

# BOARD OF EDUCATION

## POLICY 130 – TRUSTEE CODE OF CONDUCT



The Board of Education believes that individual Trustees must adhere to a Trustee Code of Conduct which reflects the Board's recognition and respect of the public's trust in the Board as elected representatives of the community. It is the Board's expectation that each Trustee adhere to the highest ethical standards in their dealings with fellow trustees, the school community and all citizens of the district.

The Code of Conduct describes acceptable behaviours, clarifies rules of civil engagement, promotes high standards of practice, and provides a framework for professional conduct and responsibilities. At each inaugural meeting of the Board, each Trustee will be requested to sign a Code of Conduct document acknowledging and accepting the expectations carried within.

In carrying out the role of trustee, the Board expects trustees to observe to the following:

### 1. Integrity:

- All decisions will be based on putting students first.
- Trustees will carry out their responsibilities in accordance with the School Act, regulations and Board policy.
- Trustees will make all decisions based on available facts and their independent judgment and shall refuse to surrender that judgment to individuals or to special interest groups.
- Trustees will act with the highest standards of professional integrity and in a manner that inspires public confidence in the Board.

### 2. Respect:

- While trustees will express their individual opinions on issues under consideration by the Board, in doing so they will respect the differing points of view of colleagues, staff and the public and thereby enhance public confidence in the work of the Board.
- Trustees will strive to have regular attendance at all meetings of the Board and come prepared at each meeting to discuss, debate, and make decisions on topics presented in prepared agendas.

### 3. Confidentiality:

- Trustees will maintain confidentiality of privileged information; including information discussed in closed sessions.

### 4. Responsibility:

- Once the Board of Education has voted, trustees are bound by the majority decision and will publicly uphold the Board's decisions.

- Trustees will recognize that the expenditure of Board of Education funds is a public trust and will ensure effective stewardship of the Board's resources in the best interests of the students.
- Trustees will carefully review all information packages in preparation for discussion at all scheduled meetings of the Board of Education and its committees.

5. Conflict of Interest:

- Trustees will voluntarily and immediately declare any pecuniary conflict of interest (direct, indirect or deemed) in matters before the Board or a committee of the Board.

6. Relationships:

- Trustees will speak as the voice of their entire community (including people who do not have children in the school system or people outside of their direct constituency) at the Board table.
- Trustees will work with other trustees in a spirit of respect, openness, courtesy, and cooperation in spite of differences of opinion that may arise during debate. Trustees will refrain from gossip.
- Trustees will refrain from any negative commentary (public or private) about the Superintendent or other members of district staff and other members of the Board.

## **APPENDIX A: VIOLATIONS TO THE TRUSTEE CODE OF CONDUCT**

The Trustee Code of Conduct requires each Trustee to commit to the highest ethical standards of conduct in their dealings with fellow Trustees, members of the school communities, and citizens of the Cariboo Chilcotin School District. The Board expects each member to adhere to the Code of Conduct in carrying out their role as Trustee. The Board recognizes that violations of the Code of Conduct can vary in severity and therefore, informal, or formal procedures may be utilized to address alleged breaches, as appropriate.

Only serious and/or recurring breaches of the code(s) will be handled by the following official complaint procedure. A breach or violation is defined as something spoken, written, or actioned that violates SD27 documented Codes of Conduct, SD27 mission, vision, values, policies, and legal requirements.

The informal procedure may be used for non-serious breaches or an offence(s). A non-serious breach is defined as relatively minor or committed inadvertently or due to an error in judgement made in good faith.

Informal resolve will be done through a conciliation process between Trustee to Trustee and/or Administration leadership to Trustee. If resolution fails, the Board Chairperson or Vice Chairperson is consulted, and it is determined if the Board Chairperson attempts to gain resolution or if the formal process is to be taken.

## **PROCEDURES**

### **1.0 Receiving Alleged Code of Conduct Breaches**

It is imperative to establish and maintain clear, consistent, and effective procedures in order to receive any allegation of breach of the Trustee Code of Conduct from complainants. Those procedures include:

- 1.1 Any alleged breach must be brought forward in writing to the Board Chairperson, designate or the Secretary-Treasurer within 30 days of the alleged breach occurring. There may be exceptional circumstances which could allow an extension of this timeline. If an allegation is made against the Board Chairperson, the alleged breach shall be managed by the Secretary-Treasurer. The written complaint must include:
  - the name of the Trustee who is alleged to have committed the breach;
  - the specific allegation(s);
  - information regarding when the breach came to the complainant's attention;
  - the complainant's grounds that a breach of the Code of Conduct has occurred;
  - the name and contact information of the complainant, as well as any witnesses to the matter, or any other persons who have relevant information regarding the alleged breach.

- 1.2 Once received, all Trustees, including the subject of the alleged complaint, must be provided with a copy of the complaint within seven (7) days of receiving it.

