Trustee Code of Conduct
Policy 103

Category:	Governance
Administered by:	Director of Education
First adopted:	April 2004
Revision history:	June 2011, January 2013, February 2018, April 2019, April 2023
Next review:	By May 15, 2027 (Every 4 years)

1. Policy Statement

It is the policy of the Upper Grand District School Board (UGDSB) that trustees adopt attitudes and behaviours 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 shall demonstrate leadership and accountability, and shall merit the trust of the public and board staff.

2. Definitions

Board
The Board is the Board of Trustees of the Upper Grand District School Board.

Trustee
A trustee is a member of the Board, elected or appointed in accordance with the *Municipal Elections Act* and the *Education Act*, and includes student trustees who are elected by the Upper Grand Student Senate to represent the interests of the students in the board.

Conflict of interest
A conflict of interest exists when, during the course of exercising their duties, the decisions and/or actions of a trustee are affected by or perceived by another party or person to be affected by, the trustee's personal, financial or business interest, or the personal, financial or business interests of a relative, friend, and/or business associate of the trustee.

Personal contractual relationship
A personal contractual relationship includes contractual relationships established between an organization doing business with the board and business organizations owned or controlled by the trustee in question.

Trustee Code of Conduct Committee
In this policy, the Trustee Code of Conduct Committee is defined as the Committee of the Whole.

3. Details

3.1 It is the responsibility of the Chair of the Board to bring this Code of Conduct to the attention of all trustees at the annual organizational meeting.

3.2 Trustees shall sign the Trustee Code of Conduct Acknowledgement and Undertaking, set out at Appendix A, at the beginning of the term of office or the inaugural meeting of the Board, as applicable.

3.3 This policy will be reviewed by May 15 every fourth year by the Governance Committee and revised as necessary.

4. Code of Conduct

Integrity and Dignity of Office

4.1 It is the responsibility of all trustees of the Board, including the Chair of the Board and student trustees, to:

4.1.1 commit to and uphold the letter and spirit of this Code of Conduct and consistent with human rights principles

4.1.2 discharge their duties loyally, faithfully, impartially in the spirit of equity and in a manner that inspires public confidence in the abilities and integrity of the Board

4.1.3 recognize that the expenditure of school board funds is a public trust and endeavour to see that the funds are expended efficiently, in the best interest of the students

Civil Behaviour

4.2 During board activities and with all stakeholders, trustees shall:

4.2.1 be punctual and in regular attendance

4.2.2 be properly prepared and committed to dealing with topics in question

4.2.3 demonstrate rigour and honesty in debate

4.2.4 be prepared to listen and to respect the ideas expressed

4.2.5 be involved, frank and transparent in the expression of opinion

4.2.6 operate in a collegial manner with fellow trustees

4.2.7 seek to make equitable decisions

4.2.8 place in highest priority one's obligation to the democratic process rather than to one's own interests

4.2.9 respect the board's established due process

4.2.11 not use offensive language

4.2.12 not make disparaging remarks about another trustee or a group of trustees

4.2.13 not speculate on the motives of another trustee or a group of trustees

4.2.14 not engage in conduct that would discredit or compromise the integrity of the board

4.2.15 maintain a focus on issues being discussed without the inclusion of personal or anecdotal comments

4.2.16 not advance allegations of misconduct and/or a breach of the Code of Conduct that are trivial, frivolous, vexatious, made in bad faith, or vindictive in nature against another trustee of the Board.

4.3 With the public community and other levels of government, trustees shall:

4.3.1 be consistent and supportive of decisions adopted by the majority of the Board of Trustees in the interests of the community and its concerns

4.3.2 adhere to the highest ethical standards

4.3.3 render decisions based on available facts and independent judgment without surrendering that judgment to the influence of

other individuals, special interest groups, agencies and/or other levels of government

4.4 With board administrators and staff, all trustees shall:

4.4.1 respect administrative authority

4.4.2 be aware of and respect the action plans adopted by the Board and implemented by staff

4.4.3 seek direction or approval from the Director and the Board for lengthy and detailed requests of administration

4.4.4 establish and maintain courteous relationships, and use respectful language

4.4.5 respect differing points of view

4.5 When receiving complaints or concerns, Policy 215 Public Concerns should be referred to and the steps followed.

Avoidance of Personal Advantage and Conflict of Interest

4.6 All trustees shall refuse from any person or entity that has dealings with the board, any of the following which a reasonable person might conclude could influence the trustee when performing their duties of the Board:

4.6.1 direct or indirect hospitality

4.6.2 economic expressions of gratitude

4.6.3 gifts (other than those of a nominal value)

4.7 All trustees shall refrain from using their office to advance a trustee's interests, or the interest of any family members, persons, or organizations with whom or with which the trustee is related or associated

4.8 All trustees shall refrain from using their office to obtain employment with the board for the trustee, family members, or any other person with whom the trustee is associated

4.9 Conflict of interest provisions for elected Board members are set out in the *Municipal Conflict of Interest Act* as relating to primarily pecuniary interest (a financial or monetary interest, direct or indirect). A trustee should also

declare situations involving spouses/partners, family and/or close relatives when discussing issues related to their employment (e.g., staffing, program placements, etc.).

4.10 All trustees shall:

4.10.1 disclose any conflicts of interest and the general nature of the conflict prior to any consideration of the matter at a Committee or Board meeting

4.10.2 not take part in the discussion of, or vote on, any questions in respect of the matter at a Committee or Board meeting

4.10.3 in a public meeting or vote, choose to absent themselves from the portion of the meeting in which the matter will be considered

4.10.4 absent themselves from the part of an “In Camera” meeting (closed to the public) in which the matter will be considered

4.10.5 take all reasonable steps to avoid a potential conflict of interest created by knowingly entering into any personal contractual relationships with an organization doing business with the board

Respect for Confidentiality

4.11 All trustees shall ensure that only items dealing with the following (clauses 207 (2) (a) to (e) of the *Education Act*) are discussed in closed sessions:

4.11.1 the security of the board

4.11.2 the disclosure of intimate, personal or financial information about a member of the Board or a Committee, an employee or prospective employee of the board, or a pupil and their parent or guardian

4.11.3 the acquisition or disposal of a school site

4.11.4 negotiations with employees of the board

4.11.5 litigation affecting the board

4.12 All trustees shall keep confidential any such information unless required to divulge such information by law.

4.13 All trustees shall not use confidential information for either personal gain or to the detriment of the board.

Upholding Decisions

4.14 All trustees shall:

4.14.1 accept that authority rests with the Board and that they have no individual authority other than that delegated by the Board

4.14.2 uphold implementation of any Board resolutions passed by the Board

4.14.3 be supportive of and comply with board policies and procedures

4.15 The Chair of the Board is the spokesperson on behalf of the Board of Trustees, unless otherwise determined by the Board. No other trustee shall speak on behalf of the Board unless authorized to do so. When individual trustees express their opinions in public, they must make it clear that they are not speaking on behalf of the Board.

Compliance with Legislation

4.16 All trustees shall adhere to the policies and procedures of the board and relevant legislation.

5. Enforcement of the Code of Conduct

5.1 The *Statutory Powers and Procedures Act* does not apply to anything done regarding the enforcement of this Code of Conduct.

5.2 A trustee who has reasonable grounds to believe that another trustee of the Board has breached the Trustee Code of Conduct, may bring the alleged breach in confidence to the attention of the Chair of the Board.

5.3 When an alleged breach is brought to the attention of the Chair of the Board, the Chair will determine if the complaint is legitimate and either resolve the matter through an informal process or refer the alleged breach to the Trustee Code of Conduct Committee.

5.3.1 Where the breach is alleged to have been committed by the Chair, the trustee will bring the matter to the attention of the Vice-Chair.

5.4 The Trustee Code of Conduct Committee will select three (3) trustees to investigate the alleged breach, and based on the results of the investigation, the Trustee Code of Conduct Committee will determine whether the trustee has breached the Trustee Code of Conduct. The trustee alleged to have committed the breach shall not be selected to investigate the alleged breach.

5.5 The Trustee Code of Conduct Committee will investigate the alleged breach, and based on the results of the investigation, the Trustee Code of Conduct Committee will determine whether the trustee has breached the Trustee Code of Conduct.

5.5.1 The Trustee Code of Conduct Committee will report to the Board with recommendations for consideration.

5.6 If the Board approves the recommendation from the Trustee Code of Conduct Committee that the trustee has breached the Trustee Code of Conduct, the Board may impose one or more of the following sanctions:

5.6.1 censure of the trustee

5.6.2 bar the trustee from attending all or part of a meeting of the Board or a meeting of a Committee of the Board

5.6.3 bar the trustee from sitting on one or more committees of the Board, for the period of time specified by the Board

5.7 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 is not entitled to receive any materials that relate to that meeting or that part of the meeting that are not available to members of the public.

5.8 If the Board determines that a trustee has breached the Trustee Code of Conduct, the Board shall give the trustee written notice of the determination and of any sanction imposed by the Board. The notice shall inform the trustee that they 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 calendar days after the notice is received by the trustee.

5.9 The Board shall consider any submissions made by the trustee and will confirm or revoke the determination within 14 calendar days after the submissions are received.

5.10 If the Board revokes a determination, any sanction imposed by the Board is revoked.

5.11 If the Board confirms a determination, the Board will, within 14 calendar days from the receipt of the trustee's submission, confirm, vary or revoke the sanction.

5.12 If a sanction is varied or revoked, the variation or revocation will be deemed to be effective as of the date the original determination was made.

5.13 Notwithstanding subsection 207 (1) of the *Education Act*, the part of a meeting of the Board during which a breach or alleged breach of the Trustee 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) of the *Education Act* (see section 6. Respect for confidentiality).

5.14 The Board will do the following things by resolution at a meeting of the Board, and the vote on the resolution shall be open to the public:

5.14.1 make a determination that a trustee has breached the Trustee Code of Conduct

5.14.2 impose a sanction

5.14.3 confirm or revoke a determination

5.14.4 confirm, vary or revoke a sanction

5.15 A trustee who is alleged to have breached the Trustee Code of Conduct will not vote on a resolution of the matter.

5.16 The passage of a resolution on the matter shall be recorded in the minutes of the meeting.

6. References

This policy operates in conjunction with:

- *Education Act* and Regulations, Procedures and Guidelines
- *Municipal Conflict of Interest Act*

- *Municipal Freedom of Information and Protection of Privacy Act*
- All UGDSB policies and procedures, including:
  - Policy 215 Public Concerns
  - Policy 318 Responsible Use of Digital Technologies
- Board By-law No.1 (Procedural By-law)

Trustee Code of Conduct
Policy 103 - Appendix A

Acknowledgement and Undertaking

I confirm that I have read, understand, and agree to abide by Policy 103 Trustee Code of Conduct.

Signature:_____ Date:_____

Print Name:_____