staff support that is necessary or requested under this process is administrative only.

Sanctions

Sanctions for a violation of the Code should be imposed in a remedial and restorative manner, and should reflect the seriousness of the breach. For example,

1. Having the offending Trustee write a letter of apology;
2. Having the offending Trustee participate in a restorative justice process;
3. Having the offending Trustee participate in specific training, coaching or counselling as directed by the Board of Education
4. Having the Board Chair write a letter of censure marked “personal and confidential” to the offending Trustee, on the approval of a majority of the Voting Trustees at the closed (in-camera) meeting of the Board of Education;
5. Having a motion of censure passed by a majority of the Voting Trustees at the closed (in-camera) meeting of the Board of Education;
6. Having a motion to remove the offending Trustee from one (1), some or all Board of Education committees or other appointments of the Board of Education passed by a majority of the Voting Trustees at the closed (in-camera) meeting of the Board of Education.

The Board of Education may, in its discretion and by resolution of the Voting Trustees, make public any outcomes(s) of the Official Complaint Process if it

considered reasonable and appropriate to indicate publicly its disposition of the complaint.

Appeals Process

Trustees who have been sanctioned or have had other measures imposed upon them by the Board of Education under this Policy can appeal those decisions through the legal system, at their own expense