## 2.0 Complaint Resolution Options

It is imperative to establish and maintain clear, consistent, and effective procedures in order to respond to any allegation of breach of the Trustee Code of Conduct. Options to complaint resolution include:

- 2.1 A recommendation by the Board Chairperson, or the Secretary-Treasurer if the alleged breach is by the Chairperson, not to proceed with the complaint.
- 2.2 An agreement that an informal resolution is appropriate.
- 2.3 Undertaking an investigation process, conducted with procedural fairness, concluding with the preparation and presentation of a report of the investigation's findings in a timely manner in a closed (in-camera) meeting for the board's consideration.
  - 2.3.1 Based on the results of the investigation, the Board (excluding the alleged offending Trustee) shall by motion decide whether the Trustee has breached the Code of Conduct and impose sanctions appropriate to the severity of the breach.
- 2.4 Undertake a Board Hearing process in a closed (in-camera) meeting to determine by motion (excluding the allegedly offending Trustee) whether the Trustee has breached the Code of Conduct and impose sanctions appropriate to the severity of the breach. The hearing must provide a fair opportunity for all parties to be heard, but parties are not obligated to make submissions or respond to questions. The procedures of a Board Hearing are as follows:
  - 2.4.1 A quorum must be established for this meeting of the Board including the Superintendent and Secretary-Treasurer, and any Trustee conflicts must be declared. Minutes are to be taken by the Board's confidential Secretary, and legal counsel may be present at the discretion of the Trustee or the Board.
  - 2.4.2 If present, the complainant may provide a presentation which may be written, oral or both. Alternatively, the submitted written complaint is shared.
  - 2.4.3 The allegedly offending Trustee responds with a presentation to the Board which may be written, oral or both.
  - 2.4.4 The complainant, if present, and the Board Chairperson may reply to the respondent Trustee's presentation.
  - 2.4.5 The respondent Trustee may reply to the complainant's presentation and subsequent remarks.
  - 2.4.6 The remaining Board of Education Trustees may ask questions.
  - 2.4.7 The complainant, if present, may make final comments.
  - 2.4.8 The allegedly offending Trustee may make final comments.

- 2.4.9 The full Board, excluding the allegedly offending Trustee, engages in private deliberation. Should clarification or more information be required, this may be obtained from the parties, or the hearing may recess or be adjourned until a later date.
- 2.4.10 Following deliberation, the Board Chairperson calls for a resolution to be placed before the Board. The resolution may indicate what action, if any, may be taken. A vote is conducted, requiring a two-thirds vote to pass.

### **3.0 Sanctions for Breach of Code of Ethics**

Where the Board determines that a Trustee has breached the Code of Conduct, the Board may censure the Trustee or enforce specific sanctions.

- 3.1 Upon the Board determining that a Trustee has breached the Code of Conduct, sanctions shall be applied. Possible sanctions include but are not limited to:
  - 3.1.1 The Offending Trustee writes a letter of apology.
  - 3.1.2 Offending Trustees participate in a restorative justice process.
  - 3.1.3 Offending Trustee participates in specific training, coaching, or counselling as directed by the Board of Education.
  - 3.1.4 The Board Chairperson writes a censure letter marked “personal and confidential” to the offending Trustee, on the approval of a majority of the Voting Trustees at the closed meeting of the Board.
  - 3.1.5 Having a motion of censure passed by a majority of the Voting Trustees at the closed (in camera) meeting of the Board.
  - 3.1.6 Having a motion to remove the offending Trustee from one, some or all Board committees or other appointments of the Board passed by a majority of the Voting Trustees at the closed meeting of the Board.
  - 3.1.7 The Board of Education may, in its discretion and by resolution of all voting Trustees, make public any outcome of the Official Complaint Process if it is considered reasonable and appropriate to indicate publicly its disposition of the complaint.
  - 3.1.8 The Board may bar the Trustee from attending all or part of a meeting of the Board or a committee of the Board. With this absence authorized by the Board, the Trustee shall not receive any materials that relate to the meeting that are not available to the public. This sanction is appropriate when the infraction includes the failure to maintain the necessary confidentiality of information.
- 3.2 Sanctions shall be applied as follows:
  - 3.2.1 The Board shall give the Trustee written notice of the determination and any possible sanctions in a timely manner;

- 3.2.2 The Board shall provide the Trustee with 14 days to provide a written response regarding the determination and/or sanctions;
  - 3.2.3 After considering the submission, the Board shall confirm or revoke the determination and/or sanctions within 14 days of receiving the written submission;
  - 3.2.4 If the determination is revoked, the sanctions are revoked; and
  - 3.2.5 If the determination is confirmed, the Board may confirm, vary, or revoke the sanctions. Where a breach of the Trustee Code of Conduct has occurred, sanctions of a Trustee shall be undertaken by the Chair by writing a letter of censure to the Trustee in question. This action shall be reported at the next Regular Meeting of the Board.
- 3.3 For a second occurrence of a breach, a motion of censure shall be presented against the Trustee in question, at a Regular Meeting of the Board, unless to do so would require a disclosure of confidential information other than a previous letter of censure.
  - 3.4 For a third and subsequent occurrence, a motion to remove the trustee in question from one, or more, or all Board appointments shall be presented at a Regular Meeting of the Board.

#### **4.0 Appeals**

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 at their own expense through the legal system.