



XXXX: SCHOOL TRUSTEE CODE OF CONDUCT (A/P)

In accordance with Policy 112: School Trustee Code of Conduct (“the Code”), each Trustee is obligated to maintain 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 while carrying out their role as Trustee. The Board recognizes that Code of Conduct infractions vary in their intent and severity and has established this Administrative Procedure to outline the processes for dealing with Breaches and Sanctions, Public Accountability and Conflict Resolution. It also outlines the steps required to restore relationships after the occurrence of a breach.

1.0 BREACHES AND SANCTIONS, PUBLIC ACCOUNTABILITY

NOTIFICATION OF AN ALLEGED BREACH OF THE CODE OF CONDUCT

- 1.1 A Trustee, the Superintendent or, in 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.
- 1.2 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.
- 1.3 The notification shall include:
 - a. the name of the Trustee who is alleged to have breached the Code,
 - b. the alleged breach or breaches of the Code,
 - c. information as to when the breach came to the individual’s attention,
 - d. the grounds for the belief of the individual that a breach of the Code has occurred,
 - e. the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach, and
 - f. the signature of the individual alleging the breach of the Code.

INFORMAL PROCEDURE FOR AN ALLEGED BREACH OF THE CODE OF CONDUCT

- 1.4 The Chair, on their own initiative or at the request of the Trustee, Superintendent or Secretary Treasurer, may meet confidentially and informally with the Trustee who is alleged to have breached the Code, to discuss the breach.
- 1.5 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.



- 1.6** The sanctions or measures to address the alleged breach as an infraction may include:
- a. a letter of apology,
 - b. participation in a restorative justice process,
 - c. participation in specific training, coaching, or counselling as directed by the board,
 - d. being subject to a motion of censure passed by a majority of the voting trustees at a closed In-Camera Board meeting; or
 - e. being removed from one, some, or all board committees or other appointments by a majority of voting trustees at an In-Camera board meeting. It is important to note that, except as expressly permitted by the School Act, a board's authority does not extend so far as to effectively remove a trustee from their elected office.
- 1.7** The agreement of the Trustee that the infraction of the Code occurred, and the sanctions or measures imposed shall be reported at a closed In-Camera Meeting of the Board and no further action in respect to the infraction shall be taken.
- 1.8** Refusal of the Trustee to agree that the infraction occurred or refusal of the Trustee to agree to 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.

FORMAL PROCEDURE FOR AN ALLEGED BREACH OF THE CODE OF CONDUCT

- 1.9** 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
- a. compile the information obtained in the originating notification of the alleged breach, as well as any actions the Chair may have taken to address the allegation,
 - b. make a confidential report to the Board in a closed In-Camera Meeting. 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.
- 1.10** The Board, by motion shall, within 14 days of receiving the report of the Chair, confirm or reject the recommendation of the Chair to formally investigate the alleged breach of the Code.
- 1.11** 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. Based on the results of the investigation, the Board shall by motion decide whether the Trustee has breached the Code and impose sanctions appropriate to the severity of the breach.



- 1.12** 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 shall they be permitted to vote in respect to a motion to confirm the alleged breach or impose sanctions.

SANCTIONS FOR A BREACH OF THE CODE OF CONDUCT

- 1.13** 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. In such a case, 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.

- 1.14** Upon the Board determining that a Trustee has breached the Code and sanctions are to be imposed, the Board shall:

- a. give the Trustee written notice of the determination and sanctions,
- b. provide the Trustee with 14 days to make written submissions to the Board regarding the determination and/or sanctions, and
- c. after considering the submissions, confirm or revoke a determination within 14 days of receiving the submissions.

If the determination is revoked, the sanctions are revoked. If the determination is confirmed, the Board shall confirm, vary, or revoke the sanctions.

- 1.15** Where a breach 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 Regular (public) Meeting of the Board.
- 1.16** 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.
- 1.17** 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.
- 1.18** 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.



2.0 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 understanding 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

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.

- 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.
- 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.
- Fairness:** Processes need to be open and equitable extending opportunities for participation in problem identification and generation of solutions.
- 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.
- Respect:** Interactions must be characterized by care and regard for the individual, empowerment, and appropriate confidentiality.

CONFLICT RESOLUTION PROCEDURE

- 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:



- a. Within 14 days, take steps personally to inquire about the conflict with each individual involved,
- b. Seek to resolve the conflict in consultation with the individuals involved; and
- c. 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 In-Camera Meeting.

The Board shall:

- a. Within 14 days, initiate steps to inquire about the conflict with each individual involved,
- b. Seek to resolve the conflict in consultation with the individuals involved; and
- c. 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 In-Camera Meeting impose a resolution to the conflict. The resolution shall be included in the public report of the Board on the closed In-Camera Meeting and the matter shall be closed.

Resources:

Deputy Minister's Bulletin: School Trustees Code of Conduct – Provincial Criteria Guidelines in conjunction with BCSTA's Principles/Standards for Codes of Conduct
School District No. 44 (North Vancouver)