

Board Policy 4

Trustee Code of Conduct

The Board commits itself and its members to conduct which meets the highest ethical standards. It is expected that all personal interactions and relationships will be characterized by mutual respect, which acknowledges the dignity and affirms the worth of each person.

Specifically

1. The Northern Gateway Public Schools “Code of Ethics” shall guide the actions of a trustee (see Policy 4 – Appendix A).
2. Trustees shall not use their influence to obtain employment within the Division for family members or friends.
3. Trustees shall reflect the Board’s policies and resolutions when communicating with the public.
4. Trustees shall respect issues of a sensitive or confidential nature.
5. While elected from specific wards, trustees must represent the best interests of the entire Division. This accountability 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.
6. Trustees shall represent the Board responsibly in all Board-related matters with proper decorum and respect for others.
7. Consequences for the failure of individual trustees to adhere to the Trustee Code of Conduct are specified in Policy 4 – Appendix B.

Reference: Sections 60, 61, 68, 72, 80, 81, 82, 83, 84, 246 School Act

Board Policy 4 – Appendix A

Northern Gateway Public School Boards Code of Ethics

As a member of my local Board of Education, representing all the citizens of my community and responsible to the electorate through the democratic process, I recognize:

- That my fellow citizens have entrusted me, through the electoral process, with the educational development of the children and youth of the community.
- That trustees are the children's advocates and my first and greatest concern is the best interest of each and every one of these children without distinction as to who they are or what their background may be.
- That trustees are educational leaders who realize that the future welfare of the community, of the Province, and of Canada depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner.
- That legally, the authority of the Board is derived from the Province, which ultimately controls the organization and operation of the school district and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy.
- That I must never neglect my personal obligation to the community and my legal obligation to the Province, nor surrender these responsibilities to any other person, group, or organization but that, beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as publically-funded schools in Canada are kept free and strong.

In view of the foregoing, I will:

- Devote time, thought and study to the duties of a trustee so that I may render effective and creditable service.
- Work with my fellow trustees in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debate of points of issue.
- Consider information received from all sources and base my personal decision upon all available facts in every case, unswayed by partisan bias of any kind, and therefore, abide by and uphold the final majority decision of the board.

- Work together with my fellow trustees to communicate to the electorate all the facts about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.
- Provide leadership to my community through setting goals and developing policies for the educational program and by regularly evaluating these in the light of the wishes and expectations of the community.
- Remember at all times that as an individual, I have no legal authority outside the meeting of the board, and to conduct my relationships with the school staff, the community, and all media of communication on the basis of this fact.
- Resist every temptation and outside pressure to use my position as a school trustee to benefit either myself or any other individual or agency apart from the total interest of the school jurisdiction.
- Recognize that the primary function of the board is to establish the policies by which the schools are to be administered, and that the administration of the educational program and conduct of school business shall be left to the employed superintendent of schools and his/her staff.
- Encourage active cooperation by citizens, organizations, and the media in the district with respect to establishing policy on current school operations and proposed future developments.
- Support provincial and national school board association(s) for the future of trusteeship in this province and the nation.
- Provide to the best of my ability effective school board service to my community in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

Reference: Sections 60, 61, 68, 72, 80, 81, 82, 83, 84, 246 School Act

[ASBA Code of Ethics](#)

Board Policy 4 – Appendix B

Trustee Code of Conduct Sanctions

Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Trustee Code of Conduct, Policy 4. The failure by trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.

