

Policy 5 – Trustee Code of Conduct

Initial Approval:	September 4, 2018		
References:	The Education Act, 1995, Section 4(1.1)(j), 5(1); The School Division Administration Regulations, 2017, Part 3; SSBA Board Governance Handbook Policy 6 – Role of the Board Chair		
Date Revised:	February 3, 2020	Motion:	13536

Purpose

The commitment of each Board member to high ethical standards is required to ensure that the Board can responsibly fulfill its obligation and discharge its duties. Annually, Board members must complete the Public Sector Accounting Board (PSAB) PS2200 – Related Party Disclosure questionnaire and provide to the Ministry of Education.

Every member of the Board shall adhere to the following:

1. All personal interactions and relationships shall be characterized by respect, acknowledging the dignity and affirming the worth of each person.
2. A Board member shall represent fidelity to the interests of the Regina Catholic School 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 school division’s services.
3. A Board member shall avoid conflict of interest with respect to their Trustee fiduciary responsibilities. Conflict of interest is defined as competing interests or loyalties, which may affect a Trustee’s decision; lack of impartiality; or a situation in which a Trustee may be seen as deriving a personal benefit from actions or decisions made in their official capacity.
4. A Board member shall not make donations on behalf of the school division.
5. A Board member shall not conduct personal business or services with the Board except as procedurally controlled to assure openness and competitive opportunity.
6. A Board member shall not use their position to obtain employment in the school division for family members or close associates. Should a Board member seek employment with the Board they must resign from the Board prior to applying.
7. When a Board member has a conflict of interest, they shall excuse themselves from not only the vote, but also the deliberation.
8. A Board member shall respect the confidentiality required regarding issues dealt within a Closed and/or In-camera session.

9. A Board member will not use their position for personal advantage or to the advantage of any other individual apart from the total interest of the school division, and shall resist outside pressure to use their position.
10. A Board member shall act with integrity, and do everything possible to maintain the dignity of the office of a school division Board member.
11. A Board member shall work with other Board members in a spirit of respect, openness, cooperation and proper decorum, in spite of differences of opinion that arise during debate.
12. A Board member shall accept that authority rests with the Board and that they have no individual authority outside the Board, and shall abide by the majority decisions of the Board once they are made, but shall be free to repeat the opinion held by that Trustee when the decision was made.
13. A Board member shall express any contrary opinion respectfully and honestly, and without making disparaging remarks.
14. A Board member shall not divulge confidential information obtained in their capacity as a Board member and will not discuss those matters outside the meetings of the Board or the Board's committees.
15. Whereas the aim of Catholic Education is the development of each student towards personal fulfillment and responsible citizenship motivated by the Spirit of the Gospel and modeled on the example of Jesus Christ, the Catholic School Trustee shall, within the duties prescribed in Acts and Regulations and reflecting a ministry within the Church:
 - 14.1. Acknowledge that, Catholic Schools are an expression of the teaching mission of the Church;
 - 14.2. Provide an example to the Catholic Community by active participation in the communal life of a parish, and by a personal lifestyle that reflects the teachings of the Church;
 - 14.3. Provide the best possible Catholic education according to the programs approved by the Canadian Conference of Catholic bishops and the provincial Minister of Education;
 - 14.4. Affirm a strong sense of Catholic Community;
 - 14.5. Recognize and defend the democratic authority of the Board;
 - 14.6. Respect the confidentiality of the Board;
 - 14.7. Strictly support all Board policies;
 - 14.8. Ensure the affairs of the Board are conducted with openness, justice and compassion;
 - 14.9. Work to improve personal knowledge of current Catholic educational research and practices;
 - 14.10. Provide support, encouragement and prayer for the efforts of all persons engaged in the ministry of Catholic Education in Canada.

Consequences for the failure of individual Trustees to adhere to the Trustee Code of Conduct are specified in Appendix A – Trustee Code of Conduct Sanctions.

Appendix A TRUSTEE CODE OF CONDUCT SANCTIONS

1. In many instances, inappropriate conduct on the part of a Trustee can be effectively addressed by the offended Trustee meeting privately with the Trustee whose conduct was deemed to contravene the Code of Conduct. If satisfactory resolution is not achieved, the Chair may be asked to assist in dealing with the Trustee whose conduct has been deemed to contravene the code. Such a meeting shall be in private and the Chair may choose to seek the assistance of the Deputy Chair in such a meeting. If resolution is not found, the entire Board shall address the alleged contravention in closed session. Should the conduct be of a more serious nature, the initial steps may be omitted and the matter brought directly to the Board.
2. The Trustee Code of Conduct requires that the Board commit itself and its members to ethical and appropriate conduct. This includes proper use of authority, appropriate decorum and mutual respect when acting as members of the Board.
3. Trustees shall conduct themselves in an ethical and prudent manner in compliance with the Policy 4 Trustee Code of Conduct. The failure by Trustees to conduct themselves in compliance with this policy may result in the Board instituting sanctions.
4. In particular, the Trustee Code of Conduct requires that Trustees shall respect the confidentiality appropriate to issues of a sensitive nature, as determined by the Board.
5. 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, at a closed meeting of the Board. If by majority vote, at a public meeting of the Board, the Board agrees that a failure has occurred, the following procedures shall be invoked:
 - 5.1. The Board Chair shall request that the Director or designate for the Regina Catholic School Division (as head of the Regina Catholic School Division under the *Local Authority Freedom of Information and Protection Privacy Act*), appoint an independent investigator to review this matter.
 - 5.2. The independent investigator shall conduct an investigation and submit a report of finding and recommendations to the Board Chair and the Director.
 - 5.3. 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.
 - 5.4. 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 censure marked “Personal and Confidential” is required to be discussed and agreed upon by a majority of Trustees present at a Closed meeting of the Board. This decision requires immediate approval by a majority vote and Trustees at a public meeting of the Board. Alternatively, the Board may choose to send a letter of clarification or letter of redirection.
 - 5.5. For a subsequent occurrence, 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.

6. A violation of all other sections for the Trustee Code of Conduct shall result in:
 - 6.1. 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 a closed meeting of the Board. A majority of Trustees at a public meeting of the Board shall immediately approve this decision.
 - 6.2. For a subsequent occurrence, at a public meeting of the Board, a motion of censure shall be presented against the Trustee in question.
7. For a third and subsequent occurrences of any violations, at a public meeting of the Board, a motion to remove the Trustee in question from one (1), or more, of all Board appointments may be presented.
8. Should the Chair be the subject of a Code of Conduct sanctions process the Deputy Chair shall act in place of the Chair.