

112: SCHOOL TRUSTEE CODE OF CONDUCT (P)

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PURPOSE

Trustees uphold and abide by District Values, Mission, Vision, and Board decisions, and commit 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. The Board of Education believes individual trustees must adhere to the highest ethical standards in their dealings with fellow Trustees, school communities, rightsholders, and citizens.

The rights, powers, duties, and liabilities of the Board rest only with the legally constituted Board as a whole, and Trustees exercise their powers and responsibilities only when the Board is officially in session. It is expected that Trustees work in a spirit of harmony, respect, and cooperation, where all personal interactions and relationships acknowledges the dignity and affirms the worth of each person.

POLICY

In carrying out the role of Trustee, the Board expects Members will:

1. 1 Establish a district culture which will foster student achievement, and which will provide an atmosphere where each student can reach his/her full potential. Discharge the responsibility of being an advocate for children by always making fair and inclusive decisions that are in the best interests of children.
1. 2 Provide effective and credible service through the devotion of appropriate time, thought and study to the duties and responsibilities of a Board member in order to ensure the district is well governed, well maintained, fiscally secure, and operating in the best interests of those they serve.
1. 3 Conduct business in accordance with the rules of order, the policies of the district, and the laws, rules and regulations governing education in B.C.
1. 4 Observe proper decorum and behavior as well as encourage full and open discussion in all matters with their fellow trustees.

1. 5 Represent the best interests of the entire district. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs.
1. 6 Speak only about what the Board has decided, and individuals may state the reason for their vote. However, trustee interaction with public, media or other entities shall recognize the same limitation as the inability of any member of the Board, except for the chair, to speak for the Board.
1. 7 Resist every temptation and outside pressure to use the Trustee position for personal advantage or the advantage of friends or any other individual or agency apart from the total interest of the District.
1. 8 Keep in confidence any personal or confidential information obtained in his or her capacity as a Trustee and not disclose the information except when required by law or authorized by the Board to do so.
1. 9 Consider information received from all sources and base individual decisions upon all available facts while maintaining confidentiality of privileged information.
1. 10 Declare any conflict of interest as stated in the *School Act*, and shall not participate in, vote on, or exert influence on, any decision in which the Trustee has any interest.
1. 11 Not withhold or conceal information that may have a material impact on the deliberations of the Board or Administration of the District.
1. 12 Interact with the Superintendent or with staff recognizing the lack of authority vested in individuals except when explicitly authorized by the Board.
1. 13 Attend to the governance role of the Board avoiding involvement in District operations.
1. 14 Endeavor to remain informed concerning provincial and national developments in education.

The Board shall establish procedures to provide for the resolution of conflicts among Trustees and to enforce the Code of Conduct and, where necessary, impose sanctions on Trustees who violate the Code of Conduct.

12.1 RESOLUTION OF CONFLICT

Disputes occur regularly and are an expected part of human interaction. Disagreements among Trustees and with the Superintendent similarly occur from time to time. Left unattended, disputes may lead to conflict that interferes with Board governance and Board-Superintendent relations. The Board regards conflicts as normally occurring and as opportunities to increase understandings of differences, enhance working relationships and improve individual performance. Collaborative, inclusive, fair, and developmental conflict resolution processes are based on the following interpersonal relational norms:

- Appreciation for the contribution of others
- Openness to diverse views and new ideas
- Respectful and emotionally safe interpersonal relationships
- Open and honest contributions to discussions
- Positive group dynamics (tone, body language), and
- Focus on the group task

1.0 CONFLICT RESOLUTION EXPECTATIONS

The Board has determined the following conflict resolution expectations. These expectations are intended to encourage learning, flexibility, and responsiveness, to avoid procedural rigidity, and to be restorative.

- 1.1 Understanding
Disagreements present opportunities to seek additional information and create new understandings. Processes need to encourage inquiry, development of new and shared perceptions, and agreement.
- 1.2 Timelines
Conflicts should be addressed as soon as possible and not left unattended to grow and impact unnecessarily on others and the work of the Board.
- 1.3 Fairness
Processes need to be open and equitable extending opportunities for participation in problem identification and generation of solutions.
- 1.4 Focus
Resolution processes and communications need to focus on issues and outcomes not people. The expectation is to build the team and enhance Board governance.
- 1.5 Respect

Interactions must be characterized by care and regard for the individual, empowerment, and appropriate confidentiality.

2.0 CONFLICT RESOLUTION PROCEDURE

Trustees and the Superintendent are encouraged to adhere to the conflict resolutions expectations:

- 2.1 Attend to the conflict, disagreement, or dispute within 7 days of becoming aware of the issue.
- 2.2 Address the issue with the individual directly with a view to resolving the matter privately.
- 2.3 Where a resolution is not found privately and there continues to be merit in seeking resolution, bring the matter to the attention of the Chair or, where the Chair is absent or the conflict involves the Chair, the Vice-Chair, who shall;
 - Within 14 days, take steps personally to inquire about the conflict with each individual involved;
 - Seek to resolve the conflict in consultation with the individuals involved; and
 - Treat the conflict and information surrounding the conflict confidentially.
- 2.4 Where the Chair is unable to resolve the conflict, there continues to be merit in seeking resolution. With the agreement of the involved individuals in respect to timing and external consultant, the Chair may engage an external consultant to resolve the conflict.
- 2.5 Where the consultant is unable to resolve the conflict within 28 days, there continues to be merit in seeking resolution. With the agreement of the individuals, the Chair may bring the conflict to the attention of the Board in a Closed Meeting.

The Board shall:

- Within 14 days, initiate steps to inquire about the conflict with each individual involved;
 - Seek to resolve the conflict in consultation with the individuals involved; and
 - Treat the conflict and information surrounding the conflict confidentially.
- 2.6 Where the Board is unable to resolve the conflict within 28 days and there continues to be merit in resolving the conflict the Board may, by motion of the Board made in a Closed Meeting impose a resolution to the conflict. The resolution shall be included in the public report of the Board on the Closed Meeting and the matter shall be closed.

ENFORCEMENT OF THE TRUSTEE CODE OF CONDUCT

The Trustee Code of Conduct requires that each Trustee commit to the highest ethical standards in their dealings with fellow Trustees, the school community and all citizens of the District. The Board expects each Trustee to adhere to the Code of Conduct in carrying out the role of Trustee. The Board recognizes that Code of Conduct infractions vary in their intent and severity and has established

5.1 Notification of an Alleged Breach of the Code of Conduct

51.1 A Trustee of the Superintendent or, the case of a breach of confidentiality the Secretary-Treasurer, shall in confidence bring the alleged breach of the Code to the attention of the Board by notifying the Chair or, in the absence of the Chair, the Vice-Chair who in such instances shall undertake the responsibilities of the Board Chair.

51.2 Notification of the Board Chair shall be made in writing and within 7 days of the Trustee or Superintendent first becoming aware that the alleged breach has occurred. The notification shall include: the name of the Trustee who is alleged to have breached the Code; the alleged breach or breaches of the Code; information as to when the breach came to the individual's attention the grounds for the belief of the individual that a breach of the Code has occurred; the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach or any other persons who have relevant information regarding the alleged breach; and, the signature of the individual alleging the breach of the Code.

5.2 Informal Code of Conduct Enforcement Procedures

5.2.1 The Chair, on his/her own initiative, or at the request of the Trustee, Superintendent or Secretary-Treasurer, who alleges a breach of the Code has occurred, may meet confidentially and informally with the Trustee who is alleged to have breached the Code, to discuss the breach. The Chair shall bring the allegation of the breach to the attention of the Trustee and discuss sanctions to address the breach as an infraction and/or measures to correct the offending behavior.

5.2.2 The sanctions or measures to address the alleged breach as an infraction may include a warning, an apology, or an agreed-upon consequence which may include that the Trustee engage in professional development.

5.2.3 The agreement of the Trustee that the infraction of the Code occurred and with the sanctions or measures imposed shall be reported to a Closed Meeting or Closed Session of the Board and no further action in respect to the infraction shall be taken.

5.2.4 Refusal of the Trustee to agree that the infraction occurred or with the suggested sanctions or measures may result in the allegation of a breach of the Code being elevated by the Chair or the Board to the Formal Code of Conduct Enforcement Procedures.

5.3 Formal Code of Conduct Enforcement Procedures

5.3.1 In the absence of informal resolution of the alleged breach and within 14 days of receiving the notification of the alleged breach, the Chair shall compile the information obtained in the originating notification of the alleged breach and any actions the Chair may have taken to address the allegation and make a confidential report to the Board in a Closed Meeting or Closed Session. The Chair's report to the Board shall include the Chair's recommendation in respect to the merits of the Board conducting an investigation into the alleged breach of the Code.

5.3.2 The Board, by motion, shall within 14 days of receiving the report of the Chair, confirm or reject the recommendation of the Chair to conduct an investigation of the alleged breach of the Code.

5.3.3 Where the Board determines that an investigation should be made into the alleged breach of the Code, within 28 days of receiving notification from the Chair of the alleged breach, the Board shall by any appropriate means, including engagement of an independent investigator by the Superintendent, make inquiries into the alleged breach. On the basis of the results of the enquiry, the Board shall by motion decide whether the Trustee has breached the Code and impose sanctions appropriate to the severity of the breach.

5.3.4 The Trustee alleged to have breached the Code shall not vote in respect to a motion to undertake an investigation of the alleged breach nor vote in respect to a motion to confirm the alleged breach or impose sanctions.

5.4 Sanctions for Breach of the Code of Conduct

Where the Board determines that a Trustee has breached the Code, the Board may censure the Trustee or, where the infraction includes the failure to maintain the necessary confidentiality of information, bar the Trustee from attending all or part of a Meeting of the Board or a Committee of the Board and the Trustee shall not receive any materials that relate to that meeting that are not available to the public. These sanctions are not intended to limit any other response, action or remedy that the Board may decide to take or pursue.

5.4.1 Upon the Board determining that a Trustee has breached the Code and any sanctions to be imposed:

- The Board shall give the Trustee written notice of the determination and sanctions;

- Provide the Trustee with 14 days to make written submissions to the Board regarding the determination and/or sanctions;
 - After considering the submissions, the Board shall confirm or revoke a determination within 14 days of receiving the submissions;
 - If the determination is revoked, the sanctions are revoked; and
 - If the determination is confirmed, the Board shall confirm, vary or revoke the sanctions.
- 5.4.2 Where a breach of Sections 1 to 14 inclusive of the Code has occurred, sanction of a Trustee shall be undertaken by the Chair writing a letter of censure marked “personal and confidential” to the Trustee in question. This action shall be reported at the next Open Meeting of the Board.
- 5.4.3 For a second occurrence, a motion of censure shall be presented against the Trustee in question, at an Open Meeting of the Board, unless to do so would require a disclosure of confidential information other than a previous letter of censure.
- 5.4.4 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 an Open Meeting of the Board.
- 5.4.5 Where there has been a failure to maintain the confidentiality of information and a breach of Section 15 of the Code has occurred, in addition to the above sanctions, the Board may bar a Trustee from attending all or part of a Meeting of the Board or a Committee of the Board. When a sanction has been imposed that bars a Trustee from attendance at a Meeting of the Board it is considered to be an absence authorized by the Board.