

## **TRUSTEE CODE OF CONDUCT**

### **1. PURPOSE**

The Board has developed this policy to set out expectations for ethical and professional conduct.

The expectation of the Board is that its members maintain the integrity of the Board and the position of the Board member when representing the District. They will represent the values and virtues of the District (Pathways to Thrive). Trustees are required to sign the Trustee Code of Conduct at the assumption of office (this includes each election term, by-elections and appointments).

All trustees may approach the Chair informally to discuss in a confidential manner any incident where they feel that a potential breach of the Code of Conduct has occurred. The Chair will follow-up appropriately.

### **2. CODE OF CONDUCT**

Trustees will:

- a. Demonstrate commitment to public education and loyalty to the Renfrew County District School Board.
- b. Represent everyone that the Renfrew County District School Board serves.
- c. Recognize that the Chair of the Board and the Director of Education are the primary spokespersons in all situations where a system level comment or response is required.
- d. Support the Board's governance structure by recognizing that the connection to the District organization is through the Director of Education and that authority over the Director is only through the corporate Board.
- e. Abide by and respect the majority decisions of the Board and recognize that they are legally bound by them. Individual trustees should use discretion when making public statements regarding decisions of the Board.
- f. Trustees will not attempt to exercise individual authority over the legal authority of the Board.
- g. Maintain the confidentiality of privileged information discussed in closed meetings or provided in correspondence and reports.
- h. Endeavour to work in a spirit of harmony and co-operation in spite of differences of opinion.
- i. Act with proper decorum and be respectful of others.
- j. Declare any financial conflict of interest between their personal and/or business interests and their position on the Board. A trustee will not participate in or exert influence on any decision in which the trustee has any direct or indirect financial interest.

### **3. PROCEDURES FOR BREACH OF THE CODE OF CONDUCT**

#### **3.1 Formal Complaint Procedure**

A trustee who has reasonable grounds to believe that another Trustee of the Board has breached the Trustee Code of Conduct shall bring the breach to the attention of the Board by first providing to the Chair of the Board a written, signed complaint setting out the following:

- the name of the trustee who has breached the code,
- the alleged breach or breaches of the code,
- any additional information or evidence to support the complaint.

In an election year for trustees, a complaint respecting a trustee who is seeking re-election shall not be brought during the period commencing two months prior to Election Day.

#### **3.2 Consequences Applied by the Chair**

- a. The Chair of the Board has the authority to investigate allegations of breaches of the Code of Conduct and shall, where appropriate, consult with the Vice-Chair and Director of Education.
- b. If the Chair is of the opinion that the complaint provides insufficient grounds for a formal inquiry, a formal inquiry shall not be conducted and a confidential report stating the reasons for not proceeding shall be provided to all trustees.
- c. If a course of action is required, the Chair, Vice-Chair or designate is given the authority to invoke these consequences:
  - a verbal warning; and/or
  - a letter outlining the breach or concern
  - at the discretion of the Chair, Vice-chair or designate, the findings of the investigation may be brought before the Board.
- d. Where the Chair of the Board determines that there are grounds to proceed with an investigation of a formal complaint, they shall provide to all trustees a confidential copy of the formal complaint within ten days of receiving the complaint.
- e. Where the alleged breach of conduct has been committed by the Chair of the Board, the Board shall empower the Vice-Chair or designate to perform the responsibilities of the Chair. Where the alleged breach of conduct has been committed by the Chair of the Board and the Vice-Chair, the Director of Education as Secretary of the Board, shall select a trustee to lead the investigation.
- f. A Board member to whom the Chair, Vice-Chair or designate has applied one of these consequences may appeal to the Board at the next meeting of the Committee of the Whole in closed session. The decision of the Board is final.

#### **3.3 Escalating Consequences Applied by Board Resolution**

More serious consequences for breach of the Code of Conduct may be imposed by Board resolution according to the following guidelines:

- a. Any member who resists the rules of the Board, disobeys the decision of the Chair or the Board on points of order, or makes any disorderly noise or disturbance, may by resolution of the Board be ordered to leave for all or part of the remainder of the meeting. Such removal is to be recorded in the minutes of the meeting.

- b. The Board may, by special motion duly passed either in an open session or Committee of the Whole in closed session, censure a trustee for breach of the governance by-laws, Board policy and/or relevant legislation.
- c. The Board may, by special motion duly passed, remove a Board member from a Board committee. If such resolution is passed, the Board shall, at the same meeting, elect a new Board member to fill the vacancy on that committee.
- d. A trustee who has been determined to have breached this Code of Ethics / Code of Conduct shall not vote on any of the resolutions listed above and is not entitled to receive any materials that relate to that meeting or that part of the meeting including materials that are available to the members of the public.
- e. The Board may, by special motion duly passed, resolve to pursue available legal avenues if a Board member fails to comply with the duty of confidentiality in ways that impact negatively on the District.
- f. The topic to be decided by special motion must appear on the distributed agenda for the meeting, or all Board members must have been advised within 48 hours of the commencement of the meeting of the request to add the item to the agenda. If the special motion is not part of the distributed agenda, the matter will be discussed at the meeting only if the additional agenda item is approved by a two thirds majority of those Board members present.
- g. The Board will respect the Board member's right to due process, including appropriate notice of the complaint; information about the specifics of the allegations; and the right to make a presentation before the Board. A Board member facing consequences under the Code of Conduct will be afforded one legal consultation, upon written request, with the District's legal firm.
- h. The decision of the Board following the presentation is final.

### 3.4 Removal of Chair / Vice-Chair

The Board may, by special motion duly passed and simple majority vote, declare the office of the Chair and/or Vice-Chair to be vacant, effective as of the date of passage of the resolution, where such person:

- becomes disqualified as a Board member according to Section 228 of the Education Act; or,
- deliberately breaches any relevant legislation or Board policy; or,
- acts in such a manner as to lose the confidence of the Board.

If such a motion is passed, the Board shall, at the same meeting, elect a new Chair and/or Vice-Chair following the election process set out in Policy 9 "Board Operations".

### ***Legal References:***

Education Act, sections 169.1, 170-171 Duties and Powers of Boards; sections 218.1-218.3 Duties of Board Members – Code of conduct; subsection 207 (2) Closing of Meetings; section 209 Board Member Declaration; Section 228 Seat Vacated by Conviction, Absence, etc.

Municipal Conflict of Interest Act

Municipal Freedom of Information and Protection of Privacy Act

Program/Policy Memorandum No. 128

The Provincial Code of Conduct and School Board Codes of Conduct