Breach of Confidentiality – Failure of Security

1. In particular, the Trustee Code of Conduct requires that trustees shall respect the confidentiality appropriate to issues of a sensitive nature.
2. Failure to comply with this requirement constitutes a failure of security. An individual trustee may bring a suspected breach of security to the attention of the Board Chair, or where otherwise applicable in what follows, to the Vice-Chair. If unresolved, the suspected breach of security will go to an in-camera meeting of the Board. If, by majority vote at a public meeting, the Board agrees that a failure has occurred, the failure shall be recorded by the Board and the following procedure shall be invoked:
 - 2.1 The Board Chair shall request that the Superintendent or designate (as Head of the Division under the Freedom of Information and Protection of Privacy Act), appoint an independent investigator to review this matter. This request may occur only after such a motion has been discussed and agreed to by a majority of trustees present at an in-camera meeting of the Board. This decision shall immediately be approved in a public meeting of the Board.
 - 2.2 The independent investigator shall conduct an investigation and submit a report of findings and recommendations to the Board Chair and to the Superintendent.
 - 2.3 The Board Chair shall present at a closed meeting of the Board, the report of the independent investigator. At this time, the trustee in question shall have an opportunity to present any additional, relevant information.
 - 2.4 If it is determined by a majority vote of the Board that a willful violation of security has occurred, for a first occurrence, a motion to write a letter of censure marked "Personal and Confidential" is required to be discussed and agreed upon by a majority of trustees present at an in-camera meeting of the Board. This decision requires immediate



approval by a majority vote of trustees at a public meeting of the Board.

- 2.5 For subsequent occurrences, a motion of censure against the trustee in question may be brought directly to a public meeting of the Board. This motion shall be approved by a majority vote of trustees present at such a meeting. In addition, at a public meeting of the Board, a motion to remove the trustee from one (1) or more Board appointments may be presented.

All Other Breaches of the Code of Ethics

3. A trustee who believes that a fellow trustee has violated the Code of Ethics for matters other than respecting confidentiality may seek resolution of the matter through appropriate conciliatory measures prior to commencing an official complaint under the Code of Ethics.
4. A trustee who wishes to commence an official complaint under the Code of Ethics shall file a letter of complaint with the Board Chair within thirty (30) days of the alleged event occurring and indicate the nature of the complaint and the section or sections of the Code of Ethics that are alleged to have been violated by the trustee. The trustee who is alleged to have violated the Code of Ethics and all other trustees shall be forwarded a copy of the letter of complaint by the Board Chair, or where otherwise applicable in what follows, by the Vice-Chair, within five (5) days of receipt by the Board Chair of the letter of complaint.
5. 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 Ethics. 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 hearing.
6. 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 hearing. Any trustee who forwards such a letter of support shall not be disqualified, from attending at and deliberating upon, the complaint at a hearing convened to hear the matter, solely for having issued such a letter.

7. Where no letter supporting a hearing is forthcoming, the complaint shall not be heard. The Board Chair shall notify all other trustees in writing that no further action of the Board shall occur.
8. Where a letter of support for a hearing is forthcoming, the Board Chair shall add the item to a meeting of the Board as soon as is reasonable.
9. A violation of all sections of the Code of Ethics other than matters of confidentiality shall result in:
 - 9.1 The Board Chair writing a letter of censure marked "Personal and Confidential" to the trustee in question. This occurs only after having such action discussed and agreed upon by a majority vote of trustees present at an in-camera meeting of the Board. A majority of trustees at a public meeting of the Board shall immediately approve this decision.
 - 9.2 For subsequent occurrences, a motion of censure against the trustee in question may be brought directly to a public meeting of the Board. This motion shall be approved by a majority vote of trustees present at such a meeting. In addition, at a public meeting of the Board, a motion to remove the trustee from one (1) or more Board appointments may be presented.

Disqualification

10. If a trustee is disqualified under Section 82 or 83 of the *School Act* from remaining as a trustee of the Board and does not resign as required under Section 85, the Board may by resolution declare the trustee to be disqualified from remaining a trustee or the Board may apply for originating notice to the Court of Queen's Bench for an order:
 - 10.1 Determining whether the trustee is qualified to remain as a trustee, or
 - 10.2 Declaring the trustee to be disqualified from remaining as a trustee.

General

11. Depending on the significance of the violation, the Board may omit steps in the process defined above or take alternate action if deemed more appropriate.