

POLICY 133 TRUSTEE CODE OF CONDUCT

The Board of Education of School District No. 83 (North Okanagan-Shuswap) requires that each Trustee commit to the highest ethical standards in their dealings with fellow Trustees, the school community, and all members of the district.

Therefore, it is important that the Board and its individual members operate in an ethical and business-like manner. This commitment includes proper use of authority, appropriate decorum in individual and group behaviour, and fair and respectful treatment of students, parents, staff, Rightsholders, members of the community, and other Board members.

The Board has established a Trustee Code of Conduct to help provide the conditions necessary for effective Board operations.

INTEGRITY

- All decisions will be based on putting the needs of students first;
- Trustees will carry out their responsibilities in accordance with the *School Act*, Regulations, and Board Policy;
- Trustees will make all decisions based on available facts and their independent judgment and shall refuse to surrender that judgment to individuals or special interest groups; and,
- Trustees will act with the highest standards of professional integrity and in a manner that inspires public confidence in the Board.

RESPECT

- While Trustees can express individual opinions on issues under consideration by the Board, in doing so they will respect the differing points of view of colleagues, staff, Rightsholders, and the public and thereby enhance public confidence in the work of the Board; and,
- Trustees will carefully review all information packages in preparation for discussion at all scheduled meetings of the Board and its committees.

CONFIDENTIALITY

- Trustees will maintain confidentiality of privileged information, including information discussed in closed sessions.

RESPONSIBILITY

- Once the Board has voted, Trustees are bound by the majority decision and will respect and abide by the Board's decisions; and,

- Trustees will recognize that the expenditure of Board funds is a public trust and will ensure effective and transparent stewardship of the Board's resources in the best interests of the students.

CONFLICT OF INTEREST

- Trustees will voluntarily and immediately declare any pecuniary conflict of interest (direct, indirect, or deemed) in matters before the board or a committee of the board.

RELATIONSHIPS

- Trustees will speak as the voice of their entire community (including people who do not have children in the school system or people outside of their direct constituency) at the Board table;
- Trustees will work with other Trustees in a spirit of respect, openness, courtesy, and cooperation in spite of differences of opinion that may arise during debate. Trustees will refrain from gossip; and,
- Trustees will maintain professional commentary (public or private) at all times about the Superintendent, all employees of School District No. 83, and third-party service providers.

BREACH OF CONDUCT

- 1.1 If a concern arises that a Trustee has acted contrary to this Code of Conduct, the Chair of the Board, or Vice Chair if the concern involves conduct of the Chair, must be notified in writing of the alleged breach of conduct as soon as reasonably possible after the concern arises.
- 1.2 If a concern arises that both the Chair of the Board and the Vice Chair have acted contrary to this Code of Conduct, the Superintendent and the Secretary Treasurer must be notified in writing of the alleged breach of conduct as soon as reasonably possible after the concern arises. The Superintendent and the Secretary Treasurer have the authority to initiate an investigation into the allegations of breaches of the Code of Conduct and appoint an independent investigator to conduct the investigation. The appointment of the investigator should be made within a reasonable period and no later than thirty (30) school days after being informed of the concern.

Informal Resolution

- 1.3 If an alleged breach of conduct notification is received, the Chair of the Board, or Vice Chair if the concern involves conduct of the Chair, may address the alleged breach of the Code of Conduct with the Trustee who is the subject of the Complaint and attempt to resolve the matter informally. The decision to pursue an informal resolution should be

made within a reasonable period, and no later than thirty (30) school days after being notified of the concern.

Investigation of Allegations of Breach of Conduct

- 1.4 The Chair of the Board has the authority to initiate an investigation into allegations of breaches of the Code of Conduct (a “Complaint”) and appoint an independent investigator if deemed necessary. If a Complaint is made against the Chair of the Board, the Vice-Chair has the authority to initiate an investigation into a Complaint and appoint an independent investigator if deemed necessary. The decision to initiate an investigation should be made within a reasonable period, and no later than thirty (30) school days after being informed of the concern.
- 1.5 The independent investigator will begin the investigation promptly and will be directed to endeavor to provide the results within thirty (30) school days of being engaged to conduct the investigation. The results of an investigation will be brought to the Board, as soon as reasonably practicable, for a determination as to whether the consequences described in paragraph 1.7 could potentially be imposed by the Board. Consequences under paragraph 1.7 require Board resolutions that may only occur after a Code of Conduct Hearing.

Process for Code of Conduct Hearing

- 1.6 If the Board determines that consequences in paragraph 1.7 could potentially be imposed by the Board, the Board will, by majority vote, pass a motion initiating the following process:
- i. Provide to the Trustee who is the subject of the Complaint (the “Subject of the Complaint”), at least seven (7) days prior to a Code of Conduct Hearing:
 - a) the Complaint, in writing,
 - b) any material to be considered by the Board at the Code of Conduct Hearing, and
 - c) a list of potential consequences that will be considered by the Board at the Code of Conduct Hearing.
 - ii. Convene a special private Board meeting regarding the Complaint (a “Code of Conduct Hearing”).
 - a) At the Code of Conduct Hearing, the Chair of the Board (or Vice Chair if the Complaint is made against the Chair of the Board or the Trustee appointed to chair the meeting if the Complaint is made against both the

Chair of the Board and the Vice Chair) shall read out the Complaint and refer to any relevant materials for the Board's consideration.

- b) The Subject of the Complaint will have the opportunity to respond to the Complaint.
- c) The Board may ask clarifying questions to the Subject of the Complaint.
- d) The Subject of the Complaint shall then leave the Code of Conduct Hearing while the Board deliberates.
- e) The Chair of the Board shall then request any resolution(s) to be placed before the Board. Any resolution(s) of the Board at a Code of Conduct Hearing requires a two-thirds majority vote.
- f) The Subject of the Complaint will be informed of the decision of the Board.
- g) All documentation related to the Code of Conduct Hearing shall be given to the Superintendent or the Secretary Treasurer immediately upon the conclusion of the Code of Conduct Hearing.

Potential Consequences of Breach of Conduct

1.7 A violation of the Code of Conduct may result in the following:

- i. A verbal warning.
- ii. A letter outlining the breach or concern.
- iii. A recommendation for public censure of the Trustee.
- iv. Removal of the Trustee from some or all Board committees or other appointments of the Board.
- v. Temporarily suspend the Trustee from participation in private (in camera) Board meetings.

Restorative Process

1.8 When harm results from a breach of conduct and all parties agree a restorative process may be used to address the conflict.