

GREATER ESSEX COUNTY DISTRICT SCHOOL BOARD

Regulation: Trustee Code of Conduct

Reference No: R-GV-06

DEFINITIONS

In this regulation, except where otherwise provided in this regulation,

- x “Board” means GECDSD Board of Trustees;
- x “Chair” means Chairperson of the Board of Trustees;
- x “Code” or “Code of Conduct” means GECDSD Trustee Code of Conduct;
- x “Trustee(s)” means Trustee(s) of the Board or School Board Members, and student trustees;
- x “Vice-Chair” means Vice-Chairperson of the Board of Trustees.

PURPOSE

1. A trustee position is an elected position which carries with it the understanding that the electorate will decide at election time its support for the effectiveness of a Trustee. At the same time, it is important to recognize the public trust and responsibility the collective body carries and that this trust and responsibility is honoured through determining and enforcing norms of acceptable behaviour.
2. A code of conduct policy contributes to confidence in public education and respect for the integrity of Trustees in the community. It deals with acceptable and respectful behaviour.

OUR VALUES

3. The Greater Essex County District School Board, in partnership with the community, provides learning opportunities which support, challenge, and inspire all students to achieve their full potential and enable them to participate meaningfully in their communities.

Trustee behaviour should be guided by the following values:

- x All students can learn.
- x A safe, stimulating, caring and welcoming environment, which accommodates individual students’ learning styles and needs, promotes and facilitates the learning process.
- x Planned, comprehensive programs and services enrich the lives of learners.
- x Family and community interdependence are essential for success.
- x Embracing diversity and inclusion.
- x Celebrating creativity and innovation.

33. Any allegation of a breach of the Code must be brought to the attention of the Chair or Vice-Chair no later than six (6) weeks after the breach comes to the knowledge of the Trustee reporting the breach. Notwithstanding the foregoing, in no circumstance shall an inquiry into a breach of the Code be undertaken after the expiration of six (6) months from the time the contravention is alleged to have occurred.
34. Any allegation of a breach of the Code of Conduct shall be investigated following the and/or Complaint Procedures below, as the case may be.
35. It is expected that whenever possible, allegations of a breach of the Code of Conduct by a Trustee shall be investigated following the Informal Complaint Procedure. It is recognized that from time to time a contraven(t)4.3 (s)-2 (hal)2.6 (l)2 (r)-6 (soa638rl)2 (r)-6r tinduc(ex)-2e

breach of a rule of order should be dealt with at the meeting in question by a Trustee rising to a point of order or appealing a ruling of the Chair in accordance with any applicable rule of order. Once such a motion is dealt with by the Board of Trustees, all Trustees shall abide by that decision and no further action shall be undertaken pursuant to the Enforcement Procedures of the Trustee Code of Conduct, except for persistent improper use of the applicable rules of order by the Chair or Presiding Officer.

41. The Chair on their own initiative, or at the request of a Trustee (without the necessity of providing a formal written complaint) who alleges a breach of the Code has occurred, may meet informally with a Trustee who is alleged to have breached the Code, to discuss the breach. If the Chair is alleged to have breached the Code or the Chair alleges another Trustee breached the Code and the Chair has some personal involvement in the alleged breach, then the Vice-Chair will conduct the informal complaint procedure. (See sections 31 and 32). The purpose of the meeting is to bring the alleged breach to the attention of the Trustee and to discuss remedial measures to correct the offending behaviour. The Informal Complaint Procedure is conducted in private, and restorative justice practices are encouraged.
42. The remedial measures may include a warning and/or the requirement of the Trustee to engage in the successful completion of professional development training such as that offered by the Ontario Education Services Corporation.
 - . If the Chair and the Trustee alleged to have breached this Code cannot agree on a remedy or if the informal complaint procedure has not been concluded within two weeks of the first meeting with the Trustee who is alleged to have breached the Code of Conduct , then a formal complaint may be brought against the Trustee alleged to have breached this Code and that complaint will be dealt with in accordance with the Formal Complaint Procedure below.
43. A Trustee who has reasonable grounds to believe that another Trustee has breached the Code of Conduct may bring the breach to the attention of the Board by first providing to the Chair, a written, signed complaint setting out the following:
 - 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 Trustee's attention;
 - d) the grounds for the belief by the Trustee that a breach of the Code has occurred; and
 - e) the names and contact information of any witnesses to the breach or any other persons who have relevant information regarding the alleged breach. Except as provided below, if a written complaint is filed with the Chair, then a formal inquiry shall be undertaken, unless the complainant subsequently withdraws the complaint or agrees that the complaint may be dealt with in accordance with the Informal Complaint Procedure.
44. In an election year for Trustees, a code of conduct complaint respecting a Trustee who is seeking re-election shall not be brought during the period commencing two months prior to election day and ending after the first Board of Trustees meeting after the new term of office of the Board of Trustees commences. If the Trustee accused of a breach of the Code is not re-elected, no inquiry into the alleged breach of the Code by that Trustee shall be undertaken.

d) It is expected that the formal inquiry will be conducted within 90 calendar days of the

it, or that a contravention occurred that was trivial, or committed through inadvertence, or an error of judgment made in good faith, no sanction shall be imposed.

55. The determination of a breach of the Code of Conduct and the imposition of a sanction with respect to a complaint investigated in accordance with the Formal Complaint Procedure must be done by resolution of the Board at a meeting of the Board, and the vote on the resolution may be open to the public. The resolutions shall be recorded in the minutes of the meeting. The reasons for the decision may be recorded in the minutes of the meeting. Both resolutions shall be decided by a vote of at least 2/3 of the Trustees present and voting.
56. Despite s. 207 (1) of the _____, the part of the meeting of the Board of Trustees during which a breach or alleged breach of the Code of Conduct is considered, may be closed to the public when the breach or alleged breach involves any of the matters described in clauses 207(2) (a) to (e) and section 207 (2.1) being:
- a) the security of the property of the GECDSB;
 - b) the disclosure of intimate, personal or financial information in respect of a Trustee or committee, an employee or prospective employee of the GECDSB or a pupil or their parent or guardian;
 - c) the acquisition or disposal of a school site;
 - d) decisions in respect of negotiations with employees of the GECDSB;
 - e) litigation affecting the GECDSB;
 - f) a matter in which the GECDSB appointed legal counsel has advised a strong indication of probable litigation or an investigation by the Ontario Ombudsman, which may affect the GECDSB; and
 - g) an ongoing investigation by the Ontario Ombudsman affecting the GECDSB.
57. The Trustee who is alleged to have breached the Code of Conduct shall not vote on a resolution to determine whether or not there is a breach or the imposition of a sanction. The Trustee who brought the complaint to the attention of the Board of Trustees may vote on those resolutions.
58. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations and shall not be required to answer any questions at that meeting.
59. The Trustee who is alleged to have breached the Code of Conduct shall not in any way, after the final report is completed, influence the vote on the decision of breach or sanction, except as permitted below in section 59 (b) after these decisions have been made.

School Boards that have First Nation Trustees appointed to their board should have regard for Ontario Regulation 462/97

60. If the Board of Trustees determines that the Trustee has breached the Code of Conduct, the Board of Trustees may impose one or more of the following sanctions:
- a) Censure of the Trustee.
 - b) Barring the Trustee from attending all or part of a meeting of the Board or a meeting of a committee of the Board.
 - c) Barring the member from sitting on one or more committees of the Board, for the period of time specified by the Board.
61. The Board shall not impose a sanction which is more onerous than the above but may impose one that is less onerous such as a warning or a requirement that the Trustee successfully complete specified professional development courses at the expense of the Board. The Board has no power to declare the Trustee's seat vacant.

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together with the reasons for confirming or revoking a determination. The Board of Trustees shall provide to the Trustee alleged to have breached the Code of Conduct written notice of the decision to confirm or revoke the determination together with reasons for the decision and written notice of any decision to confirm, vary or revoke a sanction. The Trustee alleged to have breached the Code of Conduct shall not vote on those resolutions. The Trustee who brought the complaint may vote.

69. The Trustee who is alleged to have breached the Code of Conduct may be present during the deliberations regarding the above but shall not participate in the deliberations and shall not be required to answer any questions at that meeting.
70. If appropriate, the original sanction may be stayed pending the reconsideration by the Board of the determination or sanction.

Footnotes

- 1.

ACKNOWLEDGEMENT AND UNDERTAKING

I confirm that I have read, understand and agree to abide by this Trustee Code of Conduct and the Enforcement Procedures.

Name: _____

Signature: _____

Date: _____

Appendix